



Sen. Terry Link

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09300HB0805sam003

LRB093 05617 WGH 52573 a

1 AMENDMENT TO HOUSE BILL 805

2 AMENDMENT NO. _____. Amend House Bill 805, AS AMENDED,
3 with reference to page and line numbers of Senate Amendment No.
4 2, on page 42, by replacing line 30 with the following:

5 "extra hourly pay for overtime above the normal hourly wage,
6 and bonus, divided by 52; but if the injured employee"; and

7 on page 61, by replacing lines 3 through 25 with the following:

8 "(1) If the employee has made written demand for payment of
9 benefits under Section 8(a) or 8(b), the employer shall have 14
10 days after receipt of the demand to set forth, in writing, the
11 reason for the delay. In case the employer or his insurance
12 carrier shall without good and just cause fail, neglect, refuse
13 or unreasonably delay the payment of benefits under Section
14 8(a) or 8(b), ~~weekly compensation benefits due to an injured~~
15 ~~employee during the period of temporary total disability~~ the
16 arbitrator or the Commission shall allow to the employee
17 additional compensation in the sum of \$30 ~~\$10~~ per day for each
18 day that benefits under Section 8(a) or 8(b) have ~~a weekly~~
19 ~~compensation payment has~~ been so withheld or refused, not to
20 exceed \$16,425, as well as the costs of litigation ~~provided~~
21 ~~that such additional compensation shall not exceed the sum of~~
22 ~~\$2,500.~~ A delay in payment of 14 days or more shall create a
23 rebuttable presumption of unreasonable delay."; and

24 by replacing lines 31 through 34 on page 87 and lines 1 through

1 11 on page 87 with the following:

2 "(k-1) If the employee has made written demand for payment
3 of benefits under Section 8(a) or 8(b) of the Workers'
4 Compensation Act, the employer shall have 14 days after receipt
5 of the demand to set forth, in writing, the reason for the
6 delay. In case the employer or the employer's insurance carrier
7 shall without good and just cause fail, neglect, refuse, or
8 unreasonably delay the payment of benefits under Section 8(a)
9 or 8(b) of the Workers' Compensation Act, the arbitrator or the
10 Commission shall allow to the employee additional compensation
11 in the sum of \$30 per day for each day that benefits under
12 Section 8(a) or 8(b) of the Workers' Compensation Act have been
13 so withheld or refused, not to exceed \$16,425, as well as the
14 costs of litigation. A delay in payment of 14 days or more
15 shall create a rebuttable presumption of unreasonable delay.".