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## VOLUNTEER DIVERS; WORKER'S COMP

House Bill 5107

Sponsor: Rep. Jerry VanderRoest  
Committee: Employment Relations,  
Training and Safety

Complete to 2-14-02

### A SUMMARY OF HOUSE BILL 5107 AS INTRODUCED 10-2-01

House Bill 5107 would amend the Worker's Disability Compensation Act to include members of a volunteer underwater diving team.

Currently under the law, on-call members of a fire department whether paid or unpaid, who contract with or receive reimbursement from one or more local units of government, are entitled to all the benefits of the act when they are personally injured in the performance of their duties. The bill would retain this provision, and extend it to all on-call members of volunteer underwater diving teams, whether they are paid or unpaid. Further, the bill specifies that for the purpose of calculating the weekly rate of compensation provided under the act, the on-call members of a volunteer underwater diving team would be assumed to be receiving the state average weekly wage at the time of injury, as last determined under section 355, from the fire department. [Under section 355, the maximum weekly rate is adjusted once each year in accord with the increase or decrease in the average weekly wage, as determined by the Michigan Employment Security Commission.] However, if the member's average weekly wage was greater than the state average weekly wage at the time of the injury, then the member's weekly rate of compensation would be determined based on that wage.

MCL 418.161

Analyst: J. Hunault

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