

**TWENTIETH ANNUAL REPORT
OF THE
UNITED STATES EMPLOYEES'
COMPENSATION COMMISSION**

JULY 1, 1935, TO JUNE 30, 1936



COMMISSIONERS

**JEWELL W. SWOFFORD, Chairman
HARRY BASSETT - JOHN M. MORIN**



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**TWENTIETH ANNUAL REPORT
OF THE
UNITED STATES EMPLOYEES' COMPENSATION
COMMISSION**

NOVEMBER 16, 1936.

To the Senate and House of Representatives:

Report of the operations of the United States Employees' Compensation Commission for the fiscal year ended June 30, 1936, is herewith submitted in conformity with the act of September 7, 1916.

1. JURISDICTION OF THE COMMISSION

The United States Employees' Compensation Commission, created by the act of September 7, 1916, is charged with the duty of administering four laws providing workmen's compensation benefits for employees in certain employments within Federal jurisdiction, as follows:

1. The act approved September 7, 1916 (U. S. C., title 5, secs. 751-795), providing compensation for civil employees of the United States who suffer personal injury while in the performance of official duty.

2. The act approved March 4, 1927 (U. S. C., supp. 7, title 33, secs. 901-950), providing compensation for disability or death resulting from injury to certain employees in maritime employment upon the navigable waters of the United States.

3. The act approved May 17, 1928 (45 Stat. 600), providing compensation for disability or death resulting from injury to employees in certain employments within the District of Columbia.

4. The act approved February 15, 1934, providing compensation for certain employees on Federal Emergency Work projects who suffer traumatic injury while in the performance of duty.

The compensation law referred to as the act of February 15, 1934, is an appropriation act in which was included statutory authority extending the provisions of the Federal Employees' Compensation Act of September 7, 1916, subject to certain conditions and limitations, to employees of the Civil Works Administration. The conditions and limitations so changed the basic law in its application to this emergency employment that the effect is the same as a new and different compensation law. It might appropriately be designated as the Federal Emergency Workmen's Compensation law, especially in view of the fact that the provisions relating to compensation for disability and death have been made applicable to other emergency relief employments. This law has been made applicable to enrollees in the Civilian Conservation Corps, employees of the Works Progress

Administration and other Federal agencies who receive security payments from funds provided by the Federal Emergency Relief Appropriation Acts of 1935 and 1936, and persons receiving payments from the United States for services rendered for the National Youth Administration. The provisions of the emergency compensation law have been extended to cases of injury or death of veterans and other persons assigned to the ill-fated veterans' work camps located on the Florida Keys which were destroyed in the hurricane of September 2, 1935. Similar benefits have been extended to cases of death and permanent disability resulting from the injury of employees of the Federal Emergency Relief Administration in certain States during the period administration on the relief program was under the control of the Federal Administrator.

The Federal Government has long recognized and accepted the principles of workmen's compensation legislation and it has taken the required action to extend to its own employees the protection afforded by such legislation. Its responsibilities in this respect have not been met, however, with the enactment of legislation for the protection of Federal employees. It is the responsibility of the Federal Government also to provide similar protection for employees in all private employment subject to exclusive Federal jurisdiction. The first step toward the fulfillment of this obligation was the enactment of the Longshoremen's and Harbor Workers' Compensation Act approved March 4, 1927. This law makes it mandatory for employers engaged in maritime employment upon the navigable waters of the United States to secure the payment of compensation for the injury or death of employees arising out of or in the course of such employment. This law was also made applicable to private employment in the District of Columbia by subsequent legislation approved May 17, 1928. This law, administered by the Commission, has been in effect more than 9 years. The success attending the administration of it throughout the United States and in the District of Columbia removes any grounds for doubt regarding the desirability of such legislation from a social or economic point of view or the advantages of the present form of administration from the viewpoint of efficiency and economy.

A further advance in extending this form of protection to workmen in Federal jurisdiction was made during the past year by the enactment of the bill H. R. 12599. This legislation (Public No. 814, 74th Cong.) confers jurisdiction upon each of the several States to extend the provisions of their State workmen's compensation laws to employments on Federal property and premises located within the respective States. The law does not in any respect modify or amend the Federal Employees' Compensation Act of September 7, 1916. It seems, however, to meet in a satisfactory manner the situation referred to in the Commission's last annual report and is a further advance toward complete workmen's compensation coverage for all employments within Federal jurisdiction.

There remain two large bodies of workmen in private employment subject only to Federal regulation that are without the protection of workmen's compensation legislation. These are comprised of workmen in the employ of common carriers engaged in interstate commerce and the officers and crews of vessels of American registry. In previous reports the Commission has pointed out that these large fields of commercial employment apparently cannot be brought

within the purview of the State workmen's compensation laws and that the only remedy appears to be the enactment of appropriate legislation by the Federal Government. The Commission renews its previous recommendations for the enactment of legislation modeled on the Longshoremen's and Harbor Workers' Compensation Act to bring this employment under the protection of a workmen's compensation law. The administrative provisions of this law which have been tested over a period of more than 9 years appear to be suitable in all respects for this purpose. The basic provisions of the law affecting the scale of benefits and other matters may be modified as necessary to best meet the needs peculiar to the respective employments.

Another matter of importance that should be of particular concern to the Federal Government is the prevention of accidents to its own employees and those in employments subject to Federal regulation. This matter has engaged the attention of the Commission almost since its organization. In its first annual report to the Congress dated November 15, 1917, the Commission emphasized the need for organized accident-prevention work in the Federal service. It made specific recommendations at that time which if adopted would have enabled it "to cooperate with the other establishments of the Government to prevent personal injuries among civil employees * * * to aid in the elimination or reduction of existing industrial hazards thereby conserving for the benefit of the United States the skill and experience of its trained workers and reduce the amount of compensation to be paid on account of personal injuries."

One of the first steps taken by the Commission following its organization in 1917, was a survey of the various Government departments to ascertain the possibility of accident prevention by the development of methods which have proved so successful in industrial establishments in reducing the number and costs of occupational injuries. As a result of this survey, accident-prevention work was inaugurated in the large manufacturing establishments of the War and Navy Departments. This work has been carried on by these Departments throughout the ensuing years on a more or less limited scale, and to some extent also in other Federal establishments. The Commission has encouraged this work, and to the extent of its limited facilities, has upon request endeavored to supply from its records statistical and other information essential for safety work.

All injuries sustained by civil employees of the Federal Government while in the performance of duty are required to be reported to the Commission and the records of the Commission include detailed information in respect to all injuries reported since September 7, 1916. The Commission is of the opinion that the publication of information to show the number, the cause and the cost of such injuries will impress responsible supervisory officials with the importance of preventing them so far as may be practicable. Information of this character is essential for the development of any effective safety program. In order to give impetus to existing safety programs and encourage greater activity in other agencies for the prevention of industrial accidents, the Commission in August 1936 began the publication of a monthly safety bulletin. This bulletin, issued in the interest of accident prevention in employments within the purview of the workmen's compensation laws administered by the Commission directs

attention to the number of injuries reported under the Federal Employees' Compensation Act, the Longshoremen's and Harbor Workers' Compensation Act, and the District of Columbia Compensation Act, the causes of such injuries and the possibilities of preventing them by the use of appropriate safety measures.

The issues of the bulletin to date have been favorably received by the various branches of the Government service and by private employers having operations within the purview of the Federal compensation laws. Comments in respect to this undertaking justify the conclusion that the bulletin supplies a much-needed service, and that it will prove a valuable aid in the prevention of accidents to workmen. Its contribution to this end cannot fail to result in a lowering of compensation costs and in the preservation of the life and health of employees in the Federal service and in that part of private industry within the purview of the Federal workmen's compensation laws.

Since the several laws administered by the Commission apply to different employments, it is not practicable to deal with the administrative features of each under one general heading. The most important of these are discussed briefly in connection with the report of operations under each law.

II. OPERATIONS UNDER THE UNITED STATES EMPLOYEES' COMPENSATION ACT

It appears impracticable to obtain definite information regarding the number of employees within the purview of the Compensation Act of September 7, 1916, because of the difficulty of determining the proper classification of the employees in all emergency employments. While the provisions of the act approved February 15, 1934, relating to compensation for disability or death have been made applicable to enrollees in the Civilian Conservation Corps and persons employed as civil employees of the United States on work-relief projects financed through funds provided by the Federal Emergency Relief Appropriation Acts of 1935 and 1936, the limited benefits extended to these emergency employments are not applicable to administrative personnel employed in connection therewith. The administrative and supervisory staff of the Civilian Conservation Corps, the Works Progress Administration, the Resettlement Administration, and the National Youth Administration are eligible for the full benefits provided by the act of September 7, 1916. Personnel employed by other establishments of the Government, except relief beneficiaries receiving security payments, are likewise entitled to the benefits of this law. The liberal provisions of the act of September 7, 1916, extend also to supervisory personnel on projects financed by funds allotted from the Relief Appropriation Act of 1935.

In providing for a special fund to be set aside from funds appropriated by the Relief Appropriation Acts to cover the cost of compensation benefits extended to persons employed in connection with the relief program authorized by such acts, it may be presumed that it was the intention of the Congress to avoid any permanent obligation against the regular compensation fund on account of the emergency relief program. This end will not be achieved, however, and compensation benefits awarded on account of the disability or death of persons employed in administrative or supervisory posi-

tions in connection with the relief program are an obligation against the regular compensation fund. The cost of compensation benefits awarded in such cases will be reflected in the annual appropriation for this fund for a number of years.

The only legislation enacted during the year covered by this report to amend the provisions of the act of September 7, 1916, is that authorizing additional compensation for permanently and totally disabled employees who by reason of their disabilities are so helpless as to require the constant services of an attendant. An amendment for this purpose has been advocated for a number of years and in the opinion of the Commission this legislation approved May 13, 1936, is clearly in the interest of justice. The legislation to which reference is made amends section 6 of the Compensation Act by adding the following paragraph:

In addition to the monthly compensation the Employees' Compensation Commission may pay an injured employee awarded compensation for permanent total disability from injury an additional sum of not more than \$50 a month, as the Commission may deem necessary, when the Commission shall find that the services of an attendant is necessary constantly to be used by reason of the employee being totally blind, or having lost both hands or both feet or the use thereof, or is paralyzed and unable to walk, or by reason of other total disability actually rendering him so helpless as to require constant attendance.

The exact number of cases on the compensation rolls in which additional benefits may be awarded as provided by this amendment has not yet been determined but it may be definitely asserted that the number will be relatively small. Steps have been taken to make awards for additional compensation in approximately 25 cases in which the beneficiary is totally blind. Other cases of permanent total disability are being reviewed for the purpose of ascertaining those in which the beneficiary is so helpless as a result of the injury to require the constant services of an attendant.

Injuries reported.—During the calendar year ended December 31, 1935, the Commission received reports of 33,139 new injuries. This number does not include any cases involving injuries to emergency employees whose claims for compensation are within the scope of the act of February 15, 1934. This is the next largest number of new cases reported in a calendar year under this compensation law and represents an increase of nearly 32 percent over the number reported during 1933 and an increase of 42 percent over the average number of new cases reported annually during the 10-year period 1924 to 1933, inclusive. The all-time record for new cases reported was established during the calendar year 1934, when 34,125 new cases were received by the Commission. The number reported during 1935 is 3 percent below this high record. The number of injuries distributed according to the reporting offices is shown for each 6-month period from January 1932 to June 30, 1936, in table 2.

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TABLE 1.—INJURIES REPORTED AND CLAIMS RECEIVED, SEPT. 7, 1916 TO JUNE 30, 1936

Period covered	Injuries reported			Percent increase over previous year	Claims received on account of loss of wages			Percent increase over previous year
	Nonfatal	Fatal	Total		Disability	Death	Total	
Sept. 7, 1916, to Dec. 31, 1917—	15,831	245	16,076		6,429	227	6,656	
Year ending Dec. 31—								
1918—	23,448	670	24,118	50.00	12,183	438	12,621	89.60
1919—	25,203	610	25,813	7.00	13,425	499	13,924	10.30
1920—	19,557	523	20,080	1 22.21	10,505	427	10,932	1 21.50
1921—	18,028	362	18,390	1 8.40	7,857	310	8,167	1 25.30
1922—	17,905	354	18,259	1 7.71	6,804	282	7,086	1 13.20
1923—	17,713	279	17,992	1 1.46	6,466	236	6,702	1 5.40
1924—	20,260	278	20,538	14.15	6,890	224	7,114	6.15
1925—	20,377	314	20,691	7.74	6,987	274	7,281	2.07
1926—	19,208	319	19,527	1 5.63	6,830	274	7,104	1 2.16
1927—	20,190	357	20,547	5.22	7,272	285	7,557	6.38
1928—	21,886	303	22,189	7.99	7,928	259	8,187	8.34
1929—	25,376	314	25,690	15.78	9,074	263	9,337	14.05
1930—	25,775	294	26,069	1.48	9,077	206	9,283	1.58
1931—	28,176	262	28,438	9.09	9,240	168	9,408	1.35
1932—	25,117	231	25,348	1 10.87	7,639	190	7,829	1 16.78
1933—	24,791	228	25,019	1 12.27	7,226	188	7,414	1 5.30
1934—	33,836	289	34,125	36.40	10,124	238	10,362	39.76
1935								
January—	2,876	32	2,908	2.39	772	24	796	1 25.54
February—	2,510	23	2,533	9.65	668	25	693	2.82
March—	2,782	26	2,808	1 2.97	771	17	788	1 8.27
April—	2,551	23	2,554	9.47	756	25	781	4.13
May—	2,592	23	2,615	1 7.72	681	17	698	1 3.86
June—	2,566	26	2,592	1 10.40	574	17	591	1 23.05
July—	3,061	20	3,081	1 4.41	748	22	770	9.07
August—	3,323	30	3,353	1 4.45	848	24	872	1 7.04
September—	2,585	22	2,607	1 15.16	762	16	778	1 22.89
October—	3,018	34	3,052	1 7.35	790	24	814	1 29.77
November—	2,587	29	2,616	1 4.25	645	24	669	1 26.24
December—	2,410	19	2,420	1.21	655	15	670	1 5.93
Total—	32,832	307	33,139	1 2.89	8,670	250	8,920	1 13.92
1936								
January—	2,872	31	2,903	1.17	674	51	725	1 8.92
February—	2,721	28	2,749	8.72	557	16	573	1 17.32
March—	3,297	35	3,332	18.70	828	25	853	8.25
April—	3,041	46	3,087	22.09	675	31	706	1 9.60
May—	2,836	28	2,864	10.52	607	18	625	1 10.46
June—	3,121	34	3,155	21.72	513	27	540	1 8.63
Total—	17,888	202	18,090	12.99	3,854	168	4,022	1 7.48

TABLE 2.—INJURIES REPORTED BY ESTABLISHMENTS FOR 6-MONTH PERIODS JAN. 1, 1932, TO JUNE 30, 1936

Establishments	January to June, inclusive, 1932	July to December, inclusive, 1932	January to June, inclusive, 1933	July to December, inclusive, 1933	January to June, inclusive, 1934	July to December, inclusive, 1934	January to June, inclusive, 1935	July to December, inclusive, 1935	January to June, inclusive, 1936
War:									
Arsenals and Armory—	313	286	272	229	394	323	301	426	414
Other ordnance—	87	109	95	77	81	69	60	50	51
Engineers—	1,780	2,816	1,801	2,474	2,480	2,636	1,650	1,907	1,726
Quartermaster—	394	379	403	594	565	543	619	685	540
Emergency Conservation Work—	530	434	403	501	391	446	1 51	769	154
Other War—									593
Total, War Department—	3,104	4,024	2,974	3,875	3,911	4,017	3,078	4,324	3,478
Navy:									
Yards—	382	326	307	288	344	400	320	317	446
All other Navy—	235	189	165	223	196	210	168	195	169
Total, Navy Department—	617	515	472	511	540	610	488	512	615
Post Office:									
City mail service (clerical and supervisory)—	858	705	787	704	892	886	1,057	924	1,039
City mail service (letter carriers and collectors)—	2,271	1,753	1,970	1,688	2,401	1,882	2,667	1,909	3,125

¹ May and June only.

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TABLE 2.—INJURIES REPORTED BY ESTABLISHMENTS FOR 6-MONTH PERIODS JAN. 1, 1932, TO JUNE 30, 1936—Continued

Establishments	January to June, inclusive, 1932	July to December, inclusive, 1932	January to June, inclusive, 1933	July to December, inclusive, 1933	January to June, inclusive, 1934	July to December, inclusive, 1934	January to June, inclusive, 1935	July to December, inclusive, 1935	January to June, inclusive, 1936
Post Office—Continued.									
Railway Mail Service	598	485	521	541	548	527	546	490	610
Rural Free Delivery	128	82	102	81	88	50	142	91	158
Special delivery messengers	255	148	133	151	129	168	153	160	
Motor vehicle service	293	322	298	307	319	394	357	422	
Custodial							205	251	288
All other	701	412	233	297	461	560	380	372	398
Total, Post Office Department	4,556	3,585	4,083	3,742	4,848	4,353	5,559	4,547	6,200
Interior:									
National Park Service	114	429	171	449	356	611	432	507	403
Reclamation Service	196	145	138	145	183	222	268	358	587
Indian Affairs	152	110	115	158	313	328	325	212	260
Emergency Conservation Work							150	51	88
All other	46	80	58	197	189	575	427	200	135
Total, Interior Department	508	764	482	949	1,041	1,731	1,502	1,328	1,473
Treasury:									
Custodian	120	121	178	155	26	8	5	1	6
Customs	226	193	150	188	197	167	195	203	199
Engraving and Printing	50	38	40	42	37	51	35	31	55
Public Health Service	43	45	42	35	35	30	33	41	53
Internal Revenue					45	165	188	166	162
Procurement					26	43	77	77	84
Mints						78	114	133	75
All other	125	130	116	168	142	110	105	131	136
Total, Treasury Department	564	527	526	588	508	652	752	783	770
Commerce:									
Lighthouses	173	187	227	152	153	178	161	144	138
Mercantile Fleet Corporation					19	21	51	101	72
Air Commerce			12	25	38	48	57	75	61
All other	103	101	78	92	106	121	117	91	62
Total, Commerce Department	276	288	317	269	316	368	386	411	378
Agriculture:									
Animal Industry	125	139	133	129	191	257	210	196	171
Forest Service	469	1,889	630	1,524	2,170	2,998	986	1,230	625
Public Roads and Rural Engineering	75	117	68	164	229	282	157	261	128
Plant Quarantine	87	86	61	226	304	136	251	278	77
Agricultural Adjustment Administration						93	68	111	67
Soil Erosion							200	197	224
Emergency Conservation Work							161	165	230
All other	202	269	203	283	285	376	182	307	310
Total, Agriculture Department	958	2,500	1,095	2,325	3,177	4,142	2,115	2,745	1,832
Labor Department	62	65	66	54	61	65	66	64	84
Department of State	2	2	2	1	6	6	5	2	16
International Boundary Commissions	3	5	3	10	60	129	116	86	20
Department of Justice:									
Prohibition Unit	159	221	187	84	51	(3)	(3)	(3)	(3)
Other	30	23	23	28	20	65	71	74	63
Miscellaneous:									
Government Printing Office	20	17	19	19	21	17	26	28	25
Other legislative establishments	7	14	20	8	14	21	14	20	30
Public Buildings and Public Parks	125	77	82	(4)	(4)	(4)	(4)	(4)	(4)
Shipping Board—Merchant Fleet Corporation	38	35	27	30	(8)	(8)	(8)	(8)	(8)
District government	311	389	392	548	368	428	424	380	353
Veterans' Administration	433	385	478	428	259	351	280	342	282
Public Works Administration					31	429	994	799	1,033
Tennessee Valley Authority									538
Works Progress Administration									267
Other emergency relief administrations					61	200	194	256	67
All other	74	67	80	96	74	79	73	66	84
Grand total	11,845	13,503	11,328	13,657	15,904	18,221	16,010	17,129	18,090

² Reported with all other previous to Nov. 1, 1932³ With other Justice.⁴ Transferred to National Park Service.⁵ Transferred to Commerce Department.

Cases on hand.—Unlike most of the workmen's compensation laws applicable to employment in private enterprise, the compensation law of September 7, 1916, does not limit the payment of compensation for permanent disability to a scheduled period of time or as to the aggregate amount of compensation that may be paid. Compensation for total disability is payable during the continuance thereof, and for partial disability, as long as there is a loss in wage-earning capacity due to such disability. Compensation for death awarded to the widows in fatal cases is payable during widowhood, and to certain other beneficiaries during the period of dependency. Payments to the latter are also limited to a statutory period of years. It is evident, therefore, that continuous examination of pending cases is necessary to determine whether additional compensation is payable and the rate at which it is to be paid. A sufficient examining force is necessary for this purpose, or delay in the payment of compensation will inevitably result. This should not be permitted to occur, for in many cases this compensation is the sole means for the support of the individual receiving it, and his family.

At the close of business on December 31, 1935, approximately 8,700 cases were open in the records of the Commission in which compensation was being paid currently or which were in various stages of adjudication. These cases may be divided into four general classes, namely, those in which the record is incomplete or which are awaiting the action of the Commission, temporary disability cases of probably short duration, permanent and long-continuing disability cases, and fatal cases. Approximately 4,200 cases were included in the first and second classes, 2,058 in the third class, and 2,487 in the fourth class. Compensation for permanent disability and death is the largest expense paid from the compensation fund, and for this reason brief reference to these two classes of cases appears warranted.

Permanent or long-continued disability cases.—On December 31, 1935, compensation for disability was being paid in 2,058 cases in which it appeared that the disability was permanent or of long indefinite duration. In 456 cases the disability was classified as total and in 1,602 cases as partial. The number of cases in which compensation was being paid for total disability shows a decrease of 26 as compared with the number at the close of the preceding year. This decrease was offset by an almost corresponding increase in the number of cases in which compensation was being paid for permanent partial disability. The latter shows an increase of 22 compared with the number of such cases pending at the close of the preceding year. The decrease in the number of permanent or serious total disability cases is due principally to the death of beneficiaries, the disability award in 33 cases having been terminated during the year for this reason. The duration of disability and the cost of benefits paid and estimated in 2,099 such cases in which compensation was paid during 1935 is tabulated according to the year in which the injury occurred in table 3, and according to the reporting office in table 4. In approximately 15 percent of these cases compensation is being paid on account of injuries that occurred 16 or more years ago, and in more than half of the cases compensation has been paid for 9 years or longer. Compensation paid to injured employees in these cases to and including December 31, 1935, amounts to almost \$10,000,000 and the estimated value of future instalments of compensation payable in these cases is approximately \$12,000,000. The estimated future costs does not

take into account additional compensation that may be awarded in certain permanent total disability cases pursuant to the amendment to section 6 of the compensation act approved May 13, 1936. (See p. 5). In addition to the compensation paid to injured beneficiaries the Commission expended \$1,321,125 for medical attention furnished on account of these injuries. The estimated cost of future compensation in these cases takes into account the probable life expectancy of the beneficiary based on the actual experience for this class compiled from the records of the Commission. It does not make any allowance for probable future changes in the compensation award or include any allowance for medical care. The crude death rate for this class of beneficiaries computed on the basis of 8,400 years of exposure is 35.2 or more than double the normal rate for the same age distribution.

The total cost of compensation benefits paid on account of the disability in the 41 total disability cases closed during 1935 is \$382,950, or an average of \$9,341 per case. The medical cost shown for these cases amounting to an average of approximately \$800 per case does not include the value of medical care provided in Federal medical establishments for which no charge is made against the compensation fund.

