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WORKERS' DISABILITY: MENTAL DISABILITIES, REFUSAL TO WORK

House Bill 4512

Sponsor: Rep. Wayne Kuipers

Committee: Employment Relations,
Training and Safety

Complete to 4-10-01

A SUMMARY OF HOUSE BILL 4512 AS INTRODUCED 3-22-01

The bill would amend the Worker's Disability Compensation Act of 1960 to specify what "actual events of employment" would not include with regard to compensable mental disabilities, and to make unemployed disabled workers permanently ineligible for wage loss benefits "after the passage of a reasonable period of time" if they refused bona fide offers of "reasonable employment." The bill also would specify that any employee who voluntarily quit employment for any reason or who was terminated for just cause would not be entitled to further wage loss benefits from the employer where the injury occurred.

Currently, under the act, mental disabilities and conditions of the aging process (including but not limited to heart and cardiovascular conditions) are compensable if contributed to or aggravated or accelerated by the employment in a significant manner. Mental disabilities are compensable when arising out of actual events of employment, and not out of "unfounded perceptions" thereof. The bill would specify that "actual events of employment" would not include reasonable job performance evaluations, regular supervisory acts directly related to employment, or disciplinary, suspension, or termination proceedings from employment.

Finally, the bill would amend a provision of the act regarding disability compensation and how a worker loses his or her job. Currently, if disability is established under the act, a worker currently receives compensation based upon his or her wage at the original date of injury if, for whatever reason, he or she loses his or her job after having been employed for less than 100 weeks. The bill would replace the phrase "for whatever reason" with the phrase "through no fault of the employee."

MCL 418.301

Analyst: J. Hunault

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