

HOUSE No. 1290

Bill accompanying the petition of George P. Drury for additional method of providing compensation for injuries sustained by employees in the course of their employment. Joint Judiciary. January 21.

The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Fourteen.

AN ACT

To provide Additional Methods of Compensating Employees for Injuries sustained in the Course of their Employment.

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. Any employer who desires to accept the
2 provisions of chapter seven hundred and fifty-one of the
3 acts of the year nineteen hundred and eleven, and acts in
4 amendment thereof and in addition thereto, known as the
5 workmen's compensation act, may, instead of insuring as
6 therein provided, enter into an agreement, subject to the
7 approval of the industrial accident board, with the Massa-
8 chusetts Employees Insurance Association or other de-
9 positary satisfactory to the board, whereby the employer
10 agrees that upon compensation being awarded under the

11 act by reason of an injury to any of his employees, he
12 shall pay the depositary a lump sum sufficient to provide
13 for the payment of all the compensation given by the
14 award, and whereby the depositary agrees to pay the
15 compensation so provided for to any person to whom it
16 shall be due.

1 SECTION 2. The agreement provided by section one
2 shall be for a term not exceeding one year from the date
3 when it takes effect. A copy of such agreement shall be
4 filed with the board, and it shall take effect upon approval
5 by the board. Upon such approval, and upon the post-
6 ing of notices as provided by the act, the employer shall
7 be deemed to be a subscriber within the meaning of the
8 act.

1 SECTION 3. Upon the question of approval of the
2 agreement, the board may take into consideration, among
3 other things, its terms, the financial ability of the em-
4 ployer and his or its conduct in dealing with employees
5 or with the board, and the financial ability of the deposi-
6 tary, and its conduct as an insurer or depositary, if it has
7 been such. The agreement on the part of the employer
8 may be guaranteed by one or more others, or secured by
9 bond or deposit of money, and the board may take such
10 guaranty or security into consideration upon the question
11 of approving the agreement. The board may approve
12 mutual guaranties among several employers.

1 SECTION 4. Subject to the approval of the board, the
2 agreement may provide either that the employer shall
3 take upon himself the duties of the insurer relative to
4 medical services, and other duties imposed by the act
5 upon the insurer, in which case the employer shall be

6 regarded as the insurer for all purposes under the act, or
7 that the depositary shall take upon itself those duties, in
8 which case the depositary shall be regarded as the insurer.
9 The notices posted shall state to whom the notice of injury
10 and claim of compensation shall be sent.

1 SECTION 5. This act shall take effect upon its pas-
2 sage.