TABLE 3.—INCOMPLETE CASES INVOLVING LONG-CONTINUED OR PERMANENT DISABILITY SHOWING DURATION AND COST AS OF DEC. 31, 1935

Year injured	Number of cases	Duration in days	Medical cost	Compensation to Dec. 31, 1935	Estimated future cost
Before 1916	6	16,162	\$47	\$29,995	\$54,521
1916	2	5,052	158	11,421	15,677
1917	17	80,133	17,135	169,630	126,232
1918	28	152,391	25,237	376,534	337,210
1919	43	205,592	45,928	508,044	501,087
1920	45	210,855	67,137	535,560	502,531
1921	31	136,153	34,229	323,357	283,346
1922	31	132,416	26,743	317,259	333,660
1923	30	114,358	24,616	271,384	381,059
1924	25	87,942	15,592	213,333	282,661
1925	27	82,274	28,712	211,384	331,111
1926	33	97,214	63,641	272,333	423,808
1927	25	65,687	24,621	180,901	393,285
1928	29	71,416	26,561	209,024	499,166
1929	32	67,332	48,330	189,034	485,252
1930	28	54,450	13,851	145,408	512,313
1931	30	48,305	11,796	140,596	562,402
1932	13	16,414	5,976	45,778	221,461
1933	12	11,042	5,136	27,315	236,238
1934	7	3,735	5,501	10,311	110,359
1935	3	914	140	2,733	50,653
Total	497	1,659,837	491,087	4,191,334	6,644,032
Closed in 1935	41	148,052	32,512	350,438	

PERMANENT PARTIAL DISABILITY

Before 1916	4	2,951		\$6,416	\$14,513
1916	6	9,410	\$1,516	20,894	17,213
1917	32	55,595	8,601	121,858	73,154
1918	79	161,901	39,623	417,364	262,480
1919	94	220,435	59,496	585,735	288,463
1920	87	183,631	42,400	524,334	266,599
1921	73	136,989	37,353	392,598	227,833
1922	65	110,363	33,860	301,239	181,111
1923	53	93,602	47,198	259,271	153,869
1924	75	114,779	47,511	343,216	262,552
1925	82	129,472	56,228	349,727	258,772
1926	79	110,930	42,938	324,203	219,429
1927	84	107,214	49,836	302,251	270,736
1928	100	134,686	64,815	381,057	285,127
1929	127	125,750	70,215	370,957	355,353
1930	124	114,274	75,302	332,768	331,278
1931	135	106,344	58,980	276,670	365,288
1932	106	71,079	47,402	192,755	318,283
1933	118	60,236	44,420	155,821	334,465
1934	61	26,472	28,646	66,438	249,798
1935	18	4,662	6,210	11,503	110,927
Total	1,602	2,080,775	862,550	5,737,075	4,847,243
Total active Dec. 31, 1935	2,058	3,592,560	1,321,125	9,577,971	11,491,275

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TABLE 4.—INCOMPLETE CASES INVOLVING LONG-CONTINUED OR PERMANENT DISABILITY AS OF DEC. 31, 1935, SHOWING DURATION AND COST, BY ESTABLISHMENT

TOTAL DISABILITY

Establishment	Number of cases	Duration in days	Medical cost	Compensation to Dec. 31, 1935	Estimated future cost
Agriculture	46	138,400	\$50,673	\$345,200	\$600,379
Commerce	21	75,862	55,530	194,058	264,824
Interior	35	112,839	42,632	299,275	555,861
Justice	8	23,447	22,349	60,110	104,811
Labor	2	2,051	506	5,008	43,636
Navy	84	310,435	43,535	810,817	1,218,781
Post Office	55	199,697	47,108	527,427	678,459
Treasury	20	66,247	27,295	175,955	243,347
War	141	516,767	117,390	1,226,364	1,690,814
Veterans' Administration	49	136,335	70,700	342,614	766,763
District of Columbia	3	9,413	657	24,816	25,994
Tennessee Valley Authority	1	556	613	1,035	18,214
Special Act Cases	31	63,845	9,412	165,337	415,915
Government Printing Office	1	3,943	2,687	13,318	16,244
Total	497	1,659,837	491,087	4,191,334	6,644,032
Emergency Conservation Work, War Department included above	1	318	140	1,258	11,578

PERMANENT PARTIAL DISABILITY

Agriculture	184	159,223	\$147,724	\$455,709	\$517,009
Commerce	76	127,041	36,384	359,694	232,944
Interior	138	175,222	124,542	487,138	393,003
Justice	33	34,520	25,855	116,770	106,855
Labor	1	2,535	59	5,882	4,800
Navy	220	283,410	67,471	907,621	577,884
Post Office	84	124,540	76,044	353,418	308,935
Treasury	59	94,437	21,968	267,408	197,870
War	660	904,370	311,807	2,375,038	1,929,670
Veterans' Administration	106	141,854	33,317	318,845	392,257
District of Columbia	5	4,640	2,228	12,361	14,174
Tennessee Valley Authority	8	2,708	4,082	5,639	38,397
Other Emergency Units	7	5,334	7,877	19,010	19,358
Special Act Cases	16	14,654	855	34,970	95,944
All other	5	6,287	2,337	17,572	18,143
Total	1,602	2,080,775	862,550	5,737,075	4,847,243
Emergency Conservation Work, War Department included above	12	5,517	9,139	17,844	45,970

Fatal cases.—Compensation in the total amount of \$1,515,411 was paid during the year ended December 31, 1935, in the form of death benefits to 4,585 dependents of 2,612 deceased employees. Death benefits were awarded during the year in 199 new cases in which there were 476 dependents entitled to compensation. During the same period the award to 320 dependents terminated and 128 cases were closed. On December 31, 1935, compensation was being paid in 2,484 fatal cases to, or on the account of 4,265 dependents of deceased employees. The dependents in these cases are 2,003 widows; 1,834 children; 321 parents; 61 brothers, sisters, grandparents, or grandchildren; and 1 widower. The remarriage rate for widows receiving compensation, computed on the basis of 22,227 years of exposure, is only 1.94 per hundred years of exposure. Since only a relatively few of these widows remarry, most of them will continue on the compensation roll for life. This results in a cumulative increase in the number of fatal cases in which compensation is being paid as indicated by the following tabulation covering the period 1926 to 1935, inclusive:

Year	Active death cases at beginning of each year	Awards during the year	Cessations during the year	Active death cases at end of year	Year	Active death cases at beginning of each year	Awards during the year	Cessations during the year	Active death cases at end of year
1926-----	1,729	177	114	1,792	1931-----	2,169	153	81	2,241
1927-----	1,792	198	130	1,860	1932-----	2,241	144	87	2,298
1928-----	1,860	169	83	1,946	1933-----	2,298	138	103	2,333
1929-----	1,946	208	110	2,044	1934-----	2,333	188	106	2,415
1930-----	2,044	207	82	2,169	1935-----	2,415	199	128	2,486

The average monthly compensation award in fatal cases approved during the year ended December 31, 1935, is \$57.33. The average award in new cases approved during the 5 preceding years is, respectively, \$54.17 in 1934; \$54.38 in 1933; \$56.74 in 1932; \$54.68 in 1931; and \$54.99 in 1930. The compensation awards in fatal cases approved in 1935, distributed to show the various classes of dependents, the compensation award for each class, and the average monthly compensation, are shown in table 5.

TABLE 5.—AWARDS IN FATAL CASES APPROVED IN 1935

Relationship	Number	Monthly compensation	Total estimated value of award	Average		
				Age	Monthly award	Cost
Widows-----	156	\$7,730.71	\$2,160,065	39.7	\$49.56	\$13,847
Sons under 18-----	132	1,576.93	167,683	8.5	11.95	1,270
Daughters under 18-----	108	1,194.37	147,814	7.9	11.06	1,369
Those over 18 incapable of self-support-----	2	17.50	1,430	25.5	8.75	715
Grandchildren-----	3	17.00	1,456	13.3	5.67	485
Brothers-----	7	53.26	2,412	14.0	7.61	344
Sisters-----	13	78.17	10,450	13.5	6.01	804
Fathers-----	22	350.46	27,245	62.4	15.93	1,238
Mothers-----	40	777.02	57,443	61.1	19.43	1,436
Grandfathers-----	1	13.05	866	75.0	13.05	866
Total-----	484	11,408.47	2,576,864	-----	-----	-----

Compensation costs in 2,612 cases in which payments were made during 1935 are shown in table 6. The cases included in this table are distributed according to the year in which the injury occurred, and it will be noted that in more than 18 percent of the cases, compensation is being paid for injuries that occurred 15 or more years before. The same cases are classified according to the reporting offices in table 7. Nearly \$14,000,000 has been paid to the beneficiaries of deceased employees in these cases to and including December 31, 1935. The estimated value of future instalments of compensation payable to these beneficiaries is \$24,421,384. Other benefits in addition to death compensation amounting to \$785,565 have been paid in these cases as follows: \$211,895 for medical care, \$232,769 for compensation on account of disability prior to death, and \$350,901 for burial expenses. The estimated total cost of these cases is \$39,190,585.

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TABLE 6.—MONTHLY COMPENSATION AND COST OF ALL FATAL CASES ACTIVE IN 1935
BY YEAR OF APPROVAL

Year	Number of cases active in 1935	Number of dependents on roll 1935	Monthly award	Cost in 1935	Cost to Dec. 31, 1935	Estimated future cost of compensation
1916-17	76	82	\$2,777.33	\$32,210	\$659,873	\$513,384
1918	76	92	3,051.79	34,175	656,071	455,809
1919	190	229	8,367.88	96,573	1,749,869	1,429,769
1920	138	171	6,380.02	72,739	1,196,581	1,106,639
1921	115	149	5,442.68	62,277	986,747	923,373
1922	111	165	5,642.66	65,930	971,959	959,568
1923	116	172	5,837.13	67,355	898,964	1,089,118
1924	107	594.83	65,062	787,506	1,026,517	
1925	113	197	6,377.93	73,023	854,472	1,167,570
1926	109	209	6,257.90	71,434	737,612	1,139,991
1927	149	258	7,551.82	82,646	809,158	1,285,837
1928	140	251	7,617.69	88,189	762,861	1,349,919
1929	195	342	9,916.58	113,653	852,011	1,735,040
1930	188	347	9,978.03	115,380	701,722	1,805,033
1931	139	270	7,086.26	81,326	396,728	1,273,120
1932	135	283	7,515.10	84,700	346,271	1,348,471
1933	135	309	8,052.12	92,692	258,525	1,558,397
1934	181	416	9,947.40	116,112	217,704	1,805,967
1935	199	476	11,294.27	99,935	129,002	2,447,882
Total.	2,612	4,585	134,689.44	1,515,411	13,973,636	24,421,384
Closed	128	1,320	1,6,256.37	1,36,325	467,002	

Year	Total estimated cost of death compensation	Medical and transportation costs	Compensation before death	Burial and transportation costs	Estimated total cost
1916-17	\$1,173,257	\$1,581	\$931	\$6,178	\$1,181,947
1918	1,111,880	736	1,329	5,385	1,119,330
1919	3,179,638	5,938	4,441	16,402	3,206,419
1920	2,303,220	6,919	10,601	12,589	2,333,329
1921	1,910,120	5,121	10,390	10,287	1,935,018
1922	1,931,527	6,055	13,336	10,338	1,961,256
1923	1,988,082	10,377	19,437	12,782	2,030,678
1924	1,814,023	22,378	20,646	11,248	1,868,295
1925	2,022,042	13,687	27,274	10,944	2,073,947
1926	1,877,603	12,487	7,698	11,743	1,909,531
1927	2,094,995	12,083	6,871	22,209	2,136,158
1928	2,112,780	8,755	10,099	23,721	2,155,355
1929	2,587,051	19,168	13,168	32,796	2,652,183
1930	2,506,755	24,026	22,517	32,742	2,586,040
1931	1,669,848	11,274	12,736	23,489	1,717,847
1932	1,694,742	9,795	13,054	20,720	1,738,311
1933	1,816,922	11,089	11,990	23,414	1,863,415
1934	2,023,671	14,932	16,666	30,926	2,086,195
1935	2,576,864	15,494	9,585	32,988	2,634,931
Total.	38,395,020	211,895	232,769	350,901	39,190,585
Closed	467,002	12,809	10,160	15,960	505,930

¹ Includes partial termination of awards in open cases.

TABLE 7.—MONTHLY COMPENSATION AND COST OF ALL FATAL CASES ACTIVE IN 1935, BY ESTABLISHMENT

Establishment	Number of cases active in 1935	Number of dependents on roll 1935	Monthly award	Cost in 1935	Cost to Dec. 31, 1935	Estimated future cost of compensation
Agriculture	252	549	\$13,752.08	\$152,358	\$1,011,409	\$2,442,137
Commerce	199	288	9,486.48	105,715	1,115,860	1,728,521
Interior	120	247	6,021.07	67,562	577,240	1,075,110
Justice	135	298	9,814.23	113,486	825,450	1,934,615
Labor	28	42	1,505.21	17,797	141,637	320,656
Navy	329	568	17,176.90	196,801	2,054,117	3,170,097
Post Office	452	716	26,070.14	294,759	2,683,759	4,692,356
Treasury	119	195	6,747.18	73,806	632,091	1,199,960
War	844	1,431	36,947.95	418,003	4,375,983	6,512,333
Veterans' Administration	51	85	2,564.14	29,042	198,193	485,308
District of Columbia	13	24	575.62	6,572	56,019	96,850
Tennessee Valley Authority	18	62	1,214.60	9,929	12,990	261,294
Other emergency units	4	8	292.50	2,464	3,342	61,548
Special, Act Cases	9	16	517.50	6,143	35,623	84,737
All other	39	56	2,468.84	20,983	249,923	355,862
Total	2,612	4,585	134,689.44	1,515,411	13,973,636	24,421,384
Included above:						
War, Emergency Conservation Work	5	12	422.58	3,943	6,415	82,402
Agriculture, Emergency Conservation Work	1	1	43.75	398	398	12,322
Interior, Emergency Conservation Work	2	6	148.50	1,760	2,167	36,558
Prohibition	99	215	7,405.16	86,707	674,846	1,463,665
Letter carriers	145	226	8,139.94	91,943	857,997	1,411,556
Forest Service	158	350	8,485.82	94,991	576,545	1,543,250
Navy yards	203	309	10,937.74	124,427	1,317,257	2,036,052
War, Engineer office	509	919	21,510.36	243,584	2,194,420	3,797,088
Establishment	Total estimated cost of death compensation	Medical and transportation costs	Compensation before death	Burial and transportation costs	Estimated total cost	
Agriculture	\$3,453,546	\$32,205	\$28,808	\$42,899	\$3,557,458	
Commerce	2,844,381	11,571	11,544	20,950	2,888,446	
Interior	1,652,350	10,054	6,758	16,985	1,686,147	
Justice	2,760,065	20,652	4,260	14,730	2,799,707	
Labor	462,293	1,225	-----	4,798	468,316	
Navy	5,224,214	12,283	39,347	38,547	5,314,391	
Post Office	7,376,115	58,772	75,516	64,321	7,574,724	
Treasury	1,832,051	12,173	12,259	7,639	1,864,122	
War	10,888,316	42,475	38,499	103,203	11,072,493	
Veterans' Administration	683,501	4,613	9,829	6,443	704,386	
District of Columbia	152,869	1,660	2,626	1,667	158,822	
Tennessee Valley Authority	274,284	273	-----	3,425	277,982	
Other emergency units	64,890	64	-----	666	65,620	
Special Act Cases	120,360	611	-----	500	121,471	
All other	605,785	3,264	3,323	24,128	636,500	
Total	38,395,020	211,895	232,769	350,901	39,190,555	
Included above:						
War, Emergency Conservation Work	88,817	1,386	790	1,005	91,998	
Agriculture, Emergency Conservation Work	12,720	-----	-----	185	12,905	
Interior, Emergency Conservation Work	38,725	-----	-----	400	39,125	
Prohibition	2,138,511	19,358	4,260	7,448	2,169,577	
Letter carriers	2,269,553	19,682	39,636	40,614	2,369,485	
Forest Service	2,119,795	15,989	9,048	6,601	2,151,433	
Navy yards	3,353,309	9,500	32,373	51,902	3,447,084	
War, Engineer office	5,991,508	14,450	6,702	84,349	6,097,309	

Cases disposed of.—During the year ended December 31, 1935, a total of 33,855 cases were conditionally closed in the records of the Commission. It is to be expected, however, that an indeterminate but relatively small number of these will subsequently be reopened on

account of the recurrence of disability and for consideration of applications for review by the Commission. The reasons for closing and the number of cases closed for each of the several reasons were: Compensation paid, 7,127; period of disability covered by leave with pay, 5,413; no time lost, 13,988; duration of disability 3 days or less, 4,173; disapproved by the Commission, 2,779; miscellaneous, 375. All of these cases necessitated some administrative action and the fact that compensation was not paid in a large number of cases does not indicate that such cases involved no expenditure of funds. More than 55 percent of the 13,988 cases in which disability did not cause loss in time from work involved expenditures for medical attention, thus necessitating an administrative examination of these cases to determine whether the compensation law was applicable and the injured person entitled to treatment or other benefits. Medical expense was incurred in approximately 44 percent of all noncompensated cases at a total cost of \$166,219. The total amount expended for medical treatment in all cases reported as closed in this report is \$562,368. This amount does not take into account the value of medical treatment provided through Government facilities for which no payment was made by the Commission. The value of services rendered by United States medical officers and hospitals cannot be stated exactly, but from the information available, the Commission believes that this service may be estimated conservatively at about \$500,000.

The number of cases disapproved by the Commission in 1934 represents 8.2 percent of all cases disposed of during that year. The number of such cases is greater than in the preceding year when 6.7 percent of the cases disposed of were closed for this reason. The percentage of cases disapproved in 1933 was 8.8; in 1932, 6.6; in 1931, 6.5; and in 1930, 5.6. The following tabulation shows the number of cases disapproved by the Commission for the 4 years 1932 to 1935, inclusive, and the reason for disapproval:

Reason for disapproval	1935		1934		1933		1932	
	Non-fatal	Fatal	Non-fatal	Fatal	Non-fatal	Fatal	Non-fatal	Fatal
Disability not due to injury	2,178	83	1,431	46	1,726	30	1,160	33
Injury not sustained while in performance of duty	192	31	256	11	257	18	184	13
Claim not filed within the statutory limit	52	2	51	2	52	0	131	5
Claimant not a civil employee	49	2	61	5	37	2	20	3
Accepted retirement, no compensation paid			5	0	13	0	5	0
Accepted compensation from Veterans' Administration			1	0	2	0	3	0
Intoxication proximate cause of injury	2		1	0	7	0	2	0
Injury due to willful misconduct	1		1	0	6	0	1	0
Miscellaneous and incomplete	185		373	0	69	0	138	0
Total	2,659	118	2,180	64	2,158	50	1,642	54
No time lost	13,983		12,699		9,618		9,643	

In 16,784 time-lost cases closed during 1935, the injury caused temporary total disability resulting in 421,378 days loss in time from work. Approximately 23 percent of the loss of time, or 95,621 days was covered by leave of absence with pay, most of which may be

assumed to have been sick leave. Although not reflected in compensation costs this loss in time from work, which is equivalent to a year of employment for about 350 employees, represents part of the cost to the Government for injuries to its employees. Compensation was paid in these cases for 329,519 days of disability in the amount of \$752,023. The average duration of disability in all temporary disability cases closed during the year is 25.1 days. The average duration in compensated cases is 48 days, and the average compensation award amounted to \$109.53 per case. The average duration and compensation awarded in cases closed in 1935 is materially greater than in 1934, when the average duration was 37.5 days and the average award \$75.18. The average duration of disability in similar cases closed in 1933 is 50.9 days, and in 1932, 58 days. The average award in the respective years is \$115 and \$132. Table 8 shows the number of temporary disability cases by reporting offices, the duration of disability, and the amount of compensation paid. The numerical and percentage distribution of temporary total disability cases according to duration of disability covering all cases closed prior to January 1, 1936, is shown in table 9.

TABLE 8.—LOST TIME ACCIDENTS CAUSING TEMPORARY TOTAL DISABILITY SHOWING NUMBER, DURATION, AND COMPENSATION AWARD IN CASES CLOSED DURING 1935

Establishment	All cases				Compensated cases				Average	
	Number of cases	Duration (days)	Leave (days)	Average duration	Number of cases	Duration (days)	Leave (days)	Compensation	Duration	Compensation
Agriculture	2,644	73,170	8,331	27.7	1,426	64,997	2,047	\$143,473	45.6	\$100.61
Commerce	304	10,002	2,791	32.9	118	7,655	578	16,939	64.9	143.55
Interior	1,369	36,977	5,809	27.0	689	31,261	935	71,694	45.4	104.06
Justice	58	2,749	872	47.4	11	2,200	331	6,222	200.0	565.64
Labor	69	1,021	945	14.8	3	137	75	137	45.7	45.67
Navy	734	25,656	3,024	35.0	433	23,355	1,161	64,073	53.9	147.97
Post Office	5,499	115,166	44,052	20.9	1,315	70,144	673	175,765	53.3	133.61
Treasury	660	15,787	6,524	23.9	98	10,352	1,261	29,166	105.6	297.61
War	2,987	88,188	13,355	29.5	1,480	76,013	2,674	161,278	51.4	108.97
Veterans' Administration	466	11,992	5,208	25.7	92	7,676	958	14,555	83.4	158.21
District of Columbia	354	5,982	742	16.9	178	5,233	287	7,712	29.4	43.33
Tennessee Valley Authority	1,257	28,185	1,338	22.4	906	26,388	326	52,807	29.1	58.29
Emergency establishments	195	3,283	1,588	16.8	40	2,032	421	4,260	50.8	106.50
All other	188	3,220	1,042	17.1	76	2,076	7	3,942	27.3	51.87
Total	16,784	421,378	95,621	25.1	6,865	329,519	11,734	752,023	48.0	109.53
Included above:										
War, Emergency Conservation Work	314	7,283	545	23.2	187	6,472	28	16,194	34.6	86.60
Interior, Emergency Conservation Work	77	2,272	1,352	29.5	20	977	93	2,104	105.2	105.20
Agriculture, Emergency Conservation Work	165	3,684	1,325	22.3	51	2,671	367	6,045	52.4	118.53
Works Progress Administration	7	71	10	10.1	4	58	—	137	34.3	34.25
Public Works Administration	14	105	98	7.0	—	—	—	—	—	—
Forest Service	1,522	49,411	4,347	32.5	939	45,306	1,303	102,322	48.2	108.97
Letter carriers	2,581	50,349	23,333	19.5	651	31,619	5,384	81,171	48.6	124.69
Navy yards	455	18,921	1,675	41.6	303	17,930	885	52,233	59.2	172.39
War, Engineer office	1,294	44,640	6,172	34.5	664	39,259	1,417	81,505	59.1	122.75

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TABLE 8.—ACCIDENTS CAUSING TEMPORARY TOTAL DISABILITY INVOLVING LOSS OF TIME, SHOWING NUMBER, DURATION, AND COMPENSATION AWARD IN CASES CLOSED DURING 1935—Continued

Establishment	Noncompensated cases									Additional awards	
	Covered by leave			No claim filed			3 days and under				
	Number of cases	Duration (days)	Leave (days)	Number of cases	Duration (days)	Leave (days)	Number of cases	Duration (days)	Leave (days)		
Agriculture	485	5,804	5,716	108	1,094	88	625	1,275	480	50	
Commerce	113	2,169	2,161	7	36	66	142	52	12		
Interior	303	4,604	4,573	62	472	10	315	640	291	22	
Justice	35	525	523	—	—	—	12	24	18		
Labor	55	856	848	—	—	—	11	28	22		
Navy	161	1,824	1,727	18	235	10	122	242	126	30	
Post Office	2,624	41,539	41,077	46	491	151	1,514	2,992	2,151	77	
Treasury	357	4,995	4,921	3	41	12	202	399	330	12	
War	735	10,129	9,986	69	591	9	703	1,455	686	81	
Veterans' Administration	274	4,071	4,037	1	29	24	99	216	189	8	
District of Columbia	39	397	388	13	98	—	124	254	67		
Tennessee Valley Authority	68	989	975	41	237	—	242	571	37	3	
Other emergency units	79	1,079	1,071	3	32	—	73	140	96		
All others	56	995	977	3	41	12	53	108	46		
Total	5,384	79,976	78,980	374	3,397	316	4,161	8,486	4,591	303	
Included above:											
War, Emergency Conservation Work	31	496	486	15	139	—	81	176	31		
Interior, Emergency Conservation Work	48	1,251	1,250	2	32	—	7	12	9		
Agriculture, Emergency Conservation Work	72	905	899	4	29	—	38	79	59		
Works Progress Administration	2	10	10	—	—	—	1	3	—		
Public Works Administration	8	92	92	—	—	—	6	13	6		
Forest Service	247	2,827	2,780	68	716	46	268	562	218	32	
Letter carriers	1,187	17,067	16,807	19	216	84	724	1,447	1,058	26	
Navy yards	85	793	726	7	81	3	60	117	61	19	
War, Engineer office	306	4,538	4,499	32	239	3	292	604	253	51	

TABLE 9.—NUMERICAL AND PERCENTAGE DISTRIBUTION OF TEMPORARY TOTAL DISABILITY CASES, ACCORDING TO NUMBER OF WEEKS DISABLED IN CASES CLOSED DURING CALENDAR YEAR 1935, AND CUMULATIVE EXPERIENCE SEPT. 7, 1916, TO DEC. 31, 1935

Number of days' disability	Sept. 7, 1916, to Dec. 31, 1935			1935			
	Number of cases	Percent of total number of cases	Cumulative percent	Number of cases	Duration in days	Percent of total number of cases	Cumulative percent
1 to 3	55,836	20.64	20.64	4,161	8,486	24.79	24.79
4 to 7	56,637	20.94	41.58	3,367	18,207	20.06	44.85
8 to 14	56,400	20.85	62.43	3,236	34,659	19.28	64.13
15 to 21	29,575	10.93	73.36	1,588	28,136	9.46	73.59
22 to 28	17,140	6.34	79.70	1,001	24,815	5.96	79.55
29 to 35	12,500	4.62	84.32	669	21,237	3.99	83.54
36 to 42	8,347	3.09	87.41	462	18,001	2.75	86.29
43 to 49	6,550	2.42	89.83	392	17,992	2.34	88.63
50 to 56	4,889	1.81	91.64	302	15,946	1.80	90.43
57 to 63	3,969	1.47	93.11	301	18,112	1.79	92.22
64 to 70	2,899	1.07	94.18	179	11,993	1.07	93.29
71 to 77	2,132	.79	94.97	132	9,751	.79	94.08
78 to 84	1,746	.65	95.62	136	11,029	.80	94.88
85 to 91	1,455	.54	96.16	106	9,323	.63	95.51
92 to 98	1,142	.42	96.58	77	7,284	.46	95.97
99 to 105	938	.35	96.93	74	7,549	.44	96.41
106 to 112	750	.28	97.21	54	5,904	.32	96.73
113 to 119	652	.24	97.45	37	4,292	.22	96.95
120 to 126	640	.24	97.69	50	6,153	.30	97.25

TABLE 9.—NUMERICAL AND PERCENTAGE DISTRIBUTION OF TEMPORARY TOTAL DISABILITY CASES, ACCORDING TO NUMBER OF WEEKS DISABLED IN CASES CLOSED DURING CALENDAR YEAR 1935, AND CUMULATIVE EXPERIENCE SEPT. 7, 1916, TO DEC. 31, 1935—Continued

Number of days' disability	Sept. 7, 1916, to Dec. 31, 1935			1935			
	Number of cases	Percent of total number of cases	Cumulative percent	Number of cases	Duration in days	Percent of total number of cases	Cumulative percent
127 to 133	519	.19	97.88	51	6,619	.31	97.56
134 to 140	445	.16	98.04	24	3,272	.14	97.70
141 to 147	374	.14	98.18	24	3,461	.14	97.84
148 to 154	353	.13	98.31	28	4,231	.17	98.01
155 to 161	319	.12	98.43	30	4,758	.18	98.19
162 to 168	248	.09	98.52	17	2,803	.10	98.29
169 to 175	223	.08	98.60	16	2,747	.10	98.39
176 to 182	181	.07	98.67	18	3,207	.11	98.50
183 to 365	2,433	.90	99.57	180	43,237	1.07	99.57
366 to 547	582	.21	99.78	33	14,394	.29	99.77
548 to 730	241	.09	99.87	13	8,302	.08	99.85
Over 730	364	.13	100.00	26	33,285	.15	100.00
Total	270,484	100.00	100.00	16,784	409,185	100.00	100.00

Permanent disability cases closed during 1935 numbered 303 as compared with 282 closed during the preceding year. In 41 of these cases, no compensation was paid as the entire period of disability amounting to 953 days was covered by leave of absence with pay. It cannot be stated that all of these cases have been finally closed, and it is reasonable to anticipate that some of them will probably be reopened because the injured employee will suffer a subsequent loss in earning capacity attributable to the permanent disability. The duration of disability in the 262 compensated permanent disability cases is 100,156 full days, for which compensation was paid in the amount of \$276,751. In addition to the compensation paid to injured employees, the sum of \$68,587 was expended for medical treatment. This amount includes \$1,435 for such treatment in 22 of the 41 cases in which no compensation was paid. The average duration of disability in compensated cases closed during 1935 is 382 days as compared with 388 days in cases closed during 1934. The average award for the respective years is \$1,056 and \$1,031. Table 10 classifies these cases by reporting office and shows the number of cases, duration of disability, and the amount of compensation paid.

