

Brotherton calls for benefit reform

By STEVE BARNARD
Farmington editor

Michigan residents abusing the unemployment and workers' compensation programs are running the state's potential business growth.

That's the word from State Rep. Wilbur (Sandy) Brotherton (R-Farmington), whose district includes parts of Southfield. To quell the alleged abuse, Brotherton is calling for action.

The abuses which exist in both the unemployment compensation system and the worker's compensation system contribute mightily to the cost of doing business in Michigan," says Brotherton.

We have to bring about some sort of reform in these two major employer-funded

programs in order to restore Michigan's edge in the business community at large.

TO IMPROVE the situation, Brotherton suggests:

- Provide explicit definitions of voluntary quits.
- Provide explicit disqualifications for persons who have abused their conditions of employment.
- Provide a statute of limitations for worker compensation claims.
- Distinguish between job related and age related disabilities.
- Provide explicit definitions of what constitutes a valid claim.

"We should try to bring both of these programs more in line with their original concept of temporary assistance, rather than the quasi welfare system that they have become in recent years," he says.

Presently the state legislature is considering two different bills dealing with the situation.

Two of the bills, one in the house and one in the senate, are labeled as business-sponsor bills. Two others are sponsored by labor factors. The final one is the governor's reform bill.

Brotherton hopes that reforms of the present law, through one of these bills, will attract business to the state.

There seems to be a trend among major manufacturers to decide that perhaps Michigan after all is really not such a good place to do business," he says.

"I think it is somewhat ironic that although Michigan has about the highest level of cost per worker in the continental United States, the actual benefit level—the money that is actually paid to the unemployed—is far from the highest.

The cost to employers is high, but the benefits to workers are not.

ONE OF THE MAJOR problems as Brotherton sees it is that returns alleg-

edly are being urged by their unions to file for workmen's compensation years after they have been retained.

Under existing law, the three-month statute of limitations on notice of injury doesn't apply if an employer has notice of an employee's injury or disability within the three months, but doesn't report it to the state Worker's Compensation Bureau.

The law in language permits an employer to request a medical leave of absence collect disability insurance benefits from a private or group carrier, and upon expiration, file a claim for compensation alleging his disability is work-related.

The fact the employer didn't inform the employer his disability was work-related when obtaining the leave of absence doesn't alter the employer's position says Brotherton.

Because the employer had knowledge of the employee's disability and didn't file the required notice with the bureau, the three-month statute of limitations doesn't run against the employer's claim.

The bills under consideration would change this by delaying the requirements that the employer file notice of injury with the bureau as a condition precedent to the running of the statute of limitations.

The bills provide, however, that if an employer who has knowledge of a compensable injury doesn't properly report it to the bureau he is guilty of a misdemeanor and may be fined up to \$500 if convicted.

The bills would allow claims to be filed by employees more than one year after the last of the following:

- The date of injury.
- The last date of continuous medical care or rehabilitation services provided at the employer's expense as a result of injury.
- The date of termination of favored work which, due to an employee's injury was provided by the employer for whom the employee was working at the time of the injury.
- The date of the last payment of compensation other than for medical expense paid because of injury.
- The date of death of an employee.

AN EMPLOYEE would be required under the terms of the bills to provide the employer with a report of any physical examination he has received in connection with the injury.

Presently such reports are required only if the employer requests them. These bills would reduce disability to mean the inability of an employee as a result of a work-related injury or disease to perform or obtain any work suitable to the employee's qualifications or training.

Under present law, an employee is considered disabled and eligible for benefits if being unable to work at the job being performed at the time of the injury.



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Five Harrison High School students placed in the Scholastic Art Awards at Twelve/Mall recently. The two blue ribbon winners, Sheryl Rogers and Cam Strzawski will be sent to New York for the national judging.

Ms. Rogers won a mixed-media blue ribbon and Ms. Strzawski won a blue ribbon in graphic design.

Mark Huerbler won a certificate for his multi-color one block lamp.

Dan Elford won a certificate for a pendant he made and Lori Lucas won a certificate for her rug.

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