

# HOUSE BILL No. 6179

September 30, 1992, Introduced by Reps. Emerson, Baade, Murphy, Hillegonds and DeLange and referred to the Committee on Labor.

A bill to amend sections 901 and 905 of Act No. 317 of the Public Acts of 1969, entitled as amended "Worker's disability compensation act of 1969," being sections 418.901 and 418.905 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 901 and 905 of Act No. 317 of the  
2 Public Acts of 1969, being sections 418.901 and 418.905 of the  
3 Michigan Compiled Laws, are amended to read as follows:

4 Sec. 901. As used in this chapter:

5 (a). "Vocationally handicapped" means a person who has a med-  
6 ically certifiable impairment of the back or heart, ~~or~~ who is  
7 subject to epilepsy, or who has diabetes. ~~, and whose~~  
8 ~~impairment is a substantial obstacle to employment, considering~~

1 ~~such factors as the person's age, education, training,~~  
2 ~~experience, and employment rejection.~~

3 (b) "Certifying agency" means the division of vocational  
4 rehabilitation of the department of education.

5 (c) "Certificate" means documentation issued by the certify-  
6 ing agency to an individual who is vocationally handicapped.

7 (d) "Fund" means the second injury fund created in chapter  
8 5. Payments made by the fund under this chapter shall be treated  
9 the same as all other payments made by the second injury fund.

10 (E) "UNEMPLOYED PERSON" MEANS A PERSON WHO, WHETHER OR NOT  
11 HOLDING AN OFFER OF EMPLOYMENT, HAS NOT ACTUALLY COMMENCED  
12 EMPLOYMENT FOR WHICH WAGES ARE TO BE PAID.

13 Sec. 905. (1) An unemployed person who ~~wishes to~~ HAS NOT  
14 COMMENCED EMPLOYMENT WITH A NEW EMPLOYER MAY APPLY TO be certi-  
15 fied as vocationally handicapped for purposes of this chapter  
16 ~~shall apply to the certifying agency~~ on forms furnished by the  
17 CERTIFYING agency. The certifying agency shall conduct an inves-  
18 tigation and shall issue a certificate to a person who meets the  
19 requirements for vocationally handicapped certification. The  
20 certificate is valid for 2 calendar years after the date of  
21 issuance.

22 (2) After expiration of a certificate an unemployed person  
23 may apply for a new certificate. A certificate is not valid with  
24 an employer by whom the person has been employed within 52 weeks  
25 before issuance of the certificate.