TABLE 10.—PERMANENT PARTIAL DISABILITY CASES CLOSED DURING 1935

Establishment	Number of cases	All cases			Compensated cases			Noncompensated cases			Additional awards		
		Duration (days)		Average duration	Duration (days)		Average	Duration (days)		Average			
		Number	Leave		Number	Leave		Number	Leave				
Agriculture	59	17,553	298	53	17,386	274	\$46,489	328	877	6	167	167	2
Commerce	6	741	124	4	729	6	1,918	182	480	2	12	9	
Interior	24	4,408	184	22	4,336	58	11,750	197	534	2	72	72	3
Navy	47	23,623	503	40	23,341	199	78,505	584	1,963	7	282	227	10
Post Office	26	8,355	321	22	8,282	618	24,743	376	1,125	4	73	73	---
Treasury	11	3,415	311	7	3,316	99	6,512	474	930	4	99	99	
War	82	30,557	373	76	30,465	472	69,646	401	916	6	92	88	9
Veterans' Administration	11	6,339	576	7	6,277	100	17,933	897	2,562	4	62	62	1
District of Columbia	4	976	244	3	971	-----	2,638	324	876	1	5	5	2
Tennessee Valley Authority	23	1,701	74	21	1,698	-----	3,606	81	172	2	3	1	1
Emergency Establishments	2	66	33	1	17	12	4	17	4	1	49	49	
All other	8	3,375	422	6	3,338	-----	13,007	556	2,108	2	37	35	---
Total	303	101,109	334	262	100,156	1,838	276,751	382	1,056	41	953	887	28
Included above:													
War, Emergency Conservation Work	3	146	49	1	137	-----	577	137	577	2	9	7	---
Agriculture, Emergency Conservation Work	2	75	38	1	63	-----	115	63	115	1	12	12	---
Interior, Emergency Conservation Work	1	50	50	-----	-----	-----	-----	-----	-----	1	50	50	---
Forest Service	42	13,972	333	41	13,959	218	41,246	340	1,006	1	13	13	2
Letter carriers	8	1,834	229	6	1,783	111	5,045	297	841	2	51	51	
Navy yards	26	17,041	655	24	17,038	64	56,975	710	2,374	2	3	1	9
War, Engineers office	47	17,264	367	43	17,181	167	42,131	399	980	4	83	81	3

Medical and surgical care and treatment.—When civil employees of the United States are injured while in performance of their duties they are entitled to reasonable medical and hospital services and supplies needed as a result of the injury. The law provides that where practicable such services shall be furnished by United States medical officers and hospitals. For this purpose the hospitals and dispensaries of the United States Public Health Service are available without cost, and to a limited extent also hospitals under the control of the Army, Navy, Veterans' Administration, and the Bureau of Indian Affairs. The Veterans' Administration, by special arrangement with the director in each case, furnishes treatment to beneficiaries without cost. The Army and Navy hospitals are generally used only for the treatment of their own civilian employees and are reimbursed from the compensation fund on the rate established for such service. In localities where the services of United States medical officers are not available, medical treatment is furnished by private physicians designated by the Commission, of which some 4,000 have been selected throughout the United States. These physicians are paid a reasonable fee by the Commission for services actually rendered.

Expenditures from the compensation fund during the fiscal year ended June 30, 1936, for medical treatment and transportation for the purpose of securing the same, are as follows:

Physician or surgeon	\$198, 153. 12
Hospital	327, 835. 80
Appliances	15, 338. 58
Nurse	20, 234. 22
Transportation	39, 618. 83
Miscellaneous	39, 440. 49

Grand total

640, 621. 04

Payments made from the compensation fund for medical treatment in 3,318 of the 7,127 compensated nonfatal cases closed in 1935 amount to \$366,304 or \$110.40 per case. The expense for this service in 10,640 noncompensated nonfatal cases out of a total of 23,949 amounts to \$166,219 or \$15.62 per case. This is less than the average cost per case based on the cumulative experience under the compensation act. Medical treatment furnished in 83 of 222 fatal cases cost \$13,998, or \$168.65 per case. Expenditures from the compensation fund for medical treatment in 200,125 out of a total of 433,968 cases closed prior to December 31, 1935, amount to \$7,541,808, or an average of \$37.69 per case.

These costs relate only to closed cases and do not include payments for medical treatment in nonfatal cases which are still active. Expenditures to December 31, 1935, for medical treatment in 456 permanent or prolonged total disability cases still open on that date amount to \$458,575, or \$1,005 per case, and in 1,602 incomplete permanent-partial disability cases expenditures for this purpose amount to \$862,550, or \$539 per case. In many of these permanent disability cases the injured employees are still in hospitals, or under medical treatment. As far as practicable these cases are hospitalized in institutions operated by the Government. Medical payments in cases closed during 1935, together with the amount paid in all cases closed prior to December 31, 1935, are shown in table 11.

TABLE 11.—SUMMARY OF MEDICAL PAYMENTS IN CASES CLOSED DURING 1935 AND CUMULATIVE DATA SEPT. 7, 1916, TO DEC. 31, 1935

Classification	1935			Sept. 7, 1916-Dec. 31, 1935		
	Number of cases, including no time lost	Number with medical payments	Total amount of payments	Number of cases, including no time lost	Number with medical payments	Total amount of payments
Compensated cases:						
Temporary total disability-----	6,864	3,108	\$299,152	131,810	68,491	\$4,168,626
Permanent partial disability-----	263	210	67,152	5,938	4,214	915,033
Total -----	7,127	3,318	366,304	137,748	72,705	5,083,659
Noncompensated cases:						
Covered by leave:						
Temporary total disability-----	5,384	1,164	78,739	68,833	24,553	834,532
Permanent partial disability-----	29	16	1,255	645	314	39,314
Total -----	5,413	1,180	79,994	69,478	24,867	873,846
No claim filed:						
Temporary total disability-----	374	190	2,831	13,732	3,712	60,431
Permanent partial disability-----	1	1	75	98	24	1,458
Total -----	375	191	2,906	13,830	3,736	61,889
No time lost, total-----	13,988	7,702	67,211	129,409	69,542	618,278
3 days or less:						
Temporary total disability-----	4,161	1,562	16,003	56,056	18,792	243,250
Permanent partial disability-----	12	5	105	98	45	1,510
Total -----	4,173	1,567	16,108	56,154	18,837	244,760
Total noncompensated cases-----	23,949	10,640	166,219	268,871	116,964	1,798,773
Fatal cases-----	222	83	13,998	5,204	1,752	361,632
All other-----	2,779	618	15,847	22,145	8,704	297,744
Grand total -----	34,077	14,659	562,368	433,968	200,125	7,541,808

Third-party cases.—Recoveries were made during 1935 in 431 cases in which the injury occurred under circumstances creating a legal liability upon a third party for the payment of damages. In 15 fatal cases the gross value of the recovery is \$57,769 and the net value after deducting attorneys' fees and other costs of collection is \$44,925, of which \$30,412 represents the estimated net saving in compensation costs. This saving is 30 percent of the total benefits paid and estimated to be paid in these fatal cases. In 416 nonfatal injury cases, the gross value of the recovery is \$271,370 and the net value is \$200,108, of which \$48,164 is a direct saving in compensation costs. This saving is 84 percent of the total benefits paid and estimated to be paid in these cases. The total saving through recoveries made from third parties during the year is \$78,576, of which \$42,530 was actually refunded to the Commission, and the balance charged against future payments of compensation on account of the same injuries. At the close of business on December 31, 1935, there were 37 fatal and 760 nonfatal cases listed on the third-party docket; most of these were in the hands of designated attorneys and in the process of settlement. The number of cases examined for third-party liability and the disposition of such cases is shown in tables 12 and 13.

TABLE 12.—NUMBER OF PENDING AND CLOSED CASES EXAMINED FOR POSSIBLE THIRD-PARTY LIABILITY FROM JAN. 1, 1935, TO DEC. 31, 1935

Establishments	Cases pending Jan. 1, 1935	New cases received 1935	Cases closed during calendar year 1935				Pending cases, Dec. 31, 1935	
			Closed, no liability	Closed for other reasons	Completed cases where recovery was made—		Fatal	Non-fatal
					Fatal and permanent, total	Non-fatal		
Agriculture	52	116	26	63	2	18	4	55
Interior	16	61	17	33	—	8	1	18
Navy	9	2	1	3	—	4	—	3
Post Office:								
City Mail Service	421	625	63	371	4	211	4	393
Railway Mail Service	85	107	6	43	—	85	1	67
Rural Free Delivery	26	23	8	19	—	9	1	12
Motor Vehicle Service	30	39	3	22	—	12	1	31
Other Post Office employees	22	24	3	10	—	9	—	24
Total, Post Office	584	818	83	465	4	326	7	517
Treasury	53	89	9	59	—	18	4	52
War	40	51	13	25	1	12	8	32
Other establishments	78	164	19	89	8	30	13	83
Total	832	1,301	168	737	15	416	37	760

TABLE 13.—BENEFITS PAID AND ESTIMATED, AND DAMAGES RECOVERED DURING 1935, IN CASES IN WHICH INJURY WAS DUE TO NEGLIGENCE OF THIRD PARTY

Disability	Total number of third-party cases open during year	Court costs paid	Recoveries				Refunds received by Commission	Net credit to Government		
			Number of cases	Amount approved		Benefits paid and estimated				
				Gross	Net					
Fatal	109	\$250.65	15	\$57,769	\$44,925	\$100,071	\$5,369	\$30,412		
Permanent total	1		1	14,000	9,250	36,854	8,420	9,250		
Other nonfatal	2,023	3,592.79	415	257,370	190,858	47,961	28,732	38,914		
Total	2,133	3,843.44	431	329,139	245,033	184,886	42,530	78,576		

Cause of injury.—A study of the cause of injury in the 17,087 nonfatal cases tabulated in this report shows that nearly half, or 45.4 percent were attributable to two principal causes, namely, "Falls of persons" which was the cause in 3,954 cases, or 22.8 percent of the nonfatal injuries, and "Handling objects" which was the cause of 3,917 cases, or 22.6 percent of the total. "Stepping on objects" caused the next largest number of injuries, namely, 1,326, or nearly 8 percent of the total. In 1,210 cases, or 6.9 percent of the total the injury was caused by being "Struck by objects." Striking against objects caused 1,185 nonfatal injuries, or 6.8 percent of the total. Vehicles caused 1,037 cases, or nearly 6 percent of the total. Only 424 injuries, or approximately 2 percent of the total were due to mechanical causes. The principal cause of injuries in 222 fatal cases was "Operation of vehicles" which accounted for 57 deaths, or 25.6 percent of all fatal cases. This was followed closely by "Falls of persons" which caused, 31 deaths, representing approximately 14 percent of the total. Watercraft caused 24 fatal injuries, or 10.8 percent of the total.

The Commission has from time to time in previous reports called attention to the need for accident-prevention efforts in the Government service. The Commission believes that a properly directed safety program should be put into effect in all Federal establishments, particularly those engaged in manufacturing or construction work. In furtherance of this the Commission has worked in cooperation with the several Federal establishments in which safety departments have been established and has prepared special statistical reports for the use of these departments in the prevention of accidents. It has during the past year undertaken more active work in this connection. (See p. 3.)

TABLE 14.—CAUSE OF INJURY, IN FEDERAL INJURY CASES, FOR CALENDAR YEAR 1935

NONMECHANICAL

Cause	Total number of cases	Number of fatal cases	Nonfatal cases				Average duration, nonfatal (days)	
			Temporary total		Permanent partial			
			Number of cases	Duration in days	Number of cases	Duration in days		
Railroads	99	9	87	4,534	3	5,600	101.5	
Vehicles:								
Plant trucks	62		60	1,544	2	2,219	60.7	
Automobiles, etc.	875	53	812	31,894	10	7,789	48.3	
Motorcycles	27	1	25	722	1	69	30.4	
Bicycles	42		42	1,137			27.1	
Aircraft	6	3	2	27	1	1,161	396.0	
Animal-drawn vehicles	13		13	281			21.6	
All other	12		12	162			13.5	
Total	1,037	57	966	35,767	14	11,238	48.0	
Watercraft	36	24	12	402			33.5	
Pressure equipment	10	1	9	144			16.0	
Explosive substances:								
Tamping and blasting	25	5	19	1,036	1	73	25.5	
Premature shot	7		7	807			115.3	
Gas:	10		10	186			18.6	
Explosives	9	1			1	169	34.4	
Gasoline	23	4	19	544			28.6	
Chemicals	10	1	9	122			13.6	
Misfire, delayed shot	2	1	1	20			20.0	
All other	18		18	758			42.1	
Total	104	12	90	3,579	2	242	41.5	

TABLE 14.—CAUSE OF INJURY, IN FEDERAL INJURY CASES, FOR CALENDAR YEAR 1935—Continued

NONMECHANICAL—Continued

Cause	Total number of cases	Number of fatal cases	Nonfatal cases				Average duration, nonfatal (days)	
			Temporary total		Permanent partial			
			Number of cases	Duration in days	Number of cases	Duration in days		
Electricity	19	4	15	204			13.6	
Conflagration and flames	120		119	1,993	1	48	17.0	
Hot substances	210	2	207	4,587	1	911	26.4	
Dusts, gases, chemicals:								
Handling or contact with—								
Poison ivy, etc.	133		133	1,728			13.0	
Cement, concrete	25		25	378			15.1	
Creosote	11		11	72			6.6	
Gasoline	14		14	209			14.1	
Lead	10		10	152			15.2	
All other	121		121	4,016			33.2	
Total	314		314	6,555			20.9	
Inhalation:								
Carbon monoxide	20		20	132			6.6	
All other	43	6	37	1,606			43.4	
Total	63	6	57	1,738			30.5	
Swallowing: Total	12	1	11	719			65.4	
Falls of persons:								
From autos and trucks at rest	114		113	2,449	1	315	24.2	
From benches, boxes, etc.	79		78	1,588	1	573	27.4	
From boilers, engines, machines	28	2	26	994			38.2	
From bridges, docks, decks, etc.	27	5	22	776			35.3	
From piles of materials	28		26	746	2	1,152	67.8	
From poles, trees, etc.	59		59	2,315			39.2	
From balconies, gangplanks, etc.	83	2	80	2,905	1	1,031	48.6	
From elevations, other	133	5	126	3,742	2	2,851	51.5	
Buildings:								
From floors	11		10	178	1	2,984	287.5	
From roofs	37	1	35	2,513	1	342	79.3	
From stairs and steps	737	1	735	14,043	1	48	19.1	
All other	16		16	444			27.8	
From ladders	152	4	146	5,650	2	1,121	45.8	
From scaffolds	142	1	137	6,710	4	2,732	67.0	
Into excavations	25		23	817	2	1,928	109.8	
Pits and shafts	12	1	11	851			77.4	
On level	993	1	985	25,051	7	2,528	27.8	
On grade (incline)	117	1	116	4,203			36.2	
Stumbling over objects	543	2	536	13,593	5	1,044	27.1	
Into holes, traps, etc.	76	3	71	4,320	2	912	71.7	
Carrying heavy objects	431		429	17,116	2	196	40.2	
All other	111	2	107	2,470	2	374	26.1	
Total	3,954	31	3,887	113,474	36	20,131	34.1	
Falling objects:								
From elevations	141	2	133	7,064	6	2,064	65.7	
From buildings (in construction or demolition)	14	2	11	2,401	1	78	206.6	
Chutes, conveyors, slides, etc.	22		22	319			14.5	
Derricks	22		18	695	4	1,346	92.8	
Machines and work benches	29		29	356			12.3	
Piles—stacked, stored, etc.	102		102	2,571			25.2	
Scaffolds, staging, etc.	14		14	414			29.6	
Shelves and racks	10		10	236			23.6	
Trees and poles	60	3	57	2,193			38.5	
In felling	82	2	77	2,846	3	448	41.2	
Into Ditches, mines, quarries	12	1	10	395	1	76	42.8	
Collapse of walls (cave-ins)	42	2	40	1,748			43.7	
All other	324	1	321	5,042	2	137	16.0	
Total	874	13	844	26,280	17	4,149	35.3	
Handling objects:								
Heavy objects	1,825	7	1,812	58,668	6	6,916	36.1	
Trucks, carts, wheelbarrows	169		166	2,991	3	1,399	26.0	
Caught between objects handled	641	2	592	10,659	47	4,426	23.6	
Handling rough or sharp objects	278	2	270	3,423	6	6,025	34.2	
Handling objects—struck self	153		152	2,260	1	47	15.1	
Cranking autos or gasoline engines by hand	122		120	3,038	2	631	30.1	
Objects dropped	534		529	9,392	5	399	18.3	
All other	195		191	3,347	4	242	18.4	
Total	3,917	11	3,832	93,778	74	20,085	29.2	

TABLE 14.—CAUSE OF INJURY, IN FEDERAL INJURY CASES, FOR CALENDAR YEAR 1935—Continued

NONMECHANICAL—Continued

Cause	Total number of cases	Number of fatal cases	Nonfatal cases				Average duration, nonfatal (days)	
			Temporary total		Permanent partial			
			Number of cases	Duration in days	Number of cases	Duration in days		
Hand tools:								
Glancing or slipping	837	1	810	15,930	26	2,616	22.2	
Breaking	23		22	620	1	57	29.4	
Objects set in motion by hand tool	28		26	721	2	101	29.4	
All other	41		39	668	2	1,586	52.5	
Total	929	1	897	17,939	31	4,360	24.0	
Stepping in or on objects:								
Nails and other sharp objects	240	1	239	2,178			9.1	
Kneeling on objects	1				1	284	284.0	
Into holes, etc.	185		185	3,146			17.0	
Slipping—near falls	619		619	8,967			14.5	
All other	281		279	5,559	2	733	22.4	
Total	1,326	1	1,322	19,850	3	1,017	15.7	
Striking against objects:								
Nails, screws, etc.	77		76	756	1	1,714	32.1	
Splinters and sharp projections	600		597	8,411	3	245	14.4	
Other fixed objects	340		336	5,141	4	1,005	18.1	
All other	168		168	1,827			10.9	
Total	1,185		1,177	16,135	8	2,964	16.1	
Struck by objects:								
Swinging objects	208	2	203	5,470	3	228	27.7	
Flying objects	524	3	511	7,175	10	3,552	20.6	
Whipping lines, or caught in loop or bight	52		50	1,703	2	509	42.5	
Fellow employee	13		13	155			11.9	
All other	413	5	400	8,478	8	1,481	24.4	
Total	1,210	10	1,177	22,981	23	5,770	24.0	
Miscellaneous:								
Injured by jumping (not falls)	91	1	90	3,189			35.4	
Flying particles	314		312	1,770	2	2,209	12.7	
Doors, windows, etc.	196	2	188	2,532	6	315	14.7	
Ropes, hose, etc.	10		10	149			14.9	
Weapons (accidental discharge)	18	2	15	658	1	40	37.4	
Animals	45		43	3,241	2	61	73.4	
Draft animals	68		65	3,598	3	2,472	89.3	
Dogs	192	1	191	1,111			5.8	
Insects	80	1	79	900			11.4	
Violence	69	2	65	935	2	680	24.1	
Weapons	17	8	9	824			91.6	
Clothing, boots, shoes, etc.	46		46	417			9.1	
Unnatural positions	40		39	1,181	1	1,019	5.5	
Strain, overwork	16	4	10	214	2	1,561	147.9	
Cold	44		43	1,110	1	159	26.6	
Heat	69	1	68	674			9.8	
Weather	14	3	11	209			19.0	
Disease	40	4	33	3,821	3	6,780	29.4	
Strain, pulling up or down	22		22	891			40.5	
Water	2	2						
All other	73	1	71	1,007	1	50	14.7	
Total	1,466	32	1,410	28,431	24	15,346	30.5	
Total, nonmechanical	16,885	215	16,433	398,946	237	91,861	29.4	

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TABLE 14.—CAUSE OF INJURY, IN FEDERAL INJURY CASES, FOR CALENDAR YEAR 1935—Continued

MECHANICAL

Cause	Total number of cases	Number of fatal cases	Nonfatal cases				Average duration, nonfatal (days)	
			Temporary total		Permanent total			
			Number of cases	Duration in days	Number of cases	Duration in days		
Prime movers.....	4		4	427			105.3	
Shafts and belts.....	21		18	711	3	18	34.7	
Metal-working machinery:								
Abrasive wheels.....	20		18	252	2	80	16.6	
Portable power tools.....	5		5	329			65.8	
Drills.....	15	1	12	249	2	106	25.4	
Presses.....	5		5	582			116.4	
Lathes, saws, shears.....	14		10	222	4	164	27.6	
All other.....	21		15	289	6	505	37.8	
Total.....	80	1	65	1,923	14	855	35.2	
Wood-working machinery:								
Saws (all kinds).....	71		63	1,217	8	464	23.7	
Planing, molding, joining.....	25		12	537	13	256	31.7	
Total.....	96		75	1,754	21	720	25.8	
Paper products machines.....	12		10	172	2	61	19.4	
Textile machines.....	9		9	92			10.2	
Food products machines.....	9		5	61	4	1,302	151.4	
Laundry and dry cleaning machines.....	5		5	228			45.6	
Hoisting apparatus:								
Elevators.....	10	2	8	646			80.8	
Cranes and derricks.....	19	1	16	542	2	810	75.1	
Block and tackle—winches, etc.....	31	1	24	1,647	6	678	57.5	
Conveyors.....	9		9	229			25.4	
All other.....	2		1	9	1	121	65.0	
Total.....	71	4	58	2,473	9	1,609	60.9	
Miscellaneous machinery:								
Steam shovels and pile drivers.....	11		8	221	3	1,057	116.2	
Office machinery (canceling machines in post office, etc).....	22		20	121	2	92	9.7	
Agriculture machines.....	10		16	115			11.5	
Concrete mixers.....	4		4	130			32.5	
Pumps.....	6		5	84	1	11	15.8	
Fans, blowers.....	4		4	45			11.3	
All other and special.....	60	2	51	1,765	7	792	44.1	
Total.....	117	2	102	2,481	13	1,952	38.5	
Total, mechanical.....	424	7	351	10,322	66	6,517	40.4	
Grand total.....	17,309	222	16,784	409,268	303	98,378	29.7	

Cost of the compensation law.—An analysis of expenditures from the compensation fund in the 5 fiscal years 1932–36, is shown in table 15. Table 16 furnishes a comparative statement of administrative and compensation costs for each fiscal year since the Commission was organized in 1917. The expense of administering this law during the fiscal year 1935 represents approximately 25 percent of the total administrative expenses of the Commission. It is, however, only 4 percent of the total amount expended under this law, the remaining 96 percent representing compensation benefits.

TABLE 15.—COMPARATIVE STATEMENT OF EXPENDITURES FROM THE EMPLOYEES' COMPENSATION FUND, JULY 1, 1932, TO JUNE 30, 1936

	Fiscal year 1932	Fiscal year 1933	Fiscal year 1934	Fiscal year 1935	Fiscal year 1936
Employees' compensation fund:					
Injury compensation	\$2,080,030.41	\$1,852,380	\$1,612,570	\$2,017,136	\$1,943,430
Lump-sum awards (injury)	14,337.74	1,693	1,919	447	
Medical treatment and supplies	628,664.47	592,642	453,208	654,955	621,568
Transportation (sec. 9)	36,228.39	40,048	32,402	35,599	39,701
Death compensation	1,412,298.15	1,441,745	1,296,929	1,494,019	1,610,351
Lump-sum awards (death)	964.17		270	5,229	
Burial expenses	31,743.41	24,065	24,930	28,669	33,725
Embalming and transportation (sec. 11)	4,341.07	2,422	2,177	3,384	3,602
Court costs	1,591.94	2,033	758	548	1,994
Total	4,210,199.75	1 3,957,028	2 3,425,163	4,239,986	4,254,371

¹ Savings on account of legislative reduction in compensation under the act of Mar. 20, 1933, amounting to \$62,154 impounded and returned to the Treasury are not included in this statement.

