

WORKER'S DISABILITY COMPENSATION ACT OF 1969 (EXCERPT)
Act 317 of 1969

418.302 "Wage earning capacity" defined.

Sec. 302. As used in chapters 3 and 4, "wage earning capacity" means the wages the employee earns or is capable of earning at a job reasonably available to that employee if the employee is a member of a full-paid fire department of an airport run by a county road commission in counties of 1,000,000 population or more or by a state university or college or of a full-paid fire or police department of a city, township, or incorporated village employed and compensated upon a full-time basis, a county sheriff or the deputy of the county sheriff, a member of the state police, a conservation officer, a motor carrier inspector of the Michigan public service commission, or any employee of any authority, district, board, or any other entity created in whole or in part by the authorization of 1 or more cities, counties, villages, or townships, whether created by statute, ordinance, contract, resolution, delegation, or any other mechanism, who is engaged as a police officer, or in firefighting or subject to the hazards thereof. For the purposes of establishing a limitation of wage earning capacity, an employee has an affirmative duty to seek work reasonably available to that employee, taking into consideration the limitations from the work-related injury or disease. A magistrate may consider good-faith job search efforts to determine whether jobs are reasonably available.

History: Add. 2011, Act 266, Imd. Eff. Dec. 19, 2011.

Compiler's note: Enacting section 2 of Act 266 of 2011 provides:

"Enacting section 2. This amendatory act applies to injuries incurred on or after its effective date."

Popular name: Act 317

Popular name: Heart and Lung Act