

Session 116 - (2005-2006)

H 3549 General Bill, By Clyburn

Summary: Employee's right and remedies under the Workers' Compensation Law

A BILL TO AMEND SECTION 42-1-540, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EMPLOYEE'S RIGHTS AND REMEDIES EXCLUDED UNDER TITLE 42, WORKERS' COMPENSATION LAW, SO AS TO PROVIDE THAT AN EMPLOYEE'S RIGHTS AND REMEDIES DO NOT EXCLUDE AN ACTION AGAINST THE EMPLOYER OR CARRIER FOR A WILFUL, INTENTIONAL, OR RECKLESS INJURY RESULTING FROM THE VIOLATION OF A STATUTE OR REGULATION ENACTED BY FEDERAL, STATE, OR LOCAL AUTHORITIES TO ENSURE A SAFE WORKPLACE, THE INTENTIONAL REMOVAL OF A SAFETY DEVICE, OR WARNING LABEL FROM A MACHINE OR EQUIPMENT USED IN THE EMPLOYMENT, OR FOR THE BAD FAITH REFUSAL OF AN EMPLOYER OR CARRIER TO PAY BENEFITS OR PROVIDE MEDICAL TREATMENT.

02/15/05 House Introduced and read first time HJ-9

02/15/05 House Referred to Committee on Labor, Commerce and Industry HJ-10