² Compensation shown is net amount paid after deducting legislative reductions amounting to \$456,544.

TABLE 16.—APPROPRIATIONS AND EXPENDITURES, 1916-36

	Salaries and expenses		Compensation fund	
	Total appro- priations	Net expendi- tures, includ- ing estimated outstanding liabilities at the end of fiscal year	Total appro- priations ¹	Net expendi- tures
Mar. 26 to June 30, 1917	\$50,000.00	\$27,394.79	\$500,000	\$122,806.07
Fiscal year ending June 30:				
1918	2 87,000.00	79,421.86	500,000	706,257.92
1919	145,810.17	129,149.28	3 1,300,000	1,399,757.13
1920	144,656.02	140,898.09	2,100,000	2,087,365.58
1921	171,940.00	166,627.75	2,500,000	2,303,346.69
1922	160,751.66	156,860.75	2,400,000	2,627,170.08
1923	159,740.00	156,729.89	2,975,000	2,726,530.83
1924	149,080.00	147,844.00	2,300,000	2,333,526.82
1925	152,100.00	148,202.66	2,500,000	2,463,162.77
1926	4 153,900.00	147,239.63	2,375,000	2,581,379.17
1927	144,540.00	145,872.73	2,600,000	2,616,581.82
1928	148,240.00	146,601.05	3,250,000	3,370,390.41
1929	5 555,010.00	6 189,430.76	3,550,000	3,552,399.38
1930	5 540,326.00	6 196,479.01	4,000,000	4,005,170.88
1931	5 573,000.00	6 210,405.07	4,200,000	4,190,198.14
1932	5 593,980.00	6 200,937.00	4,200,000	4,210,199.75
1933	5 493,000.00	6 158,757.00	4,450,000	3,957,028.00
1934	404,857.00	6 146,266.00	3,820,000	3,425,163.00
1935	416,510.00	6 171,720.00	3,987,900	4,239,986.00
1936	7 522,300.00	6 183,363.00	7 4,250,000	4,254,371.00

¹ Prior to 1924 appropriations for compensation were continuing.

² Includes \$7,000 allotted from President's fund for expenses in France.

³ Includes \$50,000 allotted from President's fund.

⁴ Includes deficiency appropriations of \$1,900 available for expenditures during fiscal year 1927.

⁵ Separate appropriations for administration of Federal Employees' Act not made. Appropriation shown was made covering administration of the 3 compensation acts administered by the Commission and includes all appropriations for administrative purposes.

⁶ Estimated amount expended for administration of Federal Employees' Act.

⁷ No direct appropriation was made for 1936. The amount shown was made available by transfer or from the special fund established in the Treasury for compensation benefits for employees of the Civil Works Administration.

Recommendations for changes in legislation.—The Commission renews the recommendations for amendments to the compensation law which appeared in its last annual report, as follows:

The Commission on a number of occasions has advocated an amendment to modify the provisions of section 10 (g) of the Compensation Act to remove the present limitation on the payment of compensation to dependent parents of deceased employees. Under existing law the compensation awarded to this class

of beneficiaries is limited to a term of 8 years, and in view of the generous provisions made for the payment of compensation to widows of deceased employees, this limitation appears discriminatory and unnecessarily harsh. The law recognizes the obligation of providing compensation for parents dependent for their support upon a deceased employee at the time of his death. The Commission is unable to find any sound reason that would justify discontinuance of this compensation after a term of 8 years. If the need for assistance in such cases existed at the time of an employee's death it is reasonable to assume that this need would become greater with the passing years. In some instances the termination of the compensation award to an aged parent has left that beneficiary destitute and without any hope of relief except the charity of friends or aid from institutions in the community in which he or she resides. The Commission, therefore, strongly recommends modification of this section of the law so as to provide for the payment of compensation to dependent parents until the beneficiary dies, marries, or ceases to be dependent.

Under the provisions of section 11 of the compensation law the remains of an employee whose death occurs away from his home office or outside of the United States may be transported to the home of the employee, provided death results from the injury within 6 years. It is the practice of the Commission to utilize the facilities of United States hospitals for the examination and treatment of injured employees. In some instances the death of a beneficiary from causes not related to an injury has occurred while the beneficiary was absent from home for the purpose of undergoing a medical examination or receiving treatment under orders of the Commission. Under such circumstances the Commission is without authority to pay the cost of returning the remains of the beneficiary to his home or to assume the cost of burial at the place where the death occurred. Instances of this kind are relatively few, but because of the difficult situation that develops when they occur, the Commission believes it would be in the public interest to amend the compensation law to permit the transportation of remains under such circumstances.

III. OPERATIONS UNDER THE ACT OF FEBRUARY 15, 1934

The act approved February 15, 1934 (Public, No. 93, 73d Cong.), making an additional appropriation to carry out the purposes of the Federal Emergency Relief Act of 1933, and for continuation of the Civil Works program, extended the provisions of the United States Employees' Compensation Act of September 7, 1916, to employees of the Civil Works Administration, subject to certain conditions and limitations. As has been previously stated, these conditions and limitations modified the provisions of the basic law in its application to this employment to such an extent that the effect is substantially the same as if a different compensation law had been enacted. The principal changes in the basic law were explained in the Commission's last report, but in view of the interest in this law these are repeated here.

The term "injury" as defined in the Federal Employees' Compensation Act of September 7, 1916, includes in addition to injury by accident "disease proximately caused by the employment." This definition is not applicable, however, in cases involving employees of the Civil Works Administration, enrollees in the Civilian Conservation Corps, and persons receiving "security payments" from the Federal Emergency Relief Appropriations of 1935 and 1936. The benefits of the compensation law have been extended to these emergency employments only for disability or death resulting from a "traumatic injury" which is defined by law as "only injury by accident causing damage or harm to the physical structure of the body and shall not include a disease in any form except as it shall naturally result from the injury." This restriction confines the type of injury for which compensation may be paid to a field much more limited than most workmen's compensation laws. In view of the emergency character of these

employments some limitation such as this is probably necessary in the public interest, and aside perhaps from a relatively small number of cases of disability or death resulting from disease among enrollees in the Civilian Conservation Corps, it does not appear that the restrictive limitation has been unnecessarily harsh. The Commission does not feel justified in recommending any liberalization of this provision of the law.

In contrast with the liberal compensation rates under the Federal Employees' Compensation Act which fixes the maximum monthly rate at \$116.66 and the minimum at \$58.33, is the maximum rate of \$25 authorized by the act of February 15, 1934. The latter act further limits the total amount that may be paid in any case to \$3,500. Both of these limitations are exclusive of the cost of medical treatment. The limitation on the aggregate amount that may be paid affects only cases involving permanent total disability and death. In view of the low monthly compensation rate the award in such cases may extend over a period of nearly 12 years. Whether this limitation should be raised is not a pressing question and consideration of it may be deferred until the time the awards are about to terminate. The limitation on the monthly compensation rate, however, seems harsh in some respects since it is inadequate for the support of a totally disabled workman or the family of one who is killed while in the performance of duty. In view of this the Commission feels that consideration may properly be given to the question of increasing this present maximum rate of \$25 even though the limitation of \$3,500 on the aggregate payment in any case is retained.

It apparently was the intention of the Congress that the cost of all compensation benefits extended to these emergency employments should be paid out of the relief appropriation through which the respective emergency work programs were made possible. To accomplish this purpose provision was made to set aside from funds provided by the relief appropriation acts such sums as the Commission with the approval of the President estimated and certified to the Secretary of the Treasury as necessary for administrative expenses and the payment of compensation. Pursuant to this authority four special funds have been established in the Treasury to cover the cost of compensation benefits in connection, respectively, with the Civil Works program, the Civilian Conservation Corps, and the works program authorized by the Federal Emergency Relief Appropriation Act of 1935, and the program authorized by the Relief Appropriation Act of 1936. These funds are administered by the Commission for the purpose indicated, and after June 30, 1935, in respect to the first two employments above mentioned, and June 30, 1936, in respect to the third, are to be made available annually in such amounts as may be specified in the annual appropriation acts.

It appears evident that it was intended in this manner to avoid creating obligations that might involve an increase in future appropriations for the normal functions of the Federal Government. It is apparent, however, that this purpose will not be entirely accomplished. Reference has heretofore been made to the large number of persons employed in administrative and supervisory capacities in connection with the administration of the relief program. Such persons for the most part must be considered civil employees of the United States within the meaning of the Federal Employees' Compensation Act, and in the event of injury while in the performance of

duty are entitled to the full benefits authorized by that act. The cost of compensation benefits in such cases and the administrative expense connected with the adjudication of claims is a proper charge against the regular appropriations of the Commission. In the more serious cases arising out of the injury of these emergency employees, compensation may be paid over a long period of time, and to defray the cost thereof it will be necessary to increase the regular annual appropriation for the employees' compensation fund. This, however, may be avoided if legislation should be enacted to authorize such benefits to be paid from the appropriate special funds to which reference has been made above.

In addition to the employments above referred to the benefits authorized by the provisions of the Act of February 15, 1934, relating to compensation for disability and death have been extended to (1) persons receiving payments from the United States for services rendered under the National Youth Administration, (2) persons employed and paid by the United States in those States in which the Federal Relief Administrator assumed control under section 3 (B) of the Federal Emergency Relief Act of 1933, and (3) veterans of the World War and other persons attached to veterans' camps 1, 3, and 5, at the time the camps were destroyed by the hurricane which struck the Florida Keys on September 2, 1935. Appropriate reference to the action taken in respect to each class of cases within the purview of the act of February 15, 1934, will be found under separate headings.

1. CIVIL WORKS ADMINISTRATION EMPLOYEES

The Civil Works Administration program inaugurated about October 1933 was perhaps the largest mass employment of workmen undertaken to that time, and involved the employment of thousands of workers in every State. The magnitude of the program, the speed with which it was put into actual operation, the almost innumerable types of work undertaken, the impracticability of selecting workers according to their physical ability to perform assigned tasks, and the delay in enactment of statutory authority to provide compensation coverage for the employment, were some of the factors which give rise to problems in the administration of the compensation law extended to this program that were probably without precedent. The same factors were the cause of some apprehension concerning the probable cost of claims arising out of the injuries of workmen employed on the program. However, advance estimates of compensation costs were at best mere speculation, for there was no comparable experience upon which reliable estimates of the cost might have been computed.

This work program was of short duration and was suspended about the end of March 1934 after operating for a period of less than 6 months. In the time elapsed since the termination of the work program the compensation claims reported from it have been examined and the results show that the apprehension felt regarding the difficulty of administering compensation benefits and in respect to the probable cost of such benefits was unwarranted. Administration of the compensation law was performed in an efficient and economical manner. This is evidenced by the fact that about 99 percent of the cases reported to the Commission have been finally adjudicated and closed with an expenditure by the Commission of only \$451,020 for the administrative handling of such cases by its staff. The total cost of compensation benefits based on actual expenditures to date and

established reserves for incomplete cases is estimated to be under \$6,000,000.

Injuries reported.—The records of the Commission show that 166,959 cases of alleged injury were reported from this work program. Included in this total are 782 fatal cases in which it was alleged that the death was due to causes arising out of the employment. The six States reporting the highest number of nonfatal cases and the approximate percentum reported by each are: New York, 11 percent; Ohio, 9 percent; California, 7 percent; Illinois, 7 percent; Pennsylvania, 6 percent; and Wisconsin, 5 percent. The six States reporting the largest number of fatal cases and the percentum for each are: Ohio, 7.6 percent; Texas, 6.4 percent; Pennsylvania, 6.3 percent; and Illinois, Michigan, and Wisconsin, 4.8 percent each. These percentages relate to cases reported without regard to the ultimate action taken in such cases. These cases, classified to show the State from which the injury was reported, are shown in the following tabulation:

FATAL AND NONFATAL INJURIES REPORTED BY THE CIVIL WORKS ADMINISTRATION

States	Nonfatal	Fatal	States	Nonfatal	Fatal
Alabama	3,221	19	Nevada	221	2
Arizona	1,196	2	New Hampshire	458	2
Arkansas	1,484	22	New Jersey	4,393	20
California	12,116	40	New Mexico	241	3
Colorado	1,596	13	New York	18,192	37
Connecticut	3,701	10	North Carolina	1,595	5
Delaware	203	1	North Dakota	788	6
District of Columbia	481	1	Ohio	14,699	59
Florida	1,452	10	Oklahoma	3,473	18
Georgia	1,654	20	Oregon	1,508	6
Idaho	970	5	Pennsylvania	10,246	49
Illinois	11,480	38	South Carolina	568	5
Iowa	4,845	22	South Dakota	789	10
Kansas	1,879	20	Rhode Island	777	1
Indiana	5,174	26	Tennessee	1,193	4
Kentucky	1,610	9	Texas	4,354	50
Louisiana	2,212	9	Utah	841	7
Maine	825	10	Vermont	550	3
Maryland	1,029	7	Virginia	1,420	9
Massachusetts	7,778	31	Washington	2,756	17
Michigan	8,011	38	West Virginia	2,030	10
Minnesota	3,279	23	Wisconsin	9,572	38
Mississippi	1,092	6	Wyoming	406	2
Missouri	5,173	21	Alaska	81	—
Montana	1,400	6	Total	166,177	782
Nebraska	1,170	10			

Cases on hand.—On September 30, 1936, there were less than 1,000 cases open on the active claim register in which final payment of compensation had not been made. These cases include 602 nonfatal injuries in which compensation is being paid to the injured employee, and 281 fatal cases in which compensation is being paid to the dependents of deceased employees. In addition to these established claims in which additional benefits are being paid, a small number of cases are in the process of review on the application of the claimants. It is reasonable to anticipate that for some time applications for review of decisions in closed cases and requests for information regarding such cases will be filed with the Commission.

Awards have been made for permanent disability in 400 of the 602 nonfatal cases in which compensation was being paid on October 31, 1936. In the remaining cases compensation was being paid under a tentative award but in most of these it is probable that some measure of permanent disability will result from the injury. The estimated

duration of future instalments of compensation in these cases ranges from a few weeks to about 9 years. The compensation payments in these cases for the month of September 1936 amounted to \$15,000.

In the 294 fatal cases in which compensation had been approved on October 31, 1936, awards had been made to or on account of 780 dependents. The classification of the dependents in cases still active, the total and average monthly award, and the total and average estimated cost of such awards for each class are shown in the following tabulation:

	Number	Monthly award	Compensation	Average	
				Monthly award	Compensation
Widows	229	\$3,744.47	\$623,264	\$16.35	\$2,722
Children under 18	474	1,762.26	191,545	3.72	404
Brothers and sisters	18	61.30	6,565	3.41	365
Fathers	14	126.30	10,165	9.02	726
Mothers	32	313.44	24,207	9.80	756
Total	767	6,007.77	855,746	-----	-----

Average \$3,045 per case.

In addition to the compensation awarded to these dependents the injury and death involved the payment of other benefits amounting to an aggregate of \$74,220. These benefits and the amount expended for each are as follows: Compensation for disability preceding death, \$1,239; medical care, \$22,184; burial expenses, \$50,797. The awards in cases in which the dependents are widows or very young children will probably continue for a period of approximately 9 years, and in most instances the award will terminate with the payment of the maximum benefits of \$3,500 authorized in an individual case.

Cases disposed of.—The records of the Commission show that 166,063 of the 166,959 cases reported from this employment have been closed. The closed cases include 31,343 approved nonfatal cases in which final payment of compensation has been made, 16,461 cases in which the disability did not extend beyond the 3-day waiting period, 14,177 cases disapproved by the Commission, and 103,592 cases involving minor injuries which did not cause a loss in time from work. In 454 of the 782 fatal cases reported the Commission found that the death did not occur under circumstances bringing it within the purview of the compensation law, and in 34 other fatal cases there were no dependents entitled to compensation on account of the death.

The number of nonfatal cases reported above as having been disapproved is slightly less than the number shown in the report submitted by the Commission last year. This difference is due to the subsequent approval of a small number of cases after reopening for consideration of new evidence. The nonfatal cases disapproved by the Commission and the reasons for disapproval are shown in the following tabulation:

Reason for closing:

Not due to injury	11,987
Not in performance of duty	347
No claim filed	622
Refused medical aid	195
Intoxication	11
Wilfull misconduct	3
Miscellaneous	1,012

Unfavorable action in a proportionally large number of fatal cases was necessary because of the number of cases reported in which it was found that the death was due to disease that was not in any manner connected with a traumatic injury while at work. All cases of death occurring while employees were in a duty status were reported to the Commission and such investigation as the Commission deemed necessary was made in respect to each fatal case in order to determine the cause of death and its relationship, if any, to traumatic injury.

The estimated total cost of compensation benefits in all nonfatal cases including future benefits payable in 602 incomplete cases is slightly less than \$5,000,000. The estimated total cost of benefits authorized in the 328 approved fatal cases is slightly under \$1,000,000. The average compensation award in 30,306 compensated temporary disability cases is \$34.87 for disability of an average duration of 43.65 days. The average medical cost per case in these cases is \$32.33. The medical cost shown for these cases and others tabulated in this report does not take into account the value of such services rendered without cost to the compensation fund by Federal medical establishments. The average compensation award for permanent disability in 1,639 cases including 602 incomplete cases is \$71.70. The average medical cost in such cases to September 30, 1936, is \$251.13. The final medical cost in these cases will show a slightly higher average cost per case as additional medical treatment will be provided in some such cases. The average cost of medical care in 134,232 noncompensated cases, including 103,594 in which the injury did not cause loss in time, and 16,461 in which the disability did not extend beyond the 3-day waiting period is \$8.06. Approximately 85 percent of all cases reported involved payment for medical treatment on account of the injury.

The records of the Commission show that 34 approved fatal cases have been closed in which there were no surviving dependents entitled to receive compensation on account of the death. The benefits paid in such cases amounted to only \$7,531, distributed as follows: Compensation for disability prior to death, \$107; medical care, \$1,595; and burial expenses, \$5,829.

Third-party cases.—The provisions of sections 26 and 27 of the Federal Employees' Compensation Act relating to the recovery of damages in cases in which an injury is sustained under circumstances creating a legal liability on a third party are applicable to cases arising out of the injury of employees of the Civil Works Administration. Recoveries from a third party have been made in 247 cases. In nine fatal cases the gross value of the recovery is \$28,400, and the net value, after deducting attorneys' fees and other costs of collection, is \$20,345, of which \$13,043 represents the estimated net saving in compensation costs. This saving is approximately 100 percent of the total benefits paid and estimated to be paid in these nine cases. In 238 nonfatal cases the gross value of the recovery is \$139,954 and the net value \$103,448, of which \$24,678 is a direct saving in compensation

costs. The total saving through recoveries made in third-party cases is \$37,721, of which \$15,400 was actually refunded to the Commission. The difference between these amounts is charged against future payment of compensation on account of the same injuries. In addition to these 247 cases in which recoveries have been made there are 176 cases still pending in the hands of attorneys and in the process of settlement.

Cause of injury.—The 166,177 nonfatal and 782 fatal cases reported from this employment have been tabulated to show the cause of the alleged injury and the results are shown in table 17. The major cause for all nonfatal cases is the handling of other than heavy objects. This cause alone accounted for nearly 20 percent of all nonfatal cases. The major cause of fatal injuries was falling objects. This cause accounted for 117 fatal cases or nearly 14 percent of the total cases reported. Accidents involving motor vehicles are also a major cause in fatal cases, as it is in cases reported under the act of September 7, 1916, and from among enrollees in the Civilian Conservation Corps.

TABLE 17.—CAUSE OF INJURY

	Nonfatal	Fatal		Nonfatal	Fatal
Railroad and plant trucks	117	16	Stepping on nails	1,149	4
Automobiles and trucks	2,500	104	Stepping on other objects	2,293	2
Animal-drawn vehicles	430	4	Stepping in holes	564	1
Animal-drawn implements	271	2	Striking against splinters and other sharp projections	6,534	8
Contact with chemicals and gas	8,130	8	Striking against other objects	5,560	12
Hand tools	18,691	6	Injured by flying objects	20,520	3
Machinery	1,022	7	Struck by other objects	9,869	20
Fall of persons	18,910	97	Weather conditions of cold and moisture	7,098	114
Slipping	1,920	1	Miscellaneous and not stated	3,058	159
Falling objects	12,376	117	Total	166,177	782
Explosives	232	9			
Heat and flames	1,514	4			
Handling heavy objects	12,318	49			
Handling other objects	31,012	35			

Special fund and expenditures therefrom.—In order to defray the cost of compensation for employees of the Civil Works Administration provision was made to set aside from funds appropriated by the act of February 15, 1934, for the continuance of the Civil Works program such sums as the Commission, with the approval of the Director of the Budget, estimated and certified to the Secretary of the Treasury as necessary for administrative expenses and the payment of compensation. The special fund thus established in the Treasury is administered by the Commission for the purposes indicated, and after June 30, 1935, is available in such amounts as may be specified therefor in the annual appropriation acts. At the time an estimate of the cost of this compensation program was prepared, there was little definite information available upon which an accurate estimate could be made. The only factors entering into such an estimate upon which reliable information was available were in respect to probable pay-roll costs and man-hours of employment. The classification of the employment and the pay-roll exposure for each classification could not be ascertained, and therefore it was necessary in preparing this estimate to make arbitrary allowances for these and other factors that might influence cost. The Commission on February 24, 1934, submitted to the Director of the Budget an estimate certifying that it would be necessary to set aside \$17,500,000 for this special fund. The latter, however, was of the opinion that a larger margin of safety should be provided to cover unforeseen contingencies and suggested a fund of

\$25,000,000 for this purpose. The Commission, deferring to the judgment of the Director of the Budget, revised its estimate accordingly and the sum of \$25,000,000 was set aside in this special fund.

A preliminary survey of claims arising out of this employment made several months after the suspension of the Civil Works program disclosed that the amount originally estimated by the Commission would have been in excess of the amount required for probable expenditures. Following a more complete survey made in December 1934 the Commission advised the Acting Director of the Bureau of the Budget that there would probably be a surplus of at least \$10,000,000 in this fund after making appropriate allowances for future expenditures. Upon receipt of this advice the latter authorized the Secretary of the Treasury to transfer \$10,000,000 from this special fund to the credit of the Federal Civil Works Administration. A later survey of pending claims made in April 1936 indicated that the unexpended balance in this fund was substantially larger than would be required for future costs. The Secretary of the Treasury was advised under date of April 14, 1936, that \$3,000,000 of this balance would not be required by the Commission and this amount of the original allotment was rescinded. This action reduced the accountable total of the fund to \$12,000,000.

Part of the remaining surplus was made available for other purposes by the Independent Offices Appropriation Act of 1937. Instead of making the customary annual appropriation for the regular work of the Commission the Congress made the surplus in this fund available for this purpose. This action permitted a reduction of \$5,218,250 in the appropriations for 1937. Transactions involving this fund to June 30, 1936, are as follows:

Employees' compensation fund, Civil Works

Original allocation.....	\$25,000,000
Allotments rescinded.....	13,000,000
Revised total allocation.....	12,000,000
Transferred to other funds ¹	5,218,250
Available for obligation.....	6,781,750
Expenditures to June 30, 1936.....	4,496,055
Unexpended balance on June 30, 1936.....	2,285,695

¹ Instead of the customary annual appropriation for regular activities of the Commission for the fiscal year 1937, the Congress authorized use of the surplus in this fund for that purpose.

CLASSIFICATION OF EXPENDITURES

	1935 and prior fiscal years	Fiscal year 1936
Compensation benefits:		
Disability compensation.....	\$1,398,832	\$308,412
Medical treatment.....	2,018,223	39,960
Transportation of beneficiaries.....	25,996	12,963
Death compensation.....	112,678	72,924
Burial expenses.....	51,783	1,755
Miscellaneous.....	731	778
Total.....	3,608,243	436,792
Administrative expenses:		
Personal services.....	278,177	78,540
Supplies and materials.....	4,526	370
Communication services.....	2,392	507
Travel expenses.....	3,041	778
Rent.....	5,465	4,581
Equipment.....	11,916	866
Printing and binding.....	23,389	2,044
Miscellaneous.....	472	752
Transfer to other departments.....	20,279	12,925
Total.....	349,657	101,363
Total benefits and administrative expenses.....	3,957,900	538,155

2. ENROLLEES—CIVILIAN CONSERVATION CORPS

Under the provisions of section 3 of the act entitled "An act for the relief of unemployment through the performance of useful public work, and for other purposes", approved March 31, 1933, the provisions of the United States Employees' Compensation Act of September 7, 1916, were extended to enrollees in the Civilian Conservation Corps and other persons given employment under that emergency legislation. This section was repealed by the Emergency Appropriation Act, fiscal year 1935, approved June 19, 1934, insofar as it applied to enrollees in the Civilian Conservation Corps, and the conditions and limitations in the act of February 15, 1934, relating to compensation for employees of the Civil Works Administration, were made applicable to such enrollees.

As was the case in respect to the compensation law applicable to employees of the Civil Works Administration, provision was made for a special fund to cover administrative expenses and the payment of compensation awarded to enrollees. The Commission with the approval of the Director of the Budget estimated and certified to the Secretary of the Treasury that \$5,550,000 would be required for this purpose, and this amount was set aside from the appropriation for emergency conservation work to be administered by the Commission for the purposes indicated. It is necessary to point out that this estimate does not reflect the true cost to the Government for injuries arising out of this employment, since medical attention necessary on account of injury is generally furnished to enrollees during the term of their enrollment by the Civilian Conservation Corps, and no charge for such treatment is made against the compensation fund. Moreover, it is estimated that only a small amount of compensation will be paid for temporary total disability in cases involving incapacity of short duration.

