

WORKMEN'S COMPENSATION LIABILITY OF CHARITABLE INSTITUTE'S
Act of Jun. 3, 1933, P.L. 1515, No. 328
A SUPPLEMENT

Cl. 77

To the act, approved the second day of June, one thousand nine hundred and fifteen (Pamphlet Laws, seven hundred thirty-six), entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; and providing procedure for the determination of liability and compensation thereunder"; defining the liability of public or charitable bodies, corporations and institutions to pay workmen's compensation to persons injured in work relief employment and to carry insurance therefor, and the rights of persons injured in such employment; establishing the State Work Relief Compensation Fund to provide such compensation in certain cases, and providing for the administration of such fund by the State Workmen's Insurance Fund; and making an appropriation therefor.

Section 1. Be it enacted, &c., That when used in this act, the following terms shall have the meanings ascribed to them by this section, unless the context clearly requires a different meaning:

(a) The term "work relief employe" shall mean any person engaged in work for any public or charitable body, corporation or institution, by direction or assignment of the State Emergency Relief Board, or a county emergency relief board, or other agency of the State Emergency Relief Board, in return for cash or commodities furnished by or through the action of the State Emergency Relief Board as unemployment relief.

(b) The term "the act to which this is a supplement" shall mean "The Workmen's Compensation Act of one thousand nine hundred and fifteen," and all supplements and amendments thereto.

(c) The term "work relief employer" shall mean any public or charitable body, corporation or institution employing any work relief employe, as defined in subsection (a) of this section.

Section 2. No compensation shall be payable to injured work relief employes during the first twenty-six weeks of disability: Provided, however, That this section shall not apply to injuries compensable under subsections (c) and (e) of section three hundred and six or section three hundred and seven of the act to which this is a supplement.

Section 3. Work relief employes, as herein defined, are hereby declared to be employes of work relief employers for all purposes of the act to which this is a supplement. Any work relief employer who shall desire to be relieved of this liability to such work relief employe shall pay into the State Treasury the amounts provided in section four of this act. Payments to the State Treasurer of such amounts shall relieve the work relief employer of all further obligation for compensation to the work relief employe, or his dependents, and

from obligation to carry insurance for such compensation, and shall exclude such liability from policies of insurance covering other types of employment.

Section 4. Each work relief employer, contributing to the State Work Relief Compensation Fund, shall pay to it twenty-five cents per week for each work relief employe used by such work relief employer: Provided, however, That the Insurance Commissioner shall, from time to time, review the adequacy of this rate and modify it as circumstances require.

Section 5. The moneys paid into the State Treasury under the provisions of this act shall be kept in a special fund, to be known as the "State Work Relief Compensation Fund." The State Workmen's Insurance Fund shall administer the State Work Relief Compensation Fund, and shall determine the amounts due from each work relief employer, collect the amounts so due, transfer them to the State Work Relief Compensation Fund, and pay out from such fund the amounts due in accordance with the provisions of this act. The moneys of the State Work Relief Compensation Fund are hereby expressly appropriated to the State Workmen's Insurance Fund for the purpose of this act. As compensation for administration of the State Work Relief Compensation Fund, the State Workmen's Insurance Fund shall receive from the said fund seventeen and one-half per centum of the moneys paid from such fund in each month for workmen's compensation, medical, surgical, hospital services, supplies, and funeral expenses.

Section 6. From the State Work Relief Compensation Fund, the State Workmen's Insurance Fund shall pay to injured work relief employes, and their dependents, the benefits and compensation prescribed by the act to which this is a supplement, as modified by this act. Payments of medical, surgical, hospital services, and supplies and funeral expenses may, in the discretion of the State Workmen's Insurance Fund, be paid upon certificate of the work relief employer, as herein defined, when accompanied by a certificate from the county emergency relief board, or other agency of the State Emergency Relief Board, certifying that the injury for which claim is made was sustained in the course of work relief employment. Compensation payments to injured work relief employes, or their dependents, shall be made only upon a final award of a workmen's compensation referee, or the State Workmen's Compensation Board, with or without a hearing. The State Workmen's Insurance Fund shall not be liable to make any payments under this act from any moneys except the State Work Relief Compensation Fund.

Section 7. There is hereby reappropriated to the State Work Relief Compensation Fund from the funds appropriated, or to be appropriated, for the biennium beginning June first, one thousand nine hundred and thirty-three, to the State Emergency Relief Board, the sum of twenty-five thousand dollars.

The said sum shall be repaid to the State Emergency Relief Board from the State Work Relief Compensation Fund in such installments and at such times as the Insurance Commissioner shall determine, and so much of the moneys in the State Work Relief Compensation Fund as may be necessary are hereby appropriated for that purpose.

Section 8. All acts and parts of acts inconsistent herewith

are hereby repealed.

Section 9. This act shall become effective immediately upon final enactment.