

Senate Fiscal Agency
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SFA**BILL ANALYSIS**

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House Bill 5107 (as reported without amendment)
Sponsor: Representative Jerry Vander Roest
House Committee: Employment Relations, Training and Safety
Senate Committee: Human Resources and Labor

CONTENT

The bill would amend the Worker's Disability Compensation Act to include on-call members of a volunteer underwater diving team as employees under the Act.

Currently, on-call members of a fire department, whether paid or unpaid, who contract with or receive reimbursement from one or more counties, cities, villages, or townships are entitled to all the benefits of the Act when they are personally injured in the performance of their duties as on-call members of a fire department. The bill would extend this provision to on-call members of a volunteer underwater diving team.

In addition, the bill specifies that for the purpose of calculating the weekly rate of compensation provided under the Act, on-call members of a volunteer underwater diving team would be considered to be receiving the State average weekly wage at the time of the injury, as last determined under Section 355, from the fire department. If a member's average weekly wage were greater than the State average weekly wage at the time of the injury, the member's weekly rate of compensation would have to be determined based on his or her average weekly wage. (Under Section 355, the maximum weekly rate is adjusted once each year in accordance with the increase or decrease in the average weekly rate in covered employment, as determined by the Bureau of Worker's and Unemployment Compensation.)

MCL 418.161

Legislative Analyst: George Towne

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Date Completed: 5-17-02

Fiscal Analyst: Maria Tyszkiewicz