Under the practice prevailing in the Civilian Conservation Corps the pay and allowances of enrollees is not suspended during periods of physical incapacity where such incapacity is not the result of misconduct. In view of this, no compensation is payable to enrollees during the term of enrollment and in order to avoid unnecessary administrative expenses the Commission has not required the submission of reports of injuries involving temporary disability for less than 15 days. Regulations concerning the application of the compensation law to this employment require reports to be filed with the Commission in all fatal cases, irrespective of the cause of death, and in nonfatal cases in which disability lasts 15 days or longer or in which the injury may be expected to cause some permanent disability. The Commission, therefore, does not have a complete report of all injuries arising out of this employment, but only the more serious cases.

The records of the Commission show that on September 30, 1936, reports had been received in 31,496 cases, of which 3,171 were fatal cases. Cases reported from this employment to September 30, 1936, are shown for each 6-month period in the following tabulation:

Month	Injuries reported			Claims filed		
	Nonfatal	Fatal	Total	Nonfatal	Fatal	Total
May and June 1933	33	1	34			
Last half of 1933	3,185	313	3,498	90	64	154
First half of 1934	3,772	340	4,112	404	81	485
Last half of 1934	3,999	430	4,429	581	96	677
First half of 1935	4,232	494	4,726	754	117	871
Last half of 1935	4,786	615	5,401	867	122	989
1936						
January	1,021	146	1,167	137	17	154
February	892	126	1,018	125	12	137
March	1,032	126	1,158	185	19	204
April	1,017	125	1,142	224	17	241
May	787	86	873	233	15	248
June	889	70	959	155	6	161
Total	5,638	679	6,317	1,059	86	1,145
Total to June 30, 1936	25,645	2,872	28,517	3,755	566	4,321
July	888	98	986	152	16	168
August	941	97	1,038	135	18	153
September	851	104	955	137	18	155
Grand total to Sept. 30, 1936	28,325	3,171	31,496	4,179	618	4,797

Cases disposed of.—A total of 17,550 nonfatal cases reported from this employment were closed prior to January 1, 1936. About 35 percent of these cases, or 6,184 cases, were disapproved by the Commission. This unusually high percentage of disapproved cases is explained by the fact that reports were filed with the Commission in many cases in which the disability was caused by disease. Such cases are excluded from the benefits of the compensation law under the statutory definition of traumatic injury. Approximately 65 percent of the cases disapproved by the Commission were rejected for this reason, and nearly 31 percent were rejected because the injury did not occur while in the performance of duty. The number of nonfatal cases disapproved and the reasons therefor are shown in the following tabulation:

Not due to injury	4,019
Not in performance of duty	1,909
Result of misconduct	9
No claim filed	84
Refused medical aid	12
Miscellaneous or incomplete	140
Intoxication	11
Total	6,184

Reference has been made to the practice in the Civilian Conservation Corps of continuing the pay of enrollees during periods of disability due to injury as a result of which claims for compensation in cases involving temporary total disability are almost completely eliminated. The reports filed in cases closed prior to January 1, 1936, show that in more than 50 percent of the closed cases the injured enrollees received full pay while disabled. In 9,066 such cases the injury caused disability for 364,587 days. This is an average of almost 40 days per case. In 244 such cases the Commission expended the sum of \$6,203 for medical attention, or an average of \$25.42 per case. The cost of medical care on account of these injuries is not known to the Commission, as this service is furnished through the

facilities of the corps, and no report of the cost thereof is filed with the Commission. Compensation in the amount of \$95,299 and medical treatment for which the Commission expended \$16,304 was awarded in 976 cases involving temporary total disability closed during 1933, 1934, and 1935. The duration of disability in these cases was 150,460 days, or an average of 154 days per case. The average compensation award in these cases was \$97.64 per case. The compensation award in these cases does not take into account 41,220 days of disability during which the enrollee received full pay as a member of the corps. In 305 cases in which the injury resulted in permanent partial disability the compensation awarded by the Commission was terminated by final payment. The duration of disability in these cases, is 73,051 days, or an average of 240 days per case. The total compensation award in these cases is \$44,726, or an average of \$147 per case. The compensation award does not take into account the wages received by the injured enrollees from the corps for 18,267 days of disability. The medical expense paid by the Commission in these cases amounts to \$2,298.

Action has been taken by the Commission disposing of 2,780 of the 3,171 fatal cases reported from this employment previous to September 30, 1936. In 2,190 cases the Commission found that the death did not occur under circumstances which would bring it within the scope of the compensation law, and these cases were accordingly disapproved. The reasons for disapproval and the number of cases disapproved for each reason are shown in the following tabulation:

Not due to injury	1,560
Not in performance of duty	619
Miscellaneous	11
Total	2,190

The large number of cases disapproved because the death was not due to an injury is explained by the provision in the regulations governing the submission of reports on account of the injury of enrollees in the Civilian Conservation Corps, which requires a report for every fatality, regardless of whether or not the death resulted from an injury. In 77 cases approved by the Commission it was found that there were no dependents entitled to compensation and no expense was incurred in these cases for benefits under the compensation law. Compensation was awarded by the Commission to or on account of 1,463 dependents in 513 fatal cases. The estimated value of these awards is \$750,745. The awards are distributed according to dependents in the following tabulation:

Dependents	Number dependents	Average age	Monthly award	Total estimated cost	Average	
					Monthly award	Cost
Widows	41	33.9	\$583.25	\$103,915	\$14.23	\$2,535
Sons under 18	34	7.4	155.55	18,269	4.57	537
Daughters under 18	35	8.0	152.83	15,234	4.37	435
Over 18, incapable of self support	1	23.0	4.20	306	4.20	306
Brothers under 18	327	11.3	1,031.37	79,656	3.15	244
Sisters under 18	334	11.5	1,072.37	76,423	3.21	229
Fathers	265	54.0	1,866.10	159,553	6.26	600
Mothers	416	48.6	3,336.22	292,715	7.99	700
Grandparents	10	71.5	67.20	4,584	6.72	458
Total	1,463		8,271.09	1 750,745		

¹ Burial cost, \$165; medical cost, \$197; compensation before death \$739, making a total cost of \$751,846.

The average cost per case of compensation benefits awarded in all fatal cases in which there were dependents entitled to compensation is \$1,463. This low cost per case is due to the limitations in the compensation law respecting the payment of compensation to the parents and the brothers and sisters of a deceased employee, under which the compensation to this class of beneficiaries is limited to a term of 8 years. It will be noted that these classes of dependents are the principal beneficiaries under the compensation awards made on account of the death of enrollees and that in only 1 out of 13 such cases was there a surviving widow entitled to compensation. The Commission in this report has called attention to the harsh and seemingly unjust effect of this limitation in the law and has recommended the enactment of legislation in the form of an amendment of section 10 of the compensation law to remedy this fault. If the Commission's recommendation is adopted it will result in an increase in the compensation award to these classes of dependents. However, in view of the low rate of compensation that may be paid in cases involving the death of an enrollee, this compensation would still be inadequate. Removal of the present limitation on the period for which compensation may be paid will not affect the monthly compensation rate, which is based on the monthly wage received by the deceased enrollee at the time of injury. The maximum compensation authorized in the case of one wholly dependent parent is 25 percent of the monthly wage of the deceased enrollee. On the present scale of wages established for this employment this award amounts to \$10.50 per month. The average compensation award to 681 dependent parents of deceased enrollees is only \$7.64 per month.

Third-party cases.—The provisions of sections 26 and 27 of the Federal Employees' Compensation Act relating to the recovery of damages in cases in which an injury is sustained under circumstances creating a legal liability on a third party are also applicable to cases arising out of the injury of enrollees in the Civilian Conservation Corps. Recoveries from a third party have been made in 32 cases. In six fatal cases the gross value of the recovery is \$16,287 and the net value after deducting attorneys' fees and other costs of collection is \$12,242, of which \$10,985 represents the estimated net saving in compensation costs. In 26 nonfatal cases the gross value of the recovery is \$21,871 and the net value \$15,666, of which \$1,297 is a direct saving in compensation costs. This saving covers the total estimated cost of compensation payable in these cases. The total saving through recoveries made in third-party cases is \$12,282. In addition to these 32 cases in which recoveries have been made there are 88 cases still pending in the hands of attorneys and in the process of settlement.

Cause of injury.—A short classification of the cause of injury in all cases reported to the Commission from this employment to September 30, 1936, exclusive of 3,693 cases arising out of disability or death due to disease, is shown in table 18. The cases included in this table cover all accidental injuries from this employment reported to the Commission. Accidents involving the use of motor vehicles accounted for nearly 50 percent of all fatal cases. Many of these accidents occurred while enrollees were absent from camp on leave of absence, and therefore did not come within the purview of the com-

pensation law. Eleven percent of the fatal cases arose out of accidents in camp as distinguished from accidents at work. Accidents while at work caused nearly 65 percent of all nonfatal injuries, motor vehicles, 15.7 percent, and camp accidents, 11 percent.

TABLE 18.—CAUSE OF INJURY TO ENROLLEES IN CIVILIAN CONSERVATION CORPS

	Fatals	Nonfatals	Total
Accidents at work:			
Falls of persons	67	3,688	3,755
Struck by falling objects	134	1,813	1,947
Struck by flying objects	17	1,457	1,474
Injured by hand tools	8	2,858	2,866
(a) Causing hernia	10	4,126	4,136
(b) All other	6	1,394	1,400
Blasting accidents	26	143	169
All other	72	2,305	2,377
Total	340	17,784	18,124
Railroad accidents	71	67	138
Automobile and motorcycle accidents:			
While riding or driving	519	2,671	3,190
While boarding or leaving	13	282	295
Struck by	125	374	499
All other	41	336	377
Total	698	3,663	4,361
Camp accidents:			
Recreational	52	1,883	1,935
Horseplay and fights	64	745	809
All other	45	211	256
Total	161	2,839	3,000
Miscellaneous	261	1,851	2,112
Grand total	1,531	26,204	27,735

Special fund.—Pursuant to the provisions of title 2 of the Emergency Appropriation Act, fiscal year 1935, a special fund of \$5,550,000 to cover administrative expenses and the payment of compensation was set aside in the Treasury from funds appropriated by that act. This special fund is administered by the Commission for the purposes indicated, and after June 30, 1935, is available in such amounts as may be specified therefor in the annual appropriation acts. Expenditures from this fund to June 30, 1936, amount to \$703,425. As has been previously stated, however, this expenditure does not reflect the cost to the Government on account of accidental injuries to enrollees since a large part thereof is included in the general operating expense of maintaining the Corps. These expenditures are classified by objects in the tabulation which follows:

Employees' compensation fund, emergency conservation work

Total allocation	\$5,550,000
Expenditures to June 30, 1936	703,425
Unexpended balance on June 30, 1936	4,846,575

CLASSIFICATION OF EXPENDITURES

	1935 and prior fiscal years	Fiscal year 1936
Compensation benefits:		
Disability compensation.....	195,633	237,247
Medical treatment.....	24,701	22,315
Transportation of beneficiaries.....	4,885	7,517
Death compensation.....	52,929	98,259
Burial.....		609
Miscellaneous.....		10
Total.....	278,148	365,957
Administrative expenses:		
Personal services.....	17,239	35,783
Supplies and materials.....	696	1,011
Communication services.....	14	201
Travel expense.....	46	212
Printing and binding.....	1,940	718
Equipment.....	1,161	215
Miscellaneous.....	35	49
Total.....	21,131	38,189
Total benefits and administrative expenses.....	299,279	404,146

3. RELIEF EMPLOYEES—EMERGENCY RELIEF APPROPRIATION ACTS OF 1935 AND 1936

Under the provisions of section 2 of the Emergency Relief Appropriation Act of 1935 (Public Resolution No. 11, 74th Cong.), the provisions of the act of February 15, 1934, relating to disability or death compensation and benefits are made applicable to persons receiving from that appropriation "for services rendered as employees of the United States security payments in accordance with schedules established by the President." This section of the law also provides that such sum as the Commission, with the approval of the President, estimates and certifies to the Secretary of the Treasury will be necessary for the payment of compensation and administrative expenses, shall be set aside from the relief appropriation in a special fund to be administered by the Commission for such purposes. After June 30, 1936, this fund is to be available for these purposes annually in such amounts as may be specified therefor in the Annual Appropriation Act.

The Emergency Relief Appropriation Act of 1936 contains similar provisions in respect to compensation for the disability and death of beneficiaries of unemployment relief work financed with funds provided by that act. The major part of employment of this kind has been on projects under the jurisdiction of the Works Progress Administration, and the funds provided by the 1936 relief appropriation apparently were intended and have been used to continue work started with funds provided in the appropriation for the preceding year. For all practical purposes the workmen's compensation benefits authorized by the respective acts may be treated as one program. It has been so treated by the Commission although two separate funds have been established in the Treasury to defray compensation costs for injuries arising out of employment provided by the respective appropriations. The Commission recommends the consolidation of the two special funds in the interest of simplified handling of accounts.

The effect of this legislation is to extend the protection of the Federal employees' compensation law, subject to certain conditions and limitations, to the several million persons given employment

through funds provided by the Emergency Relief Appropriation Acts of 1935 and 1936. The conditions and limitations under which compensation benefits are extended to this employment are the same as those applied to employees of the Civil Works Administration and enrollees in the Civilian Conservation Corps. Under the provisions of section 2 of the 1935 Appropriation Act the restrictions on the payment of compensation are applicable to persons receiving "security payments" in accordance with schedules established by the President in return for services rendered as employees of the United States. The term "security payments" as used in this section of the act is not found or defined in any other part of the act, nor is the term used in the Executive order of the President establishing a schedule of monthly earnings on projects financed in whole or in part from funds appropriated by the said act. The absence of a legal definition of this term has made it difficult to determine the application of the compensation law to certain employments, particularly those under the jurisdiction of the executive departments and establishments of the Government created through funds allocated from the 1935 Relief Appropriation Act.

In general all civilians in the employ of the United States are entitled to the benefits of the Federal Employees' Compensation Act of September 7, 1916. In view of the extreme difference between the scale of benefits authorized by that act in the case of regular employees of the United States as compared with the restricted benefits extended to beneficiaries of relief employment, it is important to distinguish between the two classes of employment. In a number of instances funds from the Emergency Relief Appropriation Act of 1935 have been allocated to executive departments for the continuation or expansion of activities normally carried on under the jurisdiction of such departments. In such circumstances regular employees of the Government are employed in connection with projects prosecuted with funds from the relief appropriation. This, and the absence of a uniform wage scale applicable to all relief employment, has increased the difficulty of defining the term "security payment." The Commission has interpreted the use of the term "security payment" in this legislation as an intention on the part of the Congress to limit the liability of the Government for the payment of compensation to persons provided with employment as a relief measure. In view of this the Commission believes that the fundamental distinction to be made in determining the status of employees on projects financed by funds allocated from this Relief Appropriation Act is that between those persons for whose ultimate benefit the act was intended and the persons occupying administrative or supervisory positions engaged in carrying out the purpose of the act. Under this policy the former are recognized as relief employees and therefore are subject to the conditions and limitations in the act of February 15, 1934. The latter are recognized as civil employees of the United States within the meaning of the Federal Employees' Compensation Act of September 7, 1916, and as such are entitled to the full benefits authorized by that act.

The 1936 Appropriation Act makes the same restrictive limitations apply to all persons (except administrative employees) receiving payments from the appropriation for services rendered as employees of the United States. This change in language tends to further enlarge the classes of employees to which the limitations apply.

Injuries reported.—The records of the Commission as of September 30, 1936, show that 230,550 cases of alleged injury had been reported from employment created by the Emergency Relief Appropriation Acts of 1935 and 1936. These cases have been handled currently as they were received in the office of the Commission, and more than 90 percent of the cases received to September 30, 1936, have been examined and acted upon. As was expected a very large proportion of the cases reported involved only minor injuries and in such cases final adjudication has been made. Statistical studies of these cases have not as yet been made and only more or less general information regarding them is available at this time.

Under the administrative regulations promulgated by the Commission for the handling of claims arising out of this employment, all cases involving the injury of employees of the Works Progress Administration and Resettlement Administration are reported through the office of the respective State administrators of the former. The compensation officer on the staff of each State administrator is authorized to arrange for the local payment of initial instalments of compensation in cases in which there is no doubt concerning the right of the injured person to receive such benefits. The amount that may be paid locally is limited to \$25 and all compensation in excess of that amount is paid from the office of the Commission as are all payments for other benefits. Compensation paid locally to June 30, 1936, amounted to \$317,455. Compensation and other benefits paid directly by the Commission to that date is \$1,264,227. Payments by the Commission include 26,745 instalments of compensation to injured employees, 4,421 instalments of death compensation to beneficiaries, and 242,294 payments to individual physicians, nurses, hospitals, and others for services rendered in connection with the medical treatment of injured employees.

Special fund, 1935 Relief Appropriation Act.—Transactions involving the special fund set aside in the Treasury for compensation costs are as follows:

Employees' compensation fund, emergency relief

Original allocation	\$28,000,000
Allotments rescinded	10,790,000
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Revised total allocation	17,210,000
Advances to States for local payment of compensation	1,524,500
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Unallocated balance	15,685,500
Expenditures to June 30, 1936	1,405,033
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Balance on June 30, 1936	14,280,467
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CLASSIFICATION OF EXPENDITURES

Compensation benefits:

Disability compensation	206,774
Medical treatment	1,024,550
Transportation of beneficiaries	1,478
Death compensation	15,710
Burial expenses	15,665
Miscellaneous	50
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Total	1,264,227
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Employees' compensation fund, emergency relief—Continued

CLASSIFICATION OF EXPENDITURES—Continued

Administrative expenses:

Personal services	\$85, 469
Supplies and materials	1, 655
Communication services	1, 081
Travel expenses	243
Rent	1, 500
Equipment	12, 545
Printing and binding	36, 458
Miscellaneous	1, 855
Total	140, 806
Total benefits and administrative expenses	1, 405, 033

Special fund, 1936 Relief Appropriation Act.—The sum of \$9,000,000 was set aside from the Emergency Relief Appropriation Act of 1936 for the payment of compensation costs for employments created under that act. As stated previously in this report the Commission believes this fund should be combined with the one established under the 1935 Appropriation Act as there appears to be no practicable means of segregating the costs chargeable to each without delaying the settlement of claims and increasing the cost of administration. This increase would not seem justifiable, for the segregation of costs apparently could serve no useful purpose. No expenditures were made from this special fund during the fiscal year 1936.

4. WORLD WAR VETERANS AND OTHER VICTIMS OF THE FLORIDA HURRICANE

Under the provisions of title V of the act approved June 29, 1936 (49 Stat. 2035), the benefits of the Compensation Act of September 7, 1916, subject to the conditions and limitations prescribed for employees of the Civil Works Administration, were extended to "any veteran of the World War or other person attached to camps known as Veterans' Camps Nos. 1, 3, and 5" injured as direct result of the hurricane which struck the coast of Florida September 2, 1935. The special fund established for the payment of compensation costs arising out of the Civil Works program is made available for the payment of compensation awarded to this class of beneficiaries. This legislation affects only a relatively small number of individuals totaling probably less than 1,000.

The law extending compensation benefits to these victims of the hurricane of September 2, 1935, did not provide for an extension of the statutory period for filing claim which, under the Compensation Act of September 7, 1916, is limited to 1 year from the date of injury, or in fatal cases 1 year from the date of death. The statutory period in these cases expired September 2, 1936, thus allowing claimants slightly more than 2 months within which to file claim. Efforts were made by the Commission immediately following the approval of the act of June 29, 1936, to communicate with all persons attached to the camps at the time they were destroyed and with the relatives of persons reported dead or missing, in order to apprise such persons of the provisions of the law relating to the time for filing claim. Information in this respect was also sent through the facilities of the Veterans' Administration, various veterans societies, and public relief agencies. Notwithstanding these efforts some claims were not filed within the statutory period

and in the interest of justice it appears desirable to enact further legislation to extend the time for filing claims in these cases.

The reports filed in connection with this class of cases are too incomplete to enable the Commission to comment upon them at this time.

IV. OPERATIONS UNDER THE LONGSHOREMEN'S AND HARBOR WORKERS' COMPENSATION ACT AND THE DISTRICT OF COLUMBIA WORKMEN'S COMPENSATION ACT

The Longshoremen's and Harbor Workers' Compensation Act, approved March 4, 1927, as amended (U. S. C., title 33, ch. 18, secs. 901 et seq.), providing compensation for employees of private employers for injury or death occurring while engaged in maritime employment upon the navigable waters of the United States, including any drydock, is administered by the Commission through deputy commissioners in 12 compensation districts comprising the United States and the Territories of Hawaii and Alaska. The largest class of employees subject to this law is longshoremen and the next largest class is repairmen, who, in the course of their work of loading, unloading, or repairing vessels, are in maritime employment outside of the jurisdiction of State workmen's compensation commissions or boards. The law also extends to service men, mechanics, and other employees engaged in maritime employment upon navigable waters, except a master or member of a crew of any vessel, and any person engaged by the master to load or unload or repair any small vessel under 18 tons net, and employees of the United States or of any State or foreign government. There is no definition in the act of the term "maritime employment" as used therein, and there has been no comprehensive judicial definition of this term as so used. It seems clear, however, that Congress manifested an intention that the Longshoremen's Act should extend upon the navigable waters to all situations to which the admiralty and maritime jurisdiction of the United States extends.

The District of Columbia Workmen's Compensation Act, approved May 17, 1928 (45 Stat. 600; D. C. Code, title 19, ch. 2), made applicable to private employment in the District of Columbia the provisions of the Longshoremen's Act. This act applies to all employers carrying on any employment in the District of Columbia, excepting (1) a master or member of a crew of any vessel; (2) an employee of a common carrier by railroad; (3) an employee of the United States; and (4) an employee engaged in agriculture, domestic service, or any employment that is casual and not in the usual course of the trade, business, occupation, or profession of the employer. It is administered by the Commission through a deputy commissioner.

The total compensation payable under either act for injury or death may not exceed in the aggregate \$7,500. The provisions relating to medical services and supplies, compensation for disability and death, and the procedure in respect of claims are the same under both acts. Compensation for disability may not exceed \$25 per week, nor be less than \$8 per week, except that where the employee's wages at time of injury are less than \$8 per week he receives his full weekly wages if wholly disabled. Compensation for temporary total, temporary partial, permanent total, and permanent-partial disability is provided for, with a schedule of weekly payments covering loss or loss of use of a member of the body. Death benefits, in addition to

funeral expenses not to exceed \$200, are payable in the following percentages of the employee's average weekly wages, to the following classes of beneficiaries: Widow, 35 percent; widow with surviving child or children, 35 percent for herself and 10 percent for each child under 18 years of age up to maximum for all persons of 66½ percent; children under 18 years of age where there is no widow, 15 percent, but not to exceed 66½ percent for all; dependent grandchildren, brothers and sisters under 18 years, 15 percent; and dependent parents or dependent grandparents, 25 percent. In computing death benefits the average weekly wages of the deceased shall be considered to have been not more than \$37.50 nor less than \$12, but total weekly benefits may not exceed the weekly wages of deceased.

Notice of injury must be given in writing to the deputy commissioner and employer within 30 days after injury, but failure to give such written notice may be excused by the deputy commissioner in acting upon a claim, under conditions fixed in the law. Claim for compensation must be filed with the deputy commissioner within 1 year after injury or death. Claims under either act are handled by the deputy commissioner for the compensation district in which the injury occurred, and hearings are provided for where requested by any party in interest or deemed necessary by the deputy commissioner. A compensation order awarding compensation or rejecting a claim becomes final after 30 days from the filing of such order by the deputy commissioner, but within certain limitations a deputy commissioner may review a compensation case at any time prior to 1 year after the date of the last payment of compensation, whether or not a compensation order has been issued.

No review by the Commission of the action of the deputy commissioner upon a claim is provided for in either act. The scope of these acts and the administrative procedure thereunder have been more fully set forth in previous reports, and reference is made to pages 36 and 56 of the Commission's sixteenth annual report for such information. Condensed statistical information, however, is given separately herein for each act.

INSURANCE CARRIERS AND SELF-INSURERS

Under each of these laws all employers subject to the provisions thereof are required to secure the payment of compensation and the performance of other obligations imposed thereby, either by qualifying as self-insurers or by providing insurance with some insurance carrier authorized by the Commission. Failure of an employer to secure payment of compensation to employees within the purview of the act constitutes a misdemeanor, punishable by a fine of not more than \$1,000, or by imprisonment for not more than 1 year, or both.

During the fiscal year 1936, 9 insurance carriers were granted authority to write insurance under the Longshoremen's Act, 3 companies previously so authorized discontinued writing such insurance, and at the end of the fiscal year there were 174 companies with authority to write such insurance.

During the year 3 insurance companies were granted authorization to write insurance under the District of Columbia workmen's compensation law, the authority of 1 company previously so authorized was terminated, and at the end of the fiscal year there were 56 companies with authority to write such insurance.

During the year 15 employers were granted authority to act as self-insurers under the Longshoremen's Act, 31 employers previously so authorized surrendered that privilege, either because of taking out insurance policies or because of discontinuing operations under the act, or for other reasons, and at the end of the fiscal year there were 347 authorized self-insurers under this act.

During the year 4 employers were granted authority to act as self-insurers under the District of Columbia workmen's compensation law, 1 such privilege was terminated during the year, and at the end of the fiscal year there were 70 authorized self-insurers in the District of Columbia.

