

The Commonwealth of Massachusetts

EXECUTIVE DEPARTMENT,
STATE HOUSE, BOSTON, JUNE 3, 1968.

To the Honorable Senate and House of Representatives:

In accordance with the provisions of Article LVI of the Amendments of the Constitution, I am returning, herewith, House Bill No. 4429 entitled "An Act protecting the rights of injured employees under the Workmen's Compensation Law."

Section 14 of Chapter 152 of the General Laws, which deals with the assessment of costs for frivolous proceedings, confers the right to assess such costs upon the Board of Review, a single member, or any court before which proceedings under Chapter 152 are brought.

The language of the proposed bill limits its scope in that it would prevent a Reviewing Board, or a single member of the Industrial Accident Board from making the award as set forth, and would permit only the entire membership of the Industrial Accident Board to make the award.

I have been informed that the proposed bill would better serve its purpose if it were to confer the rights therein defined in the same manner as provided in Section 14.

I, therefore, recommend the bill be amended as follows:—

By striking out in its entirety Section 7E and substituting in place thereof the following:—

Section 7E. If the Reviewing Board, any member of the Division, or any court finds that payment of compensation has been unreasonably delayed by an insurer or self-insurer, it shall increase the award to a claimant by not less than five nor more than ten percent of the compensation than found to be due.

Respectfully submitted,

JOHN A. VOLPE,
Governor of the Commonwealth.

