
By: Senator Stone

Introduced and read first time: January 29, 1996

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Workers' Compensation - Average Weekly Wage - Multiple Employers**

3 FOR the purpose of establishing that, under certain circumstances, for purposes of
4 computing the average weekly wage of a covered employee under the workers'
5 compensation law, wages shall include salary or wages earned by the covered
6 employee in all employment at the time of the accidental injury or last injurious
7 exposure.

8 BY repealing and reenacting, with amendments,
9 Article - Labor and Employment
10 Section 9-602(a)
11 Annotated Code of Maryland
12 (1991 Volume and 1995 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article - Labor and Employment**

16 9-602.

17 (a) (1) Except as otherwise provided in this section, the average weekly wage of
18 a covered employee shall be computed by determining the average of the weekly wages of
19 the covered employee:

20 (i) when the covered employee is working on full time; and

21 (ii) at the time of:

22 1. the accidental personal injury; or

23 2. the last injurious exposure of the covered employee to the
24 hazards of an occupational disease.

25 (2) For purposes of a computation under paragraph (1) of this subsection,
26 wages shall include:

27 (i) SALARY OR WAGES EARNED BY THE COVERED EMPLOYEE IN
28 OTHER EMPLOYMENT AT THE TIME OF THE ACCIDENTAL PERSONAL INJURY OR
29 LAST INJURIOUS EXPOSURE;

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1 (II) tips; and

2 [(ii)] (III) the reasonable value of housing, lodging, meals, rent, and
3 other similar advantages that the covered employee received from the employer.

4 (3) If a covered employee establishes that, because of the age and
5 experience of the covered employee at the time of the accidental personal injury or last
6 injurious exposure to the hazards of the occupational disease, the wages of the covered
7 employee could be expected to increase under normal circumstances, the expected
8 increase may be taken into account when computing the average weekly wage of the
9 covered employee under paragraph (1) of this subsection.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 1996.