Obligations of employers.—Security for the payment of compensation either by insuring and keeping insured or by furnishing satisfactory proof of financial ability to pay such compensation, with deposit of securities or indemnity bond, is mandatory upon every employer under these acts. Where the employer is a subcontractor, the contractor becomes liable for the payment of compensation to employees of the subcontractor unless the latter has secured such payment. The liability of the employer under the act is exclusive and in place of all other liability, except that if an employer fails to secure the payment of compensation as required by the act, the employee, or his legal representative in case of death, may elect to claim compensation under the act or to maintain an action for damages against the employer, in which case negligence of a fellow servant, assumption of risk, or contributory negligence may not be pleaded as a defense thereto. Where an insurance carrier fails, the obligation of the employer to pay compensation still remains, but no right of action against the employer, as indicated above, accrues.

Obligations of insurance carriers.—The Commission believes that every employer engaged in a legitimate activity coming under either act may reasonably expect to have his workmen's compensation risk covered by one of the duly authorized insurance carriers, upon payment of the proper premium. In granting or extending the authorization of any carrier the Commission will take into account the disposition of such carrier to deny its obligation to render such service fairly.

The authorized insurance carriers in the District of Columbia, who are members of the National Council on Compensation Insurance, on July 1, 1935, put into effect a "voluntary plan for granting coverage to uninsured risks." Cooperation along similar lines by authorized insurance carriers under the Longshoremen's Act, in all except a few States, has been brought about during the year by the National Council at the suggestion of the Commission, so that an employer under either of the acts who has been unable to obtain for himself coverage for his employees may as a rule have his risk assigned to one of the carriers participating in the plan, which is intended to take care of employers who have been unable to place their risks. The plan provides for the distribution of such risks upon an equitable basis among the participants in the plan.

The Commission also expects each duly authorized carrier to pay compensation promptly either where payment is due without an award or pursuant to an award in a compensation order. Unwarranted delay or failure to make prompt payments by an insurance carrier, in violation of the law and of its agreement with the Commission, except where payments have been stayed by proper order of a court

having jurisdiction to order such stay, will be considered in connection with the application of such insurance carrier for continuance of its authorization.

The standard workmen's compensation policy contains a provision for cancellation by either party, but under the law and regulations as well as by the terms of the Commission's prescribed endorsement, such cancellation cannot become effective except after 30 days' notice in writing. The chief purpose of this provision is to afford the employer sufficient time to secure other coverage. Notice of cancellation when given in due form in accordance with this provision is accepted and given effect by the deputy commissioner. The Commission has recognized as good ground for cancellation nonpayment of premium and refusal to provide and use reasonable safety devices and practices in hazardous occupations.

The Commission has taken the position, however, that when an authorized carrier has written a policy and accepted payment of premium thereon the insured employer may reasonably expect that the insurance contract will be performed and the risk carried during the policy term. The Commission would therefore regard as unsuitable to participate in the writing of such insurance any company which after writing a policy and receiving the premium thereon insists upon canceling it during its term simply because the insured refuses to give it other lines of insurance, or because it may after writing the policy conclude that the risk is undesirable.

The receipt by a deputy commissioner of the prescribed card notice of the issuance of a policy binds the insurance carrier whether or not the policy has been delivered or premium paid, and the 30 days' notice of cancellation required by the law and regulations must be given.

Security required of self-insurers.—The rules governing self-insurance under these acts require as a condition precedent to the granting of such privilege that security be given. Such security may be given either in the form of an indemnity bond or by depositing approved negotiable securities with the proper Federal Reserve bank (in connection with the Longshoremen's Act) or with the Treasurer of the United States (in connection with the District of Columbia Act). The amount of security to be required depends upon several elements, chiefly the amount of pay-roll exposure, the degree of hazard of the employment as indicated by the reported accident experience, and the financial standing of the applicant. The minimum amount of security usually accepted from a self-insurer under the Longshoremen's Act is \$10,000. Under the District of Columbia workmen's compensation law the minimum indemnity bond accepted is \$15,000 and the minimum deposit of approved negotiable securities is \$10,000.

REVIEW OF DECISIONS BY THE COURT

Any party in interest in a proceeding before the deputy commissioner may apply to the United States district court for the judicial district in which the injury occurred for judicial review of a compensation order. If an order is found to be not in accordance with law, the court may, by injunction, suspend or set aside such compensation order, in whole or in part.

If such proceedings are not instituted before the expiration of the thirtieth day after the compensation order is filed by a deputy com-

missioner, such order becomes final and is not thereafter subject to judicial review.

Payment of compensation during the pendency of a proceeding for review may not be stayed unless upon application for an interlocutory injunction the court, on hearing, after not less than 3 days' notice to the parties in interest and the deputy commissioner, allows the stay of such payments in whole or in part, by order, in accordance with the provisions of the act, where irreparable damage would otherwise ensue to the employer.

The mere filing of an application for judicial review does not warrant an employer or carrier in refusing to pay compensation promptly when due under an award. If compensation is not paid within 10 days after it becomes due under an award, the employer becomes liable under section 14 (f) for an additional payment of compensation in the amount of 20 percent of the compensation so in default under the award, notwithstanding the filing of an application for judicial review, unless within that time the employer secures an interlocutory injunction in the manner prescribed in section 21 (b) of the act, as indicated above.

Since the effective date of the Longshoremen's Act (July 1, 1927) there have been some 463 cases filed under section 21 (b) of the Longshoremen's Act; under the District of Columbia workmen's compensation law (which became effective July 1, 1928) there have been 171 such cases.

On July 1, 1935, there were pending 43¹ cases in which review of compensation orders was sought in United States district courts under the Longshoremen's Act. During the fiscal year 46 new cases were filed and 46 cases disposed of. On June 30, 1936, 43 cases were pending and undecided in the district courts.

During the fiscal year 11 cases were appealed to United States circuit courts of appeals, 3 cases disposed of, and 9 cases remained undecided on June 30, 1936. Of the three cases disposed of during the fiscal year two were appealed during that year and one case was carried over from the prior fiscal year.

On July 1, 1935, 10 cases were pending in the district court of the United States for the District of Columbia. During the fiscal year 23 new cases were filed and 24 cases disposed of, leaving 9 cases pending on June 30, 1936.

On July 1, 1935, one² case was pending in the United States Court of Appeals for the District of Columbia. During the fiscal year 11 cases were appealed and 5 cases disposed of, leaving 7 cases pending on June 30, 1936.

In its administration of the Longshoremen's Act, both in its primary application to persons throughout the country in maritime employment on the navigable waters of the United States and also in its application as the workmen's compensation law of the District of Columbia, the Commission has constantly endeavored to secure uniformity both of administrative action by its deputy commissioners and also of judicial interpretation and construction in the review

¹ In its nineteenth annual report the Commission reported 44 cases as pending in the district courts on June 30, 1935. One of these cases has been dropped as information received subsequent to the preparation of that report shows that it had been terminated in the prior fiscal year.

² In its nineteenth annual report the Commission reported 2 cases pending in the United States Court of Appeals for the District of Columbia. One of these cases has been dropped, as information received subsequent to the preparation of that report shows that the appeal in this case had been dismissed in the prior fiscal year.

under section 21 (b) of compensation orders issued. It has at the same time aimed to secure such liberality of interpretation and action, both administrative and judicial, as to assure to the beneficiaries of the law the benefits provided by it. The courts generally, including the Supreme Court of the United States, have expressed a similar liberal attitude and purpose.

While the Commission's legal staff is small, it has endeavored to maintain contact with the development of workmen's compensation law in its broad aspects, and especially to preserve current and constant contact with judicial opinion on all points directly involved in the several laws for the administration of which it is responsible. The office of its chief counsel, as a clearing house for the accumulation and distribution of such information, gives advice and guidance to deputy commissioners in administering the law and makes available to United States attorneys all information in its possession.

The act of May 4, 1928 (45 Stat. 490), makes it the duty of the United States district attorney in the judicial district in which any case in which the Commission or deputy commissioner may be interested as party or otherwise to appear as attorney or counsel for the Commission or such deputy commissioner in such case. The Commission through its chief counsel endeavors to give all possible assistance to the United States attorneys in the performance of this duty by making all necessary researches into the law of the case, preparing memoranda in the nature of briefs and drafting pleadings when requested, and also participating in the argument to the court when desired by United States attorney. In view of the Commission's experience in this highly specialized field of the law, it is believed that the assistance thus given has been of great value to United States attorneys, whose cooperation and success in the handling of such cases has been a source of gratification to the Commission.

Among the cases pending and decisions handed down in United States district courts, circuit courts of appeals, and the United States Court of Appeals for the District of Columbia during the fiscal year, the following are of particular interest:

In the case of *Pillsbury v. Alaska Packers Association* (the *Frank Weidemann case*) (78 Fed. (2d) 587 (C. C. A. 9)), the petition for review of the compensation order was filed in admiralty and an appeal was taken on behalf of the deputy commissioner from the decree of the lower court reversing the compensation order therein. It was contended before the circuit court of appeals in a preliminary proceeding that there had been no petition for or allowance of the appeal. The court held, however, that the admiralty rule permitting appeals to be taken as a matter of right is still valid and that the allowance thereof is not discretionary. This case was pending in the circuit court of appeals on its merits at the close of the fiscal year.

In the case of *Angela Diomede v. Lowe et al.*, in the United States District Court for the Eastern District of New York (14 Fed. Supp. 380), the employee was in charge of the employer's dump scow, which was used to transport ashes, mud, and refuse from the piers of New York Harbor to dumping grounds beyond the harbor limits. The scow had no means of propulsion, being towed from pier to destination. The employee lived aboard the scow, made minor repairs thereon, pumped out water, unfastened lines and in general kept the scow seaworthy. While under tow, deceased fell from the barge and

was drowned. The court, against the contention that the deceased was the master of a vessel and therefore was not within the purview of the act, held that the terms "master" and "member of a crew" of a vessel as used in the act relates to a "ship's company" as the latter term is understood to refer to seafaring men, and that the deceased's death was compensable under the act. This case is now pending on appeal in the Circuit Court of Appeals for the Second Circuit.

A somewhat similar question was involved in the case of *Wheeler Shipyard, Inc., et al. v. Lowe* (the *Thomas Murphy case*), which arose in the same district court, 13 Fed. Supp. 863, affirmed in 82 Fed. (2d) 1022, by *per curiam* memorandum. In this case an employee employed as a painter at a boat yard was drowned while engaged with another employee in delivering a motorboat by water. The boat being delivered was towed by another boat. While en route and during a severe storm the boats became separated and the employee was washed overboard and drowned. The employer and carrier contended that the deceased was a member of the crew of a vessel, but the court held otherwise, and sustained the award. Another case decided during the year involving the contention that the employee was a member of the crew of a vessel, was *Edward Taylor, etc., v. McManigal and Ellice Watkins*, in the United States District Court for the Western District of Michigan, 1936 A. M. C. 217, 14 Fed. Supp. 419, in which an award was sustained. An appeal is now pending in this case.

In *Candado Stevedoring Corp. v. Lowe and Pietro Angelo*, 15 Fed. Supp. 15, the United States District Court for the Eastern District of New York held that the 20-percent additional compensation required to be paid under the provisions of section 14 (f) of the Longshoremen's Act, where compensation is not paid within 10 days after it becomes due under an award, cannot be avoided by an employer merely by filing application for review under section 21 (b) of the act, but that an interlocutory injunction obtained under the conditions prescribed in section 21 (b) is necessary to prevent the attaching of liability for such additional compensation. The court in this case also sustained the deputy commissioner's finding of no prejudice, by any act of the employee, of the employer's right to proceed against the third party that had caused the employee's injury, and sustained the award of compensation. An appeal was taken by the employer to the Circuit Court of Appeals, Second Circuit, and the lower court, which had affirmed the deputy commissioner, was sustained, the decision being reported in 85 Fed. (2d) 119. In the matter of interpreting section 14 (f) of the act, the United States District Court for the Northern District of California in *Arrow Stevedore Company v. Pillsbury* (the *George Max case*), 1936 A. M. C. 298, — Fed. Supp. —, applied the same rule of construction as that in the *Angelo case* above.

In the case of *Bay Ridge Operating Co. v. Lowe* (the *Paul Radich case*), 14 Fed. Supp. 280, the United States District Court for the Southern District of New York held that insanity of an employee from causes other than his injury does not relieve the employer from payment of compensation. The court held that the clause in section 22 of the act relating to modification of awards on ground of "change in conditions" means a change in physical condition caused by the accident.

In the case of *Frank LaTerza v. Lowe*, 1936 A. M. C. 834, 15 Fed. Supp. 978, the United States District Court for the Eastern District

of New York had before it for interpretation the provisions of section 22 of the act with respect to the applicability thereof to rejected cases. The court held that section 22 as amended does not authorize a deputy commissioner to reopen a claim which has been rejected.

In the case of *Proctor v. Hoage*, 81 Fed. (2d) 555 (App. D. C.), the appellate court in reversing the lower court which had sustained the rejection of claim by the deputy commissioner, held that an injury sustained by an insurance agent on his way home at night arose out of and in the course of his employment, where the employer required the employee to prepare report at home to be used the following morning.

In the case of *Capital Transit Co. v. Hoage* (the *John S. Parrott case*), 84 Fed. (2d) 235 (App. D. C.), the court sustained an award of death benefits in the case of an employee who was electrocuted while testing repaired electrical equipment on a testing machine contrary to his foreman's instruction not "to handle anything alive." The employer contended that the employee had taken himself out of the scope of his employment by reason of disobedience of orders.

In the case of *Hartford Accident & Indemnity Co. v. Hoage and Gus Malouhos*, 85 Fed. (2d) 417 (App. D. C.), the court sustained an award to a chef who was stabbed by an unknown assailant while employed in the kitchen adjacent to the lunch room of his employer. The kitchen in which employee was working was so situated that patrons and others used it as part of a passageway between the lunch room and public rooms on the floor above. The insurance carrier had contended that the injury did not "arise out of" the employment.

In the case of *Hartford Accident & Indemnity Co. v. Hoage and Leroy Cooley*, 85 Fed. (2d) 420 (App. D. C.), the court sustained an award of compensation for a period of temporary partial disability at the rate found by the deputy commissioner in the case of an employee with an injured hand, notwithstanding the fact that the employer had paid full wages to the employee during that period. The employee had, during the period he received full pay, performed some light work using his uninjured hand, and the insurance carrier contended that there had been no loss of earning capacity. The court held in effect, however, that the full wage paid to the employee did not represent the employee's "wage-earning capacity", or prove that such capacity had not been impaired by his injury.

In the case of *Hartford Accident & Indemnity Co. v. Hoage and Edgar W. Bootman*, 85 Fed. (2d) 411 (App. D. C.), the court reversed an award of compensation to a carpenter on the ground that the weekly wage had not been determined properly under section 10 of the act. The deputy commissioner had applied section 10 (b), as the employee had not worked substantially the whole of the year immediately preceding his injury, and had taken the union wage of \$11 per day, or \$55 per week, as the basis for determining the employee's average annual earnings as a carpenter. The court, however, held that Bootman should be regarded not as a regularly employed carpenter, but as an "extra carpenter" whose employment was intermittent or discontinuous, and held therefore that the deputy commissioner should have applied section 10 (c) of the act in determining the weekly wage. The case was remanded to the deputy commissioner for correction of the wage rate.

Two cases arising under the Longshoremen's Act were decided by the United States Supreme Court during the year. The first case decided by the highest court was that of *D. Del Vecchio et al. v. Bonnie L. Bowers*, 296 U. S. 280, 56 S. C. R. 190, which reversed the decision of the United States Court of Appeals for the District of Columbia in the same case captioned *Bowers v. Hoage*, 76 Fed. (2d) 996, summarized on page 45 of the Commission's nineteenth annual report. The *Bowers case* involved a determination from conflicting evidence whether the death of an employee employed in a hardware store, who was found in a dying condition from a gunshot wound, resulted from suicide and therefore was outside of the scope of the employment, or whether the death was accidental and within the scope of his employment. Although there was conflicting evidence, the Court of Appeals had held that the evidence was insufficient to sustain the finding of the deputy commissioner that the death did not arise out of the employment, but the Supreme Court on certiorari reversed the Court of Appeals and sustained the finding of fact of the deputy commissioner on the ground that it is the province of the deputy commissioner to draw inferences from the evidence. The court invoked the well-established rule that findings of fact of a deputy commissioner, where supported by evidence, shall be regarded as final and conclusive.

The second case decided by the highest court was that of *Isaac Chapman v. Hoage*, 296 U. S. 526, 56 S. C. R. 333, in which the court reversed the decision of United States Court of Appeals for the District of Columbia reported in 78 Fed. (2d) 233, summarized on page 46 of the Commission's nineteenth annual report. Chapman, the employee, applied for compensation after having unsuccessfully attempted to recover damages from a third party alleged by him to be responsible for his injury. His employer controverted his claim on the ground that the suit against the third party had not been pursued to completion, and that as the statutory limitation had run against any right the employer might have had against the third party the employer had been prejudiced. The deputy commissioner held that the employee in taking a voluntary discontinuance in the suit against the third party had not pursued to final judgment his remedy against the third party, thereby prejudicing the interest of the employer, and rejected his claim; and this action was sustained by the lower court and affirmed by the appellate court in turn. The Supreme Court in reversing the appellate court held that where a suit against a third party ultimately turns out to be groundless (as in the present case) the employer is not prejudiced by employee's discontinuance of the suit.

The Supreme Court on October 14, 1935, denied the petition for writ of certiorari applied for in the case of *Mary Bolin v. Marshall*, 76 Fed. (2d) 668 (C. C. A. 9), see 56 S. C. R. 116, and took the same action on October 14, 1935, in the case of *Hoage v. Hartford Accident & Indemnity Co. (the Annie Lurig case)*, 77 Fed. (2d) 381 (App. D. C.), see 56 S. C. R. 128. Both of these cases were summarized in the nineteenth annual report.

AMENDMENTS TO THE LAW

There have been no amendments to the Longshoremen's Act or to the District of Columbia workmen's compensation law since the act approved May 26, 1934 (48 Stat. 806), which amended sections 7 (a), 8 (c), 14 (j), and 22 of the Longshoremen's Act. The provisions of the amendments referred to are set forth in the Commission's eighteenth annual report, pages 33 to 35. While the amendment to section 22 has removed some of the inequities of that section as originally enacted, nevertheless, in order to give equal application in all cases, section 22 should be further amended to include as subject to review cases in which a claim for compensation has been rejected.

On May 8, 1935, the Commission submitted to the chairman of the Committees on the Judiciary of the Senate and House of Representatives, respectively, draft of a bill embodying amendments to the Longshoremen's Act suggested in the Commission's eighteenth annual report, together with an explanatory memorandum covering the changes in the law as recommended. These amendments cover principally the administrative features of the Longshoremen's Act. The recommendations of the Commission and reasons therefor are set forth in the Commission's eighteenth annual report, pages 35 to 38.

On May 9, 1935, the bill (S. 2791) was introduced containing the amendments as proposed by the Commission, and on May 31, 1935, the bill (H. R. 8293) a similar measure, was introduced in the House of Representatives. The text of the measure as recommended by the Commission and embodied in the Senate bill, is given in the nineteenth annual report, pages 47 to 50.

A hearing on the bill (S. 2791) was held on July 23, 1935, and hearings on the bill (H. R. 8293) were held on July 31, 1935, and (after recommitment) on February 3, 1936. Both bills were favorably reported on August 5 and August 16, 1935, respectively, the latter bill having been recommitted to the House Committee on the Judiciary because of objection to an amendment previously recommended by the committee to remove the \$7,500 limit in section 14 (m) of the Longshoremen's Act, which was not included in the amendments suggested by the Commission, but with respect to the purpose of which the Commission is in entire accord.

Two other bills (H. R. 9165 and H. R. 9166) to repeal section 5 and section 33 of the Longshoremen's Act, were introduced at the first session of the Seventy-fourth Congress, and two similar bills, namely, H. R. 9276 and S. 4033, were introduced at the second session. No action appears to have been taken on these bills beyond reference to committees.

In previous annual reports the Commission has recommended, and now renews its recommendation, that the District of Columbia workmen's compensation law be so amended as to relieve patriotic and fraternal societies and similar organizations, not organized for profit, from the necessity of carrying workmen's compensation insurance by reason of having members of the organization employed only part time in connection with the business of the society or organization.

The act of May 17, 1928, made the provisions of the Longshoremen's Act applicable to private employment in the District of Columbia without any change in the administrative procedure prescribed therein.

Under the Longshoremen's Act claims are handled by deputy commissioners throughout the United States, and no doubt because of the great distances sometimes involved no provision was made for any administrative review by the Commission prior to the review of compensation orders by United States district courts on questions of law. The application of this procedure in the District of Columbia, under which the decision of the deputy commissioner is reviewed directly by the district court of the United States for the District of Columbia without any previous administrative review by the Commission, differs from the procedure usually established in State workmen's compensation laws, under which the action of the local administrative officer having original jurisdiction of the case is subject to review by the general administrative authority or commission, before the case is reviewable by the courts.

A bill (H. R. 8410) amending section 1 of the District of Columbia Workmen's Compensation Act approved May 17, 1928, by adding a modification to section 21 of the Longshoremen's Act as applied in the District of Columbia under the act of May 17, 1928, for the purpose of authorizing appeals to the Commission from the action of the deputy commissioner upon claims, was introduced in the House of Representatives on June 7, 1935. The amendment proposed would authorize an appeal to the Commission on the ground that the compensation order of the deputy commissioner is not in accordance with law or that it is not in accordance with the evidence or the weight of the evidence. A companion bill (S. 3025) was introduced in the Senate on June 10, 1935.

The proposed measure is substantially in accord with the Commission's recommendations in previous reports and it is believed that if it were again introduced and such a measure were enacted it would be in the interest of proper administration of this law, and probably would save much expense of litigation, both to the interested parties and to the Government, by giving opportunity for administrative review by the Commission of compensation orders on both the facts and the law, prior to the review, as now provided, upon questions of law.

1. LONGSHOREMEN'S AND HARBOR WORKERS' COMPENSATION ACT

Injuries reported.—The number of nonfatal injuries reported under this law in the 12 compensation districts during the year ended June 30, 1936, is the largest in 6 years and has only been exceeded in 3 other years. The increase in such injuries has been fairly general. Only 2 compensation districts failed to report a larger number of cases than during the preceding year, and in only one of these was there any material decrease. The increase for all districts is approximately 20 percent over the preceding year. A distribution of these cases by geographical regions shows 49 percent were reported from operations on the Atlantic coast, 27.1 percent from the Gulf coast, 19.8 percent from the Pacific coast, and 4.1 percent from the Great Lakes and inland waters. The number of fatal cases reported during the same year also showed an increase over the preceding year and is the largest since 1931. The increase in the number of new cases is attributed to the improvement in business and the consequent increase in the employment in the industries within the purview of this law. This number of nonfatal and fatal injuries reported each fiscal year from July 1,

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1927, to June 30, 1936, is shown for each compensation district in table 19.

TABLE 19.—NUMBER OF INJURY CASES REPORTED UNDER THE LONGSHOREMEN'S ACT FOR EACH DISTRICT, FISCAL YEAR BASIS, 1927-36

District	Nonfatal								
	1935-36	1934-35	1933-34	1932-33	1931-32	1930-31	1929-30	1928-29	1927-28
1. Boston, Mass-----	2,168	1,519	1,300	1,358	1,586	2,432	4,024	3,176	2,681
2. New York City, N. Y-----	7,397	5,457	6,012	5,007	6,584	9,307	13,574	13,370	10,789
3. Philadelphia, Pa-----	1,114	1,118	1,423	1,093	1,386	1,583	1,926	1,781	1,302
4. Baltimore, Md-----	1,150	881	2,897	662	805	1,240	1,910	2,271	1,805
5. Norfolk, Va-----	1,572	1,923	2,268	2,127	3,131	1,419	1,491	1,396	1,341
6. Savannah, Ga-----	2,003	1,747	1,828	1,188	1,173	1,199	1,508	1,240	1,115
7. New Orleans, La-----	4,975	4,839	6,149	3,340	4,908	3,356	4,278	3,416	2,427
8. Galveston, Tex-----	3,548	2,074	2,116	1,763	2,457	1,779	2,331	2,763	2,576
9. Cleveland, Ohio-----	912	629	771	484	637	789	1,034	1,009	688
10. Chicago, Ill-----	381	329	385	316	391	455	435	521	401
13. San Francisco, Calif-----	3,169	2,897	2,325	1,496	1,892	2,406	3,432	3,241	3,156
14. Seattle, Wash-----	3,044	2,775	2,231	1,627	2,074	2,742	3,697	3,685	3,529
Total-----	31,433	26,188	29,705	19,551	25,266	28,707	39,640	37,869	¹ 31,810

District	Fatal									Total		Grand total
	1935-36	1934-35	1933-34	1932-33	1931-32	1930-31	1929-30	1928-29	1927-28	Non-fatal	Fatal	
1. Boston, Mass-----	11	8	12	7	6	3	12	15	12	20,244	86	20,330
2. New York City, N. Y-----	46	37	36	24	28	46	65	50	46	77,497	378	77,875
3. Philadelphia, Pa-----	9	5	14	7	10	13	16	10	8	12,726	92	12,818
4. Baltimore, Md-----	2	8	4	6	8	6	14	13	14	13,621	75	13,696
5. Norfolk, Va-----	8	7	8	5	3	8	6	7	6	13,940	58	13,998
6. Savannah, Ga-----	10	12	7	5	10	10	13	11	10	13,001	88	13,089
7. New Orleans, La-----	11	12	14	10	16	20	16	23	18	37,688	140	37,828
8. Galveston, Tex-----	15	4	9	8	5	6	4	5	6	21,407	62	21,469
9. Cleveland, Ohio-----	6	9	11	4	19	11	19	9	16	6,953	104	7,057
10. Chicago, Ill-----	6	7	10	3	6	8	8	10	3	3,614	61	3,675
13. San Francisco, Calif-----	13	13	8	7	14	12	18	11	16	24,014	112	24,126
14. Seattle, Wash-----	15	18	9	9	6	13	19	19	23	25,404	131	25,535
Total-----	152	140	142	95	131	156	210	183	¹ 178	270,108	1,387	271,496

¹ Includes reopened cases.

