

HOUSE No. 4788

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, May 4, 1976.

The committee on Commerce and Labor, to whom were referred the petition (accompanied by bill, House, No. 453) of Royal L. Bolling, Jr., and Raymond A. Jordan, Jr., relative to extending the benefit of the workmen's compensation law to certain part-time employees; and the petition (accompanied by bill, House, No. 833) of the Independent Insurance Agents of Massachusetts relative to extending the benefits of the workmen's compensation law, report recommending that the accompanying bill (House, No. 4788) ought to pass.

For the committee,

ROYAL L. BOLLING, JR.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Six.

AN ACT RELATIVE TO EXTENDING THE BENEFIT OF THE WORKMEN'S
COMPENSATION LAW TO CERTAIN PART-TIME EMPLOYEES.

*Be it enacted by the Senate and House of Representatives in
General Court assembled, and by the authority of the same, as
follows:*

1 SECTION 1. Section 1 of Chapter 152 of the General Laws, as
2 most recently amended by Chapter 394 of the Acts of 1972, is
3 hereby amended by striking out in subdivision 4, paragraph 3 and
4 inserting in place thereof the following language: —

5 “The provisions of this chapter except Sections 21, 22, shall
6 apply to employers of domestic servants.”

1 SECTION 2. Chapter 152 is further amended by striking out
2 of Section 54A the following language in the first sentence
3 thereof: “and seasonal or casual or part-time domestic servants
4 who work in the employ of the employer less than sixteen hours a
5 week for whom insurance under this chapter remains elective.”

1 SECTION 3. Section 99 of Chapter 175 is hereby amended by
2 inserting after Clause Twelfth the following: —

3 Thirteenth, notwithstanding any other provisions of this
4 chapter to the contrary, all domestic servants shall be afforded
5 workmen's compensation benefits as are provided under Chapter
6 152 unless the employer has a separate policy of insurance
7 providing such benefits. The provisions of this section do not
8 apply to independent contractors. Premium rates and policy
9 forms and endorsements for this coverage shall be subject to the
10 approval of the commissioner.”

1 SECTION 4. “Notwithstanding the provisions of Chapter 152
2 or any other law to the contrary, any insurance company writing
3 tenant's or homeowner's insurance shall, to the extent of the
4 coverage required in Section 2 above, write workmen's compen-
5 sation insurance in this Commonwealth and shall not be subject
6 to any financial or other requirements with respect thereto in
7 addition to the requirements for writing such insurance contracts
8 or to the provisions of sections 52 through 65 of Chapter 152.”