

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1233 Session of
1997

INTRODUCED BY TRELLO, E. Z. TAYLOR, BROWNE, MANDERINO, MICOZZIE,
FLICK, MUNDY, HENNESSEY, LAUGHLIN, PESCI, ITKIN, TIGUE,
JOSEPHS, C. WILLIAMS, OLASZ, JAROLIN, WALKO, SHANER,
GIGLIOTTI, YOUNGBLOOD, PISTELLA, CURRY, MIHALICH AND RAMOS,
APRIL 8, 1997

REFERRED TO COMMITTEE ON LABOR RELATIONS, APRIL 8, 1997

AN ACT

1 Amending the act of April 9, 1929 (P.L.177, No.175), entitled
2 "An act providing for and reorganizing the conduct of the
3 executive and administrative work of the Commonwealth by the
4 Executive Department thereof and the administrative
5 departments, boards, commissions, and officers thereof,
6 including the boards of trustees of State Normal Schools, or
7 Teachers Colleges; abolishing, creating, reorganizing or
8 authorizing the reorganization of certain administrative
9 departments, boards, and commissions; defining the powers and
10 duties of the Governor and other executive and administrative
11 officers, and of the several administrative departments,
12 boards, commissions, and officers; fixing the salaries of the
13 Governor, Lieutenant Governor, and certain other executive
14 and administrative officers; providing for the appointment of
15 certain administrative officers, and of all deputies and
16 other assistants and employees in certain departments, boards,
17 and commissions; and prescribing the manner in which the
18 number and compensation of the deputies and all other
19 assistants and employees of certain departments, boards and
20 commissions shall be determined," prohibiting workers'
21 compensation judges from accepting certain employment within
22 a certain period after leaving State employment; and making
23 editorial changes.

24 The General Assembly of the Commonwealth of Pennsylvania
25 hereby enacts as follows:

26 Section 1. Section 442 of the act of April 9, 1929 (P.L.177,
27 No.175), known as The Administrative Code of 1929, amended May

1 3, 1974 (P.L.271, No.76), is amended to read:

2 Section 442. [Workmen's Compensation Referees] Workers'
3 Compensation Judges.--(a) There shall be, in the Department of
4 Labor and Industry, as many [Workmen's Compensation Referees]
5 Workers' Compensation Judges, as, in the judgment of the
6 Secretary of Labor and Industry, shall be necessary properly to
7 administer the [workmen's] workers' compensation laws of the
8 Commonwealth. Such [referees] judges shall be appointed by and
9 subject to the direction and control of the Secretary of Labor
10 and Industry. The Secretary of Labor and Industry shall assign
11 them to the various [workmen's] workers' compensation districts,
12 and shall prescribe from time to time the duties to be performed
13 by them.

14 (b) All positions as [Workmen's Compensation Referees]
15 Workers' Compensation Judges now existing or hereafter created
16 shall be in the classified service in conformity with the act of
17 August 5, 1941 (P.L.752, No.286), known as the "Civil Service
18 Act"[: Provided, That persons occupying such positions on the
19 day before the effective date of this amendment shall serve the
20 maximum probationary period authorized by section 603 of the
21 "Civil Service Act," beginning on effective date of this
22 amendatory act: And provided further, That any handicapped
23 person subsequently appointed to the position of a Workmen's
24 Compensation Referee prior to October 15, 1972 shall serve the
25 maximum probationary period authorized by section 603 of the
26 "Civil Service Act" beginning on the date of his appointment].

27 (c) No former Workers' Compensation Judge may, for a period
28 of one year from the time that such judge terminates State
29 employment, be employed by, receive compensation from, assist or
30 act in a representative capacity for an insurance company. Any

1 person who violates the provisions of this subsection commits a
2 misdemeanor of the third degree and, upon conviction, shall be
3 sentenced to pay a fine of not more than one thousand dollars
4 (\$1,000) or to imprisonment for not more than one year, or both.

5 Section 2. This act shall take effect in 60 days.