Cases disposed of.—During the fiscal year ended June 30, 1936, action was taken under which 32,079 cases were closed in the records of the Commission. Approximately 31 percent of the nonfatal cases were closed by the final payment of compensation. The number of cases which did not involve a loss in time and those in which the period of disability did not extend beyond the waiting period represented respectively 53 and 12 percent of the total nonfatal cases. These percentages are substantially the same as for the preceding years. During the same period, 108 fatal cases were closed. In 60 such cases, it was found that death did not occur under the circumstances bringing it within the scope of the law, and in 25 cases compensation was paid in full. On June 30, 1936, there were 3,627 nonfatal and 634 fatal cases open in the offices of the 12 compensation districts. In 1,650 nonfatal and 497 fatal cases, compensation was being paid on account of injury or death. The remaining cases were in the process of adjudication. The number of cases closed during the fiscal year 1936 and the reason for closing is shown by compensation district in table 20.

TABLE 20.—NUMBER OF CASES CLOSED BY COMPENSATION DISTRICTS, JULY 1, 1935-JUNE 30, 1936

District	No time lost	Nonfatal			Fatal			
		Seven days and under	No jurisdiction, etc.	Compensation paid	No jurisdiction, etc.	\$1,000 paid	Lump sum	Compensation paid
1. Boston	1,493	125	21	529	3	2	0	3
2. New York	3,814	728	509	2,342	16	5	5	8
3. Philadelphia	467	146	23	572				1
4. Baltimore	606	130	26	417	1			
5. Norfolk	961	196	15	395	1			
6. Savannah	484	442	61	1,094	5	1		
7. New Orleans	3,583	451	50	952	3	2		1
8. Galveston	1,912	514	39	1,146	7			
9. Cleveland	464	145	18	283	7	2	1	7
10. Chicago	120	70	35	191	1			1
13. San Francisco	1,567	548	51	1,127	11	1		4
14. Seattle	1,628	451	57	973	5	4		
Total for 1935-36	17,099	3,946	905	10,021	60	17	6	25
1934-35	13,916	3,119	840	9,110	55	21	2	20
1933-34	16,655	3,200	949	8,865	61	12	6	18
1932-33	9,916	2,321	765	7,397	38	5	1C	11
1931-32	12,751	3,128	1,103	9,731	53	28	5	12
1930-31	13,261	4,067	1,279	11,776	67	22	10	4
1929-30	18,729	6,358	1,528	14,382	60	29	11	2
1928-29	16,498	6,449	1,412	14,556	80	20	6	4
1927-28	11,034	4,958	1,279	11,212	39	6	1	0
Grand total	130,159	37,546	10,060	96,990	513	160	57	96

The total compensation paid in nonfatal cases closed during 1936 is \$1,575,811. This amount does not include \$11,730 paid for serious facial disfigurement in 78 cases. The amount reported as paid does not represent payments made during the fiscal year 1936, but includes all payments in this and prior years in cases closed during the year.

In compensated temporary disability cases involving longshoremen the average duration of disability was 33.7 days for cases closed in 1928, 46.2 in 1930, 55.9 in 1932 and 1933, 48.8 in 1934, 48.5 in 1935, and 51.2 in 1936. The average compensation award for the same cases is \$74.09 for 1928, \$107.20 for 1930, \$125.17 for 1932, \$111.61 for 1933, \$85.94 for 1934, \$85.98 for 1935, and \$97.39 for 1936. The average amount paid as compensation for each day of disability is \$2.24 for 1932, \$2 for 1933, \$1.76 for 1934, \$1.77 for 1935, and \$1.90 for 1936.

The average duration of disability for permanent partial disability in closed cases involving injuries to the same class of workmen increased annually until last year. This is to be expected, however, due to the closing of a larger proportion of serious disability cases in which compensation has been paid for a period of years. This average is 141 days for 1928, 289 for 1930, 403 for 1932, 405 for 1933, 406 for 1934, 357 for 1935, and 367 for 1936. The average award in these cases increased from \$395.89 in 1928 to \$781.23 in 1930, and \$1,097.46 in 1932. It then dropped to \$1,019.26 in 1933, \$877.45 in 1934, and further to \$763.33 in 1935. It then increased to \$794.31 in 1936.

The total compensation paid and estimated to be paid in 93 fatal cases approved during the fiscal year 1936 is \$458,130. This amount includes payments made for disability preceding death, burial expenses, and payments into the special fund created by section 44 of the Compensation Act in fatal cases in which there were no dependents entitled to compensation for death. Table 21 shows the extent and duration of disability and compensation costs in time-lost cases closed during each fiscal year from 1928 to 1936, inclusive.

Compensation was awarded or commenced without an award in 73 new fatal cases during 1936. In 20 additional cases, there were no dependents entitled to compensation for death, and a payment of \$1,000 was made in each case to be deposited to the credit of the special fund created by section 44 of the Longshoremen's Act. The total compensation paid and estimated to be paid on account of these 73 fatal cases is \$421,961. There were 152 dependents entitled to compensation in these cases and the details in respect to the compensation benefits payable to the respective classes of dependents in these cases are shown in the following tabulation:

Dependent	Number	Average age	Weekly compensation	Compensation cost	Average	
					Per week	Estimated cost
Widows	55	42.9	\$432.69	\$313,155	\$7.87	\$5,694
Sons under 18	38	9.3	81.10	33,887	2.13	892
Daughters under 18	31	10.0	63.99	20,498	2.06	661
Fathers	4	62.3	14.67	8,402	3.67	2,101
Mothers	15	61.2	67.95	40,887	4.53	2,726
Brothers	3	12.0	6.35	2,230	2.12	743
Sisters	6	13.5	13.63	2,902	2.27	484
Total	152	-----	680.38	421,961	-----	-----

TABLE 21.—INJURIES INVOLVING LOSS OF TIME, BY EXTENT OF DISABILITY AND BY OCCUPATION, INCLUDING DURATION AND ANNUAL TOTALS

Occupation	All cases, number	Nonfatal cases					
		Total nonfatal cases	Total compensation	Number, 7 days or less	Temporary total disability		
					Number	Duration in days	Compensation
Longshoremen	10,661	10,609	\$1,224,072	2,748	7,203	368,470	\$701,471
Foremen	114	112	24,736	45	54	4,065	11,140
Total	10,775	10,721	1,248,808	2,793	7,257	372,535	712,611
Repairmen	1,927	1,902	223,668	711	1,054	50,870	95,529
Others	969	955	103,278	373	494	28,862	51,279
Total, 1935-36	13,671	13,578	1,575,754	3,877	8,805	452,267	859,419
Total, 1934-35	11,928	11,863	1,453,787	3,114	7,830	398,236	729,832
Total, 1933-34	11,374	11,287	1,475,150	2,998	7,442	369,840	665,460
Total, 1932-33	9,423	9,331	1,777,791	2,292	6,186	352,277	716,120
Total, 1931-32	12,167	12,073	2,319,750	2,859	8,140	461,848	1,068,248
Total, 1930-31	15,105	15,026	2,365,433	3,777	10,166	540,621	1,289,860
Total, 1929-30	19,610	19,478	2,202,568	5,773	12,649	579,980	1,366,107
Total, 1928-29	19,505	19,384	1,644,363	5,936	12,799	533,035	1,244,846
Total, 1927-28	14,919	14,857	870,421	4,508	10,071	336,467	751,540
Total closed nonfatal, and approved fatal cases	127,702	126,877	15,685,017	35,072	84,088	4,024,571	8,691,432
Pending	1,939	1,856	731,205	-----	-----	-----	-----
Active	1,716	1,716	3,070,444	-----	1,107	-----	1,219,826
Grand total	131,387	130,449	19,486,666	35,072	85,195	4,024,571	9,911,258

TABLE 21.—INJURIES INVOLVING LOSS OF TIME, BY EXTENT OF DISABILITY AND BY OCCUPATION, INCLUDING DURATION AND ANNUAL TOTALS—Continued

Occupation	Nonfatal cases			Fatal cases			
	Permanent disability			Total number of cases	Number with dependents	Weekly compensation	Estimated total cost
	Number	Duration in days	Compensation				
Longshoremen	658	241,464	\$522,658	52	38	\$362.33	\$256,757
Foremen	13	5,658	13,596	2	2	19.05	13,187
Total	671	247,122	536,254	54	40	381.38	269,944
Repairmen	137	56,117	128,139	25	21	183.30	117,845
Others	88	26,356	51,999	14	12	116.79	70,341
Total, 1935-36	896	329,595	716,392	93	73	681.47	458,130
Total, 1934-35	919	326,536	732,955	65	50	478.75	323,384
Total, 1933-34	849	354,427	809,690	87	75	665.89	457,835
Total, 1932-33	943	408,615	1,061,674	92	72	670.59	428,926
Total, 1931-32	1,074	453,709	1,251,502	94	87	730.81	424,893
Total, 1930-31	1,083	382,559	1,075,573	79	71	869.09	479,761
Total, 1929-30	1,056	301,681	836,461	132	109	1,421.54	721,396
Total, 1928-29	619	141,356	399,517	121	91	1,112.45	545,434
Total, 1927-28	278	41,463	118,881	62	56	770.97	367,907
Total closed nonfatal, and approved fatal cases	7,717	2,739,941	6,993,654	825	664	7,401.56	4,207,666
Pending				113			488,583
Active	609		1,850,618				
Grand total	8,326	2,739,941	8,844,272	938	664	7,401.56	4,696,249

Accident prevention.—After a temporary suspension of active work in the field of accident prevention in employments within the purview of this law occasioned by changes in administrative personnel, the Commission has resumed its activities in the promotion of safety during the past year. In addition to the type of work along this line in which the Commission has heretofore engaged, plans have been designed to prepare and distribute monthly reports of the causes of injuries. The monthly safety bulletin issued by the Commission will be used as a medium for this purpose. It will be developed with the view of making it not a mere factual report of the causes of injury but a valuable aid to employees in developing effective methods of preventing such injuries.

Causes of accidents, longshoremen.—An analysis of the cause of injury in 13,671 cases involving loss of time and fatal accidents during the fiscal year 1936 is shown separately for longshoremen and repairmen in tables 22 and 23.

A comparison of the total number of lost-time nonfatal injuries to longshoremen in cases closed during 1936, with totals for the preceding year, shows an increase of 1,461 cases to a total of 10,721. Fatal injuries number 54 for the year 1936, compared with 45 for 1935.

As usual, four of the general causes given in the table account for the greater part of all longshoremen nonfatal injuries reported, and comprise 83.5 percent of the total for 1936.

Handling objects led the list of causes with 3,486 or 32.5 percent of all nonfatal injuries. Under this heading injuries caused by being caught between objects handled is first. Strain and sprain from handling heavy objects, and dropping objects while handling rank in the order named. These cases average 48 days' disability.

Falling objects rank second as a major cause and accounted for 2,511 or 23.4 percent of all nonfatal injuries. Cargo falling from pile,

materials falling from sling loads, and the falling of hatchbeams and hatch covers are the main individual causes of injury under this heading. These cases average 72.6 days' disability.

Being struck by moving objects caused 1,724 nonfatal injuries, or 16.1 percent of the total. Sling loads in motion is the largest individual cause of injury under this heading. Struck by or caught while steadyng or landing sling loads and miscellaneous objects rank in the order named. These cases average 81.6 days' disability per case.

Falls of persons caused 1,234 nonfatal injuries, or 11.5 percent of the total. Under this heading falls while carrying or handling cargo, falling or stumbling on level, slipping or falling between cargo, and falling into open hatches and manholes rank in the order named. These cases average 87.16 days' disability.

Hand tools ranked fifth as a cause of accidents with 416 or 3.8 percent of the nonfatal injuries. These cases average 30.9 days' disability per case.

The remaining injuries, 12.7 percent, are accounted for by the 12 minor causes enumerated.

Injuries to longshoremen caused a total of 54 deaths in 1936. Falls of persons caused 19 fatal injuries, or 35.2 percent of all fatalities. Open hatches and manholes were responsible for eight of these fatalities and seven were due to falls from craft to water or dock. Moving objects caused 17 fatal injuries or 31.5 percent. Sling loads in motion were responsible for seven fatal injuries and four were caused by persons being struck by or caught while steadyng or landing sling loads. Thus falls of persons and moving objects accounted for 66.7 percent of the fatal injuries to longshoremen for 1936.

Falling objects caused eight or 14.8 percent of the fatal injuries reported in 1936. Under this heading material falling from sling loads caused five fatalities.

Five fatal injuries are listed as due to miscellaneous causes. Four are caused by weather exposure and one by disease. Of the remaining five fatal cases, handling objects accounted for four and vehicles caused one.

Causes of accidents, repairmen.—Table 23 covering the detailed causes of injuries to repairmen shows a total of 2,857 nonfatal lost-time injuries for 1936. Comparison of this total with the total for the preceding year shows an increase of 523 nonfatal injuries. Fatal injuries in 1936 number 39 as compared with 17 for 1935.

The average disability period per lost-time injury was 58 days, compared with 72 days for 1935. Permanent-partial-disability cases numbered 225, or 35 less than the preceding year. Temporary disability injuries numbered 2,632 and showed an increase of 558, or 21.2 percent.

Four main causes accounted for 1,820 injuries, or 63.7 percent of the total nonfatal injuries to repairmen in 1936.

Falls of persons constitute the greatest hazard of repairmen. Injuries from this cause account for 595 nonfatal injuries, or 20.8 percent of the total and resulted in an average disability of 99.3 days per case. Falls from scaffolds and stagings account for 97 injuries, falling or stumbling on the level account for 88, and falls from ladders account for 60 injuries, making a total of 245 nonfatal injuries, or 41.2 percent of the total injuries caused by falls of persons.

Nonfatal cases arising out of handling objects numbered 583, or 20.4 percent of the total and resulted in 45.6 days' disability per case. Under this heading strain or sprain from handling heavy objects and caught between objects handled were the principal contributory causes and account for 48.5 percent of this type of injury.

Falling objects and flying objects rank equally as the cause of non-fatal injuries. Falling objects caused 332 nonfatal injuries, or 11.6 percent and resulted in 80.6 days' disability per case. Collapse of lumber piles and cargo falling from pile were the largest contributors to injuries caused by falling objects. Flying objects caused 310 nonfatal injuries, or 10.8 percent and resulted in 29.6 days' disability per case. Chipping and caulking and splinters caused 59 percent of the injuries due to flying objects.

Fatal injuries to repairmen caused a total of 39 deaths. Falls of persons account for 24 fatal cases, or 61.5 percent of the total fatalities to repairmen for the fiscal year 1936.

TABLE 22.—NUMBER OF INJURIES INVOLVING LOSS OF TIME, BY EXTENT OF DISABILITY, IN GENERAL GROUPS OF CAUSATION, FISCAL YEAR 1935-36

LONGSHOREMEN

Cause	All cases, number	Nonfatal cases								Fatal cases	
		Total number of non-fatal cases	Total duration (days)	Total amount of compensation	Temporary total disabilities			Permanent partial disabilities			
					Total number, 7 days or less	Number	Duration (days)	Compensation	Number	Duration (days)	Compensation
Vehicles:											
Cars and engines (railroads)	1	1	19	\$17							
Plant trucks, and trucks on tracks	14	13	429	1,186	4	1	19	\$17			
Automobiles, jitneys, tractors, and trailer:											
Coupling or riding on	10	10	572	827	3	7	560	827			
Run over by or other injury from	39	39	914	1,482	12	27	866	1,482			
Watercraft: Capsizing, etc.	2	2	251	641		2	251	641			
Collision between jitney and commercial vehicle	1	1	4		1						
Struck by commercial vehicle	2	2	36	50		2	36	50			
All other	1	1	4		1						
Total	70	69	2,229	4,203	21	47	1,984	3,627	1	161	576
Pressure equipment	5	5	53	32	2	3	45	32			
Explosive substances	2	2	319	366	1	1	315	360			
Electricity: Transmission wires	1	1	4		1						
Conflagration and flames: Welding	2	2	8		2						
Hot substances:											
Water and other fluids	4	4	56	64	2	2	48	64			
Steam	9	9	227	417	3	6	215	417			
Metal (not molten)	3	3	40	32	1	2	36	32			
Rivets	2	2	8		2						
Total	18	18	331	513	8	10	299	513			
Dust, gases, chemicals:											
Handling or contact with—											
Ammonia	4	4	55	79	3	1	43	79			
Cement	11	11	217	343	2	9	209	343			
Creosote	1	1	42	40		1	42	40			

Gasoline and kerosene	2	2	24	31	1	1	20	31					
Hydrochloric acid	1	1	4		1								
Lye	1	1	4		1								
Potash	3	3	136	283	1	2	132	283					
Potassium dichromate	1	1	4		1								
Soda (sal soda and caustic)	33	33	2,129	3,448	8	23	1,502	2,587	2	595	861		
Sulphur	13	13	107	100	11	2	63	100					
Zinc	1	1	4		1								
Chlorine	1	1	35	32		1	35	32					
All other acids and substances	11	11	655	775	6	4	96	164	1	535	611		
Inhalation of fumes	6	6	2,258	7,805	3	2	137	305	1	2,109	7,500		
Total	89	89	5,674	12,936	39	46	2,279	3,964	4	3,239	8,972		
Falls of persons:													
From—													
Elevations, other	28	27	4,091	8,814	4	17	1,180	2,661	6	2,895	6,153	1	7,500
Ships' rigging and other overhead gear	4	4	1,665	5,837	1	3	1,661	5,837					
Craft to water or dock	32	25	7,685	16,708	5	15	3,563	6,584	5	4,102	10,124	7	25,678
Log boom or timber, to water	2	2	40	104	1	1	36	104					
Gangplanks	13	13	359	756	6	7	335	756					
Runways and platform	6	6	332	582	2	4	324	582					
Piles of material	55	54	5,820	14,785	12	37	2,174	4,665	5	3,598	10,120	1	3,328
Elevators, from or with	3	3	22	11	2	1	14	11					
Total	143	134	20,014	47,597	33	85	9,287	21,200	16	10,595	26,397	9	36,506
Into or through—													
Open hatches, manholes	142	134	31,860	72,952	12	102	12,999	25,718	20	18,813	47,234	8	38,422
Holes, traps, cracks, etc.	39	39	3,798	8,562	11	26	3,069	7,371	2	685	1,191		
Through grills or platform	2	2	71	124		2	71	124					
Through poorly covered hatches	25	25	5,673	14,414	6	15	1,909	4,317	4	3,740	10,097		
Total	208	200	41,402	96,052	29	145	18,048	37,530	26	23,238	58,522	8	38,422
Other falls:													
Slipping or falling between cargo	193	193	10,320	21,884	43	144	8,261	17,687	6	1,887	4,197		
Account hand tool slipping	31	31	2,740	5,180	7	23	1,613	3,087	1	1,099	2,093		
Stairs and steps	9	9	554	1,128	1	8	550	1,128					
Ladders	54	52	6,874	15,114	10	37	4,124	9,379	5	2,710	5,735	2	8,700
Scaffold and staging	17	17	1,198	2,625	4	12	657	1,475	1	525	1,150		
On level, falling or stumbling	194	194	8,234	15,766	57	133	6,345	13,290	4	1,661	2,476		
On grade (incline)	36	36	1,024	1,515	13	23	972	1,515					
Stumbling over truck handle	3	3	47	79	1	2	43	79					
Falls while carrying of handling cargo	228	228	14,881	31,309	49	171	9,979	18,798	8	4,706	12,511		
Stumbling over ropes, etc.	50	50	2,117	4,826	11	37	1,645	4,071	2	428	755		
All other falls	87	87	6,317	12,794	20	62	4,212	7,823	5	2,025	4,971		
Total	902	900	54,306	112,220	216	652	38,401	78,332	32	15,041	33,888	2	8,700
Total falls of persons	1,253	1,234	115,722	255,869	278	882	65,736	137,062	74	48,874	118,807	19	83,628

TABLE 22.—NUMBER OF INJURIES INVOLVING LOSS OF TIME, BY EXTENT OF DISABILITY, IN GENERAL GROUPS OF CAUSATION, FISCAL YEAR 1935-36—Continued

LONGSHOREMEN—Continued

Cause	All cases, number	Nonfatal cases									Fatal cases			
		Total number of non-fatal cases	Total duration (days)	Total amount of compensation	Temporary total disabilities			Permanent partial disabilities						
					Total number, 7 days or less	Compensated cases		Number	Duration (days)	Compensation				
						Number	Duration (days)							
Moving objects, struck by:														
Sling loads in motion	363	356	34,707	80,169	68	263	23,281	53,769	25	11,154	26,400	7	44,050	
Sling loads and miscellaneous objects landing	224	223	18,691	29,599	51	157	7,639	13,342	15	10,848	16,257	1	1,200	
Empty slings, hooks, etc.	141	139	6,851	12,624	57	79	5,283	10,622	3	1,340	2,002	2	15,000	
Fall lines, bull lines, etc.	34	34	3,529	7,906	13	16	534	889	5	2,943	7,017			
Swinging booms, etc.	17	17	725	1,261	6	11	701	1,261						
Objects set in motion by lines or slings	53	53	7,418	15,109	12	36	3,679	6,632	5	3,691	8,477			
Hand truck, struck or run over by	161	161	7,176	14,138	41	113	6,021	11,790	7	991	2,348			
Power trucks, struck or run over by	39	39	1,182	1,886	8	30	1,031	1,690	1	119	196			
Rollers and dollies	28	28	859	1,754	9	17	597	1,153	2	226	601			
Struck by or caught while steadyng or landing sling load	290	286	17,266	31,079	59	202	8,132	12,775	25	8,898	18,304	4	16,837	
Struck by cargo hook, wire fall, etc.	145	145	3,400	5,229	61	82	2,871	4,678	2	285	551			
Struck by miscellaneous rolling objects	84	84	4,367	6,609	14	64	2,839	4,460	6	1,472	2,149			
Caught in loop or bight	39	38	1,930	4,601	8	21	920	1,979	9	978	2,622	1	7,500	
Caught in closing door	11	11	1,395	2,718	1	8	228	318	2	1,163	2,400			
All other	112	110	9,753	20,706	24	73	3,395	6,084	13	6,262	14,622	2	8,700	
Total	1,741	1,724	119,249	235,388	432	1,172	67,151	131,442	120	50,370	103,946	17	93,287	
Flying objects:														
From cargo handled	45	45	797	1,343	25	20	697	1,343						
From grinding wheels	1	1	4		1									
From chipping and caulking	2	2	8		2									
From scaling paint, etc.	3	3	12		3									
Breaking and whipping of lines	16	16	657	1,686	3	13	645	1,686						
Splinters and fragments	31	31	1,639	3,444	18	11	195	284	2	1,372	3,160			
Objects thrown	24	24	1,841	2,769	11	10	725	1,364	3	1,072	1,405			
All other	58	58	3,021	5,443	25	31	1,234	2,433	2	1,687	3,010			
Total	180	180	7,979	14,685	88	85	3,496	7,110	7	4,131	7,575			

Falling objects:

Cargo from pile	598	596	37,934	69,723	122	424	21,880	40,614	50	15,566	29,109	2	14,845
Bulk cargo, from returning boxes, etc.	25	25	571	684	6	19	547	684					
Material from sling loads	344	339	32,566	61,113	73	236	15,167	29,151	30	17,107	31,962	5	24,907
Material from tub or bucket	46	46	2,133	3,011	13	31	1,053	1,888	2	1,028	1,173		
Material from chutes, conveyors, and slides	100	100	5,746	8,605	22	76	4,300	6,755	2	1,358	1,850		
Sling loads falling, defective gear, etc.	41	41	4,747	9,570	10	25	3,510	6,991	6	1,197	2,579		
Gear or tackle	63	63	4,237	8,478	18	40	1,831	4,170	5	2,334	4,308		
Objects set in motion by sling lines, hook, etc.	25	25	4,412	11,314	5	17	1,517	2,550	3	2,875	8,764		
Sling loads, tipping or spreading	20	20	1,743	2,620	6	13	1,599	2,357	1	120	263		
Hand tools	12	12	542	803	5	6	165	232	1	357	571		
Rivets, bolts, etc.	7	7	320	666	3	4	308	666					
Collapse of piles, stacked or stored, etc.	87	87	7,896	13,978	13	62	4,110	7,662	12	3,734	6,316		
Boxes and crates	55	55	2,291	4,441	12	38	1,475	2,958	5	768	1,483		
Sacks and bales	147	147	13,074	24,414	28	104	5,632	11,382	15	7,330	13,032		
Lumber	112	112	6,091	10,920	26	83	4,544	9,050	3	1,443	1,870		
Coal, iron, ore, grain, etc.	79	79	16,741	12,766	14	54	2,685	5,393	11	2,964	7,373		
From scaffolds and staging	12	12	311	356	4	8	295	356					
Objects from haulage equipment (boxes, crates, etc.)	102	101	4,577	10,536	31	68	4,296	10,159	2	157	377	1	7,500
Struck by falling truck handle	46	46	1,641	2,282	17	27	934	1,471	2	639	811		
Barrels, casting, cylinder, etc.	96	96	5,494	12,466	20	69	3,858	8,759	7	1,556	3,707		
Hatch beams and hatch covers	165	165	9,381	18,538	35	122	7,451	15,538	8	1,790	3,000		
Heavy cargo slipped from rollers	60	60	3,229	5,909	12	44	1,418	2,002	4	1,763	3,907		
All other	277	277	12,276	22,255	65	197	8,753	14,666	15	3,263	7,589		
Total	2,519	2,511	166,917	315,448	560	1,767	97,328	185,404	184	67,349	130,044	8	47,252
Handling objects:													
With projecting nails, splinters, etc.	306	306	7,271	12,533	133	165	3,811	5,804	8	2,928	6,729		
Sharp corners, edges, etc.	168	168	5,012	8,014	47	116	2,976	4,022	5	1,848	3,992		
Caught between objects handled and other objects	1,077	1,075	57,507	107,054	242	696	28,545	47,657	137	27,994	59,397	2	8,595
Dropped while handling	458	458	19,802	38,308	105	311	12,717	23,796	42	6,665	14,512		
Object dropped by fellow workman	97	96	5,423	11,045	23	62	2,697	5,317	11	2,634	5,728	1	7,500
Strain or sprain from handling heavy objects	653	653	27,648	55,445	160	490	24,239	46,012	3	2,769	9,433		
Strain or sprain, insecure footing	121	121	7,382	18,568	36	84	5,139	11,068	1	2,099	7,500		
Caught by material, rolled or pushed by hand	318	318	13,902	23,732	75	227	8,260	13,625	16	5,342	10,107		
Struck by object handled, not thrown, by fellow workman	66	66	2,917	5,559	20	44	2,633	4,886	2	204	673		
Friction burns from lines, etc.	13	13	146	169	6	7	122	169					
Handling objects, struck self	119	118	3,759	6,410	41	73	2,800	4,792	4	795	1,618	1	7,500
All other	94	94	3,684	7,407	22	69	2,483	4,282	3	1,113	3,125		
Total	3,490	3,486	154,453	294,244	910	2,344	96,422	171,430	232	54,391	122,814	4	23,595

