

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1412 Session of  
1991

INTRODUCED BY RITTER, DENT, DeWEESE, VEON, NAHILL, BELFANTI,  
DeLUCA, ARMSTRONG, LEVDANSKY, HARPER, BUNT, HALUSKA, BISHOP,  
LAUGHLIN, TRELLO, PESCI, COLAIZZO, ARNOLD, ARGALL, OLASZ,  
JOSEPHS, BATTISTO, TIGUE, STABACK, SURRA, JOHNSON, SERAFINI,  
MAIALE, MIHALICH, THOMAS, CAPPABIANCA, TULLI, RAYMOND, HASAY,  
CORNELL, PETRONE, KING, JAMES, GODSHALL, RUDY, ANGSTADT AND  
NAILOR, MAY 15, 1991

REFERRED TO COMMITTEE ON LABOR RELATIONS, MAY 15, 1991

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 defining "employee."

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

10 Section 1. Section 104 of the act of June 2, 1915 (P.L.736,  
11 No.338), known as The Pennsylvania Workmen's Compensation Act,  
12 reenacted and amended June 21, 1939 (P.L.520, No.281) and  
13 amended March 29, 1972 (P.L.159, No.61), is amended to read:

14 Section 104. The term "employe," as used in this act is  
15 declared to be synonymous with servant, and includes--

16 All natural persons who perform services for another for a  
17 valuable consideration, exclusive of persons whose employment is  
18 casual in character and not in the regular course of the

1 business of the employer, and exclusive of persons to whom  
2 articles or materials are given out to be made up, cleaned,  
3 washed, altered, ornamented, finished or repaired, or adapted  
4 for sale in the worker's own home, or on other premises, not  
5 under the control or management of the employer. Every executive  
6 officer of a corporation elected or appointed in accordance with  
7 the charter and by-laws of the corporation, [except] including  
8 elected officers of the Commonwealth or any of its political  
9 subdivisions, shall be an employe of the corporation except as  
10 hereinafter provided in sections 302 (c), 305 and 321.

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