



The Commonwealth of Massachusetts

Division of Industrial Accidents

150 Tremont Street, Boston 11

WHEN REPLYING
PLEASE QUOTE I.A.B.
FILE NO.
ATTENTION OF:

October 25, 1963

CIRCULAR LETTER NO. 133

TO: ALL INSURANCE COMPANIES, ALL SELF-INSURERS, AND WORKMEN'S COMPENSATION AGENTS OF DEPARTMENTS OF THE COMMONWEALTH AND COUNTIES, CITIES, TOWNS AND DISTRICTS SUBJECT TO THE WORKMEN'S COMPENSATION ACT (GENERAL LAWS, CHAPTER 152, AS AMENDED).

Gentlemen:

Your attention is directed to the provisions of Chapter 460 of the Acts of 1963.

The maximum rate of incapacity compensation for injuries which occur on or after November 1, 1963 is \$53 a week.

This maximum weekly rate applies to incapacity compensation payable under Sections 34, 34A and 35.

Very truly yours,

John E. Coyne

JOHN E. COYNE
SECRETARY

JEC/ec

CHAPTER 460

AN ACT ESTABLISHING FIFTY-THREE DOLLARS AS THE MAXIMUM WEEKLY BENEFIT FOR INCAPACITY UNDER THE WORKMEN'S COMPENSATION ACT.

Be it enacted, etc., as follows:

SECTION 1. Chapter 152 of the General Laws is hereby amended by striking out section 34, as most recently amended by section 1 of chapter 602 of the acts of 1961, and inserting in place thereof the following section:- Section 34. While the incapacity for work resulting from the injury is total, the insurer shall pay the injured employee a weekly compensation equal to two thirds of his average weekly wages, but not more than fifty-three dollars nor less than twenty dollars a week, unless the weekly wages of the injured employees are less than twenty dollars, in which case said weekly compensation shall be equal to his average weekly wages, but not less than ten dollars where the number of normal working hours of the injured employee in a week are fifteen or more; provided, that the amount does not exceed sixteen thousand dollars, except that if the injured employee has received compensation for the same injury under section thirty-five the combined amount of compensation payable under this section and section thirty-five shall not exceed the maximum amount as set forth in section thirty-five.

SECTION 2. Section 34A of said chapter 152 is hereby amended by striking out the first sentence, as most recently amended by section 2 of said chapter 602, and inserting in place thereof the following sentence:- While the incapacity for work resulting from the injury is both permanent and total, the insurer shall pay to the injured employee, following payment of the maximum amount of compensation provided in sections thirty-four and thirty-five, or either of them a weekly compensation equal to two thirds of the average weekly wage but not more than fifty-three dollars per week and not less than twenty dollars a week during the continuance of such permanent and total incapacity.

SECTION 3. Said chapter 152 is hereby further amended by striking out section 35, as most recently amended by section 3 of said chapter 602, and inserting in place thereof the following section:- Section 35. While the incapacity for work resulting from the injury is partial, the insurer shall pay the injured employee a weekly compensation equal to the entire difference between his average weekly wage before the injury and the average weekly wage he is able to earn thereafter, but not more than fifty-three dollars per week; and the amount of such compensation shall not be more than eighteen thousand dollars, nor shall the combined amount of compensation payable under this section and section thirty-four be more than eighteen thousand dollars.

SECTION 4. This act shall take effect on November first, nineteen hundred and sixty-three.

Effective November 1, 1963

Publication of this Document Approved by Alfred Holland, State Purchasing Agent - #1.