

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1104

Session of
1983

INTRODUCED BY GLADECK, PITTS, BURD, E. Z. TAYLOR, JACKSON,
SIRIANNI, NOYE, MADIGAN, MERRY, MACKOWSKI, FREIND, BUNT,
HERSHEY AND SAURMAN, MAY 25, 1983

REFERRED TO COMMITTEE ON LABOR RELATIONS, MAY 25, 1983

AN ACT

1 Amending the act of June 2, 1915 (P.L.736, No.338), entitled, as
2 reenacted and amended, "An act defining the liability of an
3 employer to pay damages for injuries received by an employe
4 in the course of employment; establishing an elective
5 schedule of compensation; providing procedure for the
6 determination of liability and compensation thereunder; and
7 prescribing penalties," further providing for the amounts of
8 compensation payable in certain cases.

9 The General Assembly of the Commonwealth of Pennsylvania
10 hereby enacts as follows:

11 Section 1. Sections 105.1 and 105.2 of the act of June 2,
12 1915 (P.L.736, No.338), known as The Pennsylvania Workmen's
13 Compensation Act, reenacted and amended June 21, 1939 (P.L.520,
14 No.281), are repealed.

15 Section 2. Clause (a) and the penultimate paragraph of
16 clause (c) of section 306 of the act, amended December 5, 1974
17 (P.L.782, No.263), are amended to read:

18 Section 306. The following schedule of compensation is
19 hereby established:

20 (a) For total disability, sixty-six and two-thirds per

1 centum of the wages of the injured employe as defined in section
2 three hundred and nine beginning after the seventh day of total
3 disability, and payable for the duration of total disability,
4 but the compensation shall not be more than [the maximum
5 compensation payable nor less than fifty per centum of the
6 Statewide average weekly wage. If at the time of injury, the
7 employe receives wages equal to or less than fifty per centum of
8 the Statewide average weekly wage, then he shall receive ninety
9 per centum of his average weekly wage as compensation, but in no
10 event less than thirty-three and one-third per centum of the
11 maximum weekly compensation payable] three hundred six dollars
12 per week nor less than twenty-five dollars per week. Nothing in
13 this clause shall require payment of compensation after
14 disability shall cease.

15 * * *

16 (c) * * *

17 Compensation under paragraphs (1) through [(24) of this
18 clause shall not be more than the maximum compensation payable
19 nor less than fifty per centum of the maximum compensation
20 payable per week for total disability as provided in subsection
21 (a) of this section, but in no event more than the Statewide
22 average weekly wage] (25) of this clause shall be payable as
23 provided in subsection (a).

24 * * *

25 Section 3. This act shall take effect in 30 days.