TABLE 22.—NUMBER OF INJURIES INVOLVING LOSS OF TIME, BY EXTENT OF DISABILITY, IN GENERAL GROUPS OF CAUSATION, FISCAL YEAR 1935-36—Continued

LONGSHOREMEN—Continued

Cause	All cases, number	Nonfatal cases							Fatal cases			
		Total number of non-fatal cases	Total duration (days)	Total amount of compensation	Temporary total disabilities			Number	Duration (days)	Compensation	Total number of cases	Total estimated cost
					Total number, 7 days or less	Compensated cases						
Hand tools:												
Injured by own hand tool	108	108	2,606	3,983	47	58	1,772	2,770	3	646	1,213	
Injured by others' tools	110	110	4,224	7,989	32	75	1,780	2,433	3	2,316	5,556	
Hand tool struck by moving object	5	5	214	424		4	149	270	1	65	154	
Defective, breaking, or improvised hand tool	2	2	37	52		2	37	52				
Objects set in motion by hand tool	8	8	152	225	2	6	144	225				
Glancing or slipping of hand tool	178	178	5,232	10,265	75	100	3,252	6,328	3	1,680	3,937	
All other	5	5	422	887	2	2	60	78	1	354	809	
Total	416	416	12,887	23,825	158	247	7,194	12,156	11	5,061	11,669	
Stepping in or on objects:												
Nails	85	85	802	689	53	32	590	689				
All other sharp objects	17	17	190	216	9	8	154	216				
Rolling objects	16	16	723	1,131	6	9	504	677	1	195	454	
Into holes, cracks, traps, etc.	177	177	8,961	20,766	39	135	5,748	11,643	3	3,057	9,123	
Slipping, or jumping, on objects (not falls)	73	73	3,819	8,292	26	41	1,681	3,634	6	2,034	4,658	
All other	35	35	806	1,269	5	30	786	1,269				
Total	403	403	15,301	32,363	138	255	9,463	18,128	10	5,286	14,235	
Striking against objects:												
Nails, screws, etc.	10	10	126	192	6	4	102	192				
Splinters and sharp projections	36	36	1,298	2,334	10	25	1,204	2,195	1	54	139	
Piles of material	49	49	2,092	4,490	11	35	1,135	2,503	3	913	1,987	
Beams, stanchions, and other fixed objects	129	129	5,591	11,820	33	91	3,289	6,311	5	2,170	5,509	
Fellow employee	1	1	14	13		1	14	13				
All other	58	58	2,341	3,633	15	43	1,892	3,188	1	399	456	
Total	284	284	11,472	22,493	75	199	7,636	14,402	10	3,536	8,091	

Miscellaneous:

TABLE 23.—NUMBER OF INJURIES INVOLVING LOSS OF TIME, BY EXTENT OF DISABILITY, IN GENERAL GROUPS OF CAUSATION, FISCAL YEAR 1935-36

REPAIRMEN AND OTHERS

Cause	All cases, number	Nonfatal cases								Fatal cases		
		Total number, non-fatal cases	Total duration (days)	Total amount of compensation	Temporary total disabilities			Permanent partial disabilities		Total number of cases	Total estimated cost	
					Total number, 7 days or less	Compensated cases		Number	Duration (days)	Compensation		
						Number	Duration (days)					
Vehicles:												
Plant trucks and trucks on tracks	1	1	14	\$14		1	14	\$14				
Autos, jitneys, tractors, etc., coupling or riding on	1	1	4		1							
Run over by	1	1	15	19		1	15	19				
Watercraft, capsizing, etc.	5	3	122	157	1	2	118	157			2 \$12,441	
All other	1	1	23	32		1	23	32				
Total	9	7	178	222	2	5	170	222			2 12,441	
Pressure equipment:												
Boiler explosions	3	3	12		3							
Pipes, gauges, and valves	1	1	7	147		1	7	147				
Air pressure apparatus	10	10	143	194	4	4	64	99	2			
All other	1	1	14	23		1	14	23				
Total	15	15	176	364	7	6	85	269	2	63	95	
Explosive substances:												
Dust	7	7	52	21	4	3	36	21				
Vapors	2	2	8		2							
All other explosives	2	2	268	782		2	268	782				
Total	11	11	328	803	6	5	304	803				
Electricity:												
Transmission wires	6	4	192	151	1	3	188	151			2 13,589	
All other	2	2	30	22	1	1	26	22				
Total	8	6	222	173	2	4	214	173			2 13,589	

Conflagration and flames:

Electric flash	8	8	1,957	6,035	6	1	13	10	1	1,920	6,025	
Welding and cutting flames	44	44	696	1,041	28	15	403	522	1	181	519	
All other	10	8	85	111	5	3	65	111			2	15,000
Total	62	60	2,738	7,187	39	19	481	643	2	2,101	6,544	2
												15,000

Hot substances:

Water and other fluids	7	7	1,623	1,887	3	3	80	139	1	1,531	1,748	
Steam	13	13	297	561	4	9	281	561				
Metal (molten)	9	9	200	423	3	6	188	423				
Metal (not molten)	13	13	199	281	8	5	167	281				
Rivets—bolts	13	13	161	292	8	5	129	292				
Radiant heat	1	1	4		1							
All other	9	9	135	131	5	4	115	131				
Total	65	65	2,619	3,575	32	32	960	1,827	1	1,531	1,748	

Dusts, gases, chemicals:

Handling or contact with—												
Calcium, lime, plaster	1	1	10	3		1	10	3				
Cement	9	9	487	501	2	7	479	501				
Coal, oil, kerosene	2	2	16		2							
Coal-tar products	1	1	41	39		1	41	39				
Creosote	2	2	8		2							
Cyanides, cyanogen compound												
HGN	1	1	185	317		1	185	317				
Gasoline	1	1	29	29		1	29	29				
Lead	4	4	317	687		4	317	687				
Metol	2	2	8		2							
Soda (sal soda and caustic)	4	4	78	88	1	3	74	88				
Sulpho naphthol	1	1	4		1							
Sulphur	1	1	4		1							
Sulphuric acid (vitriol storage batteries)	1	1	4		1							
All other acids	2	2	43	46	1	1	39	46				
All other substances	4	4	222	428	1	3	218	428				
Total	36	36	1,456	2,138	14	22	1,392	2,138				

Inhalation of fumes—

Carbon monoxide	2	2	64	205	1	1	60	205				
Coal, oil, kerosene	1	1	4		1							
Gasoline	1	1	11	7		1	11	7				
Lead	15	15	803	1,974	8	7	771	1,974				
Sulphur	1	1	4		1							
Chlorine	1	1	4		1							
All other acids	5	5	71	63	3	2	59	63				
All other substances	13	13	156	146	7	6	128	146				
Total	39	39	1,117	2,395	22	17	1,029	2,395				
Swallowing cement	1	1	40	45		1	40	45				
Total, dusts, gases, chemicals	76	76	2,613	4,578	36	40	2,461	4,578				

TABLE 23.—NUMBER OF INJURIES INVOLVING LOSS OF TIME, BY EXTENT OF DISABILITY, IN GENERAL GROUPS OF CAUSATION, FISCAL YEAR 1935-36—Continued

REPAIRMEN AND OTHERS—Continued

Cause	All cases, number	Nonfatal cases								Fatal cases	
		Total number of non-fatal cases	Total duration (days)	Total amount of compensation	Temporary total disabilities			Permanent partial disabilities		Total number of cases	Total estimated cost
					Total number, 7 days or less	Compensated cases		Number	Duration (days)		
Falls of persons:											
From—											
Elevations, other	41	39	5,608	13,589	8	27	2,027	4,361	4	3,549	9,228
Ship's rigging and other overhead gear	4	4	2,312	6,301	1	2	96	224	1	2,212	6,077
Craft to water or dock	34	26	5,408	14,343	8	14	513	981	4	4,863	13,362
Gangplanks	9	9	245	396		9	245	396			
Runways and platforms	5	5	180	385	1	4	176	385			
Piles of material	3	3	294	405		3	294	405			
Elevators, from or with	2	2	224	667		1	70	180	1	154	487
Into—											
Open hatches, manholes	44	40	9,733	24,039	8	23	1,968	4,569	9	7,733	19,470
Holes, traps, cracks, etc.	22	22	3,066	4,585	4	14	879	1,799	4	2,171	2,786
Through—											
Grills or platform	3	3	52	51		3	52	51			
Poorly-covered hatches	4	4	303	354		3	51	66	1	252	288
Other falls—											
Slipping or falling between cargo	10	10	214	451	5	5	194	451			
Account hand tool slipping	7	7	394	657		7	394	657			
Stairs and steps	13	13	1,208	2,525	3	10	1,196	2,525			
Ladders	61	60	2,970	5,156		22	38	2,882	5,156		
Scaffolds and staging	104	97	9,289	16,345	18	70	4,503	7,878	9	4,714	8,467
On level, falling or stumbling	88	88	4,722	7,839	25	61	2,887	5,651	2	1,735	2,188
On grade (incline)	13	13	957	1,211	5	7	214	385	1	723	826
Falls while carrying or handling cargo	30	30	2,073	3,477	9	18	1,286	2,446	3	751	1,031
Stumbling over ropes, pipes, etc.	42	42	1,860	4,479	18	21	823	1,604	3	965	2,875
All other falls	80	78	4,004	7,107	29	45	2,774	4,599	4	1,114	2,508
Total	619	595	55,116	114,362	164	385	23,524	44,769	46	30,936	69,593
										24	121,730

Moving objects, struck by:

Sling loads in motion	28	28	4,805	7,257	8	15	1,238	2,516	5	3,535	4,741	
Sling loads and miscellaneous objects, landing	7	7	2,869	6,785	2	5	2,861	6,785				
Empty slings, hooks, etc.	11	11	287	541	4	6	215	414	1	56	127	
Fall lines, bull lines, moving lines	4	4	67	88	1	3	63	88				
Swinging booms, etc.	1	1	20	15		1	20	15				
Objects set in motion by lines or slings	3	3	301	383		3	301	383				
Hand truck, struck or run over by	16	16	474	467	5	10	242	346	1	212	121	
Power trucks, struck or run over by	5	5	408	882	3	1	17	11	1	379	871	
Rollers and dollies	2	2	40	60		2	40	60				
Struck by or caught while handling or steadying a load	3	3	76	130	1	1	49	72	1	23	58	
Struck by cargo hook, wire fall, etc.	6	6	498	875		5	153	282	1	345	593	
Struck by miscellaneous, rolling objects	2	1	27	23		1	27	23				1,000
Caught in loop or bight	3	2	92	171		2	92	171				1,100
Caught in closing door	3	3	151	165	1	2	147	165				
All other	28	28	1,148	2,180	9	17	940	1,901	2	172	279	
Total	122	120	11,263	20,022	34	74	6,405	13,232	12	4,722	6,790	2
Total	122	120	11,263	20,022	34	74	6,405	13,232	12	4,722	6,790	2

Flying objects:

From cargo handled	1	1	27	21		1	27	21				
From grinding wheels	27	27	154	36	22	5	66	36				
From chipping and caulkung	115	115	3,260	4,365	86	26	421	477	3	2,495	3,888	
From scaling paint, etc.	29	29	1,745	2,891	19	8	249	355	2	1,420	2,536	
Breaking and whipping of lines	3	3	63	165	1	2	59	165				
Splinters and fragments	68	68	1,852	3,037	47	18	442	737	3	1,222	2,300	
Objects thrown	10	10	266	448	7	3	238	448				
All other	57	57	1,825	3,767	32	22	717	1,244	3	980	2,523	
Total	310	310	9,192	14,730	214	85	2,219	3,483	11	6,117	11,247	
Total	310	310	9,192	14,730	214	85	2,219	3,483	11	6,117	11,247	

Falling objects:

Cargo from pile (not collapse of or hand handling)	29	29	886	1,429	10	16	651	1,105	3	195	324	
Material from sling load	7	6	2,079	3,105	1	4	1,906	2,732	1	169	373	1
Material from tub or bucket	3	3	154	271	2				1	146	271	388
Material from chutes, conveyors, and slides	6	6	711	1,165	1	4	235	483	1	472	682	
Sling loads falling, etc.	4	4	987	1,741	1	2	443	499	1	540	1,242	
Gear or tackle	17	17	1,031	2,368	4	9	588	1,165	4	427	1,203	
Objects set in motion by sling, lines, hook, etc.	4	4	56	49	2	2	48	49				
Hatch beams, hatch covers	13	12	601	1,017	3	8	474	714	1	115	363	
Hand tools	13	13	2,248	7,485	9	3	56	105	1	2,156	7,380	
Rivets, bolts, etc.	19	19	262	220	10	9	222	220				
Collapse of piles, stacked, stored, etc.	8	8	360	695	2	6	352	695				
Boxes and crates	4	4	803	2,092	1	1	151	539	2	648	1,553	
Sacks and bales	6	6	248	387	3	2	107	178	1	129	209	

TABLE 23.—NUMBER OF INJURIES INVOLVING LOSS OF TIME, BY EXTENT OF DISABILITY, IN GENERAL GROUPS OF CAUSATION, FISCAL YEAR 1935-36—Continued

REPAIRMEN AND OTHERS—Continued

Cause	All cases, number	Nonfatal cases									Fatal cases			
		Total number of non-fatal cases	Total duration (days)	Total amount of compensation	Temporary total disabilities			Permanent partial disabilities			Total number of cases	Total estimated cost		
					Total number, 7 days or less	Compensated cases		Number	Duration (days)	Compensation				
						Number	Compensation							
Falling objects—Continued.														
Collapse of—														
Lumber	35	35	2,676	5,571	10	20	969	1,751	5	1,667	3,820	-----		
Coal, iron, ore, grain, etc.	11	11	818	2,319	6	3	152	267	2	642	2,052	-----		
From scaffolds and staging	18	18	1,205	2,418	5	12	912	1,862	1	273	556	-----		
Objects from haulage equipment (boxes, crates, etc.)	9	9	338	486	2	6	145	272	1	185	214	-----		
Struck by falling truck handle	2	2	18	10	1	1	14	10	-----	-----	-----	-----		
Barrels, casting, cylinder, etc.	14	14	738	1,309	1	11	337	533	2	397	776	-----		
Heavy cargo slipped from rollers	1	1	44	106	-----	1	44	106	-----	-----	-----	-----		
All other	112	111	10,510	20,727	32	69	5,048	9,044	10	5,334	11,683	1 260		
Total	335	332	26,773	54,970	106	189	12,854	22,329	37	13,495	32,641	3 1,848		
Handling objects:														
With projecting nails, splinters, wires, etc.	47	47	969	1,739	21	25	807	1,538	1	78	201	-----		
Sharp corners, edges, etc.	19	18	588	1,198	7	9	266	636	2	322	562	1 7,500		
Caught between objects handled and other objects	142	141	10,589	21,226	36	76	2,477	3,733	29	7,968	17,493	1 7,500		
Dropped while handling	109	109	4,407	8,086	32	62	2,789	4,704	15	1,490	3,382	-----		
Object dropped by fellow workman	18	18	621	931	5	11	354	533	2	247	398	-----		
Strain or sprain from handling heavy objects	142	142	5,965	10,261	35	107	5,825	10,261	-----	-----	-----	-----		
Strain or sprain, insecure footing	26	26	1,313	2,330	5	20	1,101	1,847	1	192	483	-----		
Caught by material rolled or pushed by hand	6	6	122	115	3	3	110	115	-----	-----	-----	-----		
Struck by object, handled (not thrown) by fellow workman	25	25	821	1,848	11	10	438	933	4	339	915	-----		

Friction burns from lines, etc.	1	1	43	51	1	43	51						
Objects rolled by hand	1	1	17	14	1	17	14						
Handling objects, struck self	24	24	669	945	11	11	433	636	2	192	309		
All other	25	25	482	727	12	12	338	534	1	96	193		
Total	585	583	26,606	49,471	178	348	14,998	25,535	57	10,924	23,936	2	15,000
Hand tools:													
Injured by own hand tool	90	89	2,919	5,835	48	30	828	1,454	11	1,899	4,381	1	2,169
Injured by others' tools	29	29	1,897	4,179	14	10	1,267	3,027	5	574	1,152		
Hand tool struck by moving object	2	2	82	180	1				1	78	180		
Defective, braking, or improvised hand tool	11	11	127	112	6	5	103	112					
Objects set in motion by hand tool	4	4	249	598		3	52	81	1	197	517		
Glancing or slipping of tool	64	64	3,201	7,609	18	40	2,091	4,411	6	1,038	3,198		
All other	3	3	27	14	2	1	19	14					
Total	203	202	8,502	18,527	89	89	4,360	9,099	24	3,786	9,428	1	2,169
Stepping in or on objects:													
Nails	35	35	287	228	20	15	207	228					
All other sharp objects	4	4	57	107	3	1	45	107					
Kneeling on objects	4	4	83	116	2	2	75	116					
Rolling objects	2	2	25	23		2	25	23					
Into holes, cracks, traps, etc.	16	16	1,123	1,961	7	7	345	638	2	750	1,323		
Slipping or jumping on objects	52	52	2,699	3,710	15	35	1,626	3,074	2	389	636		
All other	23	23	987	1,720	7	14	672	1,380	2	287	340		
Total	136	136	4,631	7,865	54	76	2,989	5,566	6	1,426	2,299		
Striking against objects:													
Nails, screws, etc.	15	15	584	834	6	8	228	288	1	332	546		
Splinters and sharp projections	14	14	644	1,087	4	9	262	394	1	366	693		
Piles of material	8	8	172	319	2	6	164	319					
Beams, stanchions, and other fixed objects	69	69	2,339	4,118	26	41	1,738	3,322	2	497	796		
Fellow employee	1	1	4		1								
All other	23	23	444	565	9	14	408	555					
Total	130	130	4,187	6,923	48	78	2,800	4,888	4	1,195	2,035		
Miscellaneous:													
Objects	2	2	8		2								
Fellow employee	2	2	17	19	1	1	13	19					
Doors, ports, etc.	6	6	218	282	2	2	48	58	2	162	224		
Ropes, hose, wire, etc.	13	13	2,445	6,095	4	5	179	261	4	2,250	5,834		
Horseplay	1	1	4		1								
Water	1	1	4		1								
Insects	2	2	23	31	1	1	19	31					
Elements	1	1	4		1								
Violence	1	1	224	355					1	224	355		
Fellow employee	2	2	58	62	1	1	54	62					
Weapons	1	1	28	30	1	1	28	30					

TABLE 23.—NUMBER OF INJURIES INVOLVING LOSS OF TIME, BY EXTENT OF DISABILITY, IN GENERAL GROUPS OF CAUSATION, FISCAL YEAR 1935-36—Continued

REPAIRMEN, AND OTHERS—Continued

Cause	All cases, number	Nonfatal cases							Fatal cases			
		Total number of non-fatal cases	Total duration (days)	Total amount of compensation	Temporary total disabilities			Permanent partial disabilities		Total number of cases	Total estimated cost	
					Total number, 7 days or less	Compensated cases		Number	Duration (days)	Compensation		
						Number	Duration (days)					
Miscellaneous—Continued.												
Unnatural positions.	32	31	1,189	2,442	13	18	1,137	2,442			1	
Extreme strain and overwork	14	14	468	925	3	11	456	925			4,109	
Cold	3	3	56	57	1	2	52	57				
Heat	15	15	227	443	7	8	199	443				
Disease	1	1	72	33		1	72	33				
Jumping to avoid injury	10	10	1,096	2,186	3	5	345	1,077	2	739	1,109	
Cause not stated	4	4	73	130	1	3	69	130				
All other	23	23	1,232	2,542	7	11	377	574	5	827	1,968	
Total	134	133	7,446	15,632	49	70	3,048	6,142	14	4,202	9,490	
Machinery (operating, adjusting, cleaning, oiling, repairing, etc.):												
Winches, donkey engines, etc.	2	2	31	43	1	1	27	43				
Cranes and derricks	3	3	289	336		2	51	57	1	238	279	
Natural combustion engines	1	1	36	88		1	36	88				
Shop machinery	1	1	13	9		1	13	9				
Portable power tools	11	11	1,090	2,432	5	4	338	639	2	732	1,793	
Elevators	1	1	4		1							
Abrasive wheels	2	2	72	132		2	72	132				
DYNAMOS, MOTORS, GENERATORS, ETC.	4	4	78	79	1	3	74	79				
Air or electric guns or drills	24	24	641	1,065	11	11	369	608	2	228	457	
Unguarded gears, belts, or other power transmission apparatus	3	3	501	1,071		1	34	61	2	467	1,011	
Miscellaneous ship engine room machinery	12	12	566	1,171	3	8	298	606	1	256	565	
Unguarded machinery	2	2	58	187	1				1	54	187	
Miscellaneous galley devices	1	1	105	230		1	105	230				
All other	9	9	377	698	1	8	373	698				
Total	76	76	3,861	7,542	24	43	1,790	3,250	9	1,975	4,292	
Grand total	2,896	2,857	¹ 166,471	326,946	1,084	1,548	79,662	146,808	225	82,473	180,138	
										39	187,986	

¹ Includes duration in 7-day cases.

Trust-fund account.—Transactions involving the special fund created by section 44 of the Compensation Act are shown on the following statement:

<i>Longshoremen and harbor workers trust fund account for fiscal year 1936</i>		
Balance July 1, 1935		\$130, 833. 20
Cash	\$25, 743. 11	
Investments	105, 090. 09	
Receipts during fiscal year 1936		25, 417. 76
Payments under sec. 44 (c) (1)	\$20, 000. 00	
Interest on investments	5, 417. 76	
Total		156, 250. 96
Expenditures		7, 793. 70
Compensation sec. 8 (f)	\$5, 738. 52	
Compensation sec. 8 (g)	1, 185. 74	
Prosthetic appliances sec. 39 (c)	582. 34	
Tuition and supplies sec. 39 (c)	287. 10	
Balance June 30, 1936		148, 457. 26
Cash	\$23, 433. 16	
Investments	125, 024. 10	

Expense of administration.—The appropriation for administrative expenses of the Commission covers the cost of administration of three laws, and therefore, the cost of administration of this law cannot be determined with exactness. A number of employees in the office of the Commission have duties connected with the administration of each law and the proportion of the salaries paid to these employees which may be properly chargeable to the Longshoremen's and Harbor Workers' Compensation Act can only be approximated. It is estimated that the expense of administering this law during the fiscal year 1936 was \$214,004. The largest single item of expense was for the payment of the salary of employees engaged in the administration of the law, the sum of \$178,300 having been charged to this purpose. Other large expenditures charged to the administration of this law were \$6,360 for medical examinations ordered by deputy commissioners, \$11,089 for contract reporting service for reporting hearings, \$10,791 for traveling expenses of personnel, \$3,095 for rents, and \$2,921 for communication service.

2. DISTRICT OF COLUMBIA WORKMEN'S COMPENSATION ACT

Injuries reported.—During the fiscal year ended June 30, 1936, there were 24,194 nonfatal injuries and 70 fatal injuries reported to the office of the deputy commissioner. This is an increase of 3,015 cases over the number reported in 1935. The number of fatal injuries reported during 1936 was greater than in any preceding year except 1931. The number of nonfatal injuries reported during 1936 is the largest in any year since this compensation law has been operative. It represents an increase of 14 percent over the number reported in 1935 and approximately 20 percent over the number reported in 1934. A total of 158,916 injuries have been reported to the Commission under this law during the 8 years it has been in operation. Table 24 shows the number of injuries reported by months for the 8 years 1929 to 1936, inclusive.

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TABLE 24.—INJURIES REPORTED BY THE MONTH FOR THE 8 FISCAL YEARS 1929-36
UNDER THE DISTRICT OF COLUMBIA WORKMEN'S COMPENSATION ACT

Month of fiscal year	Nonfatal							
	1935-36	1934-35	1934	1933	1932	1931	1930	1929
July-----	2,243	1,894	1,887	1,491	2,094	1,735	1,656	731
August-----	2,292	1,988	2,142	1,699	1,892	1,969	1,739	1,222
September-----	1,712	1,765	1,880	1,619	1,870	1,888	1,431	1,169
October-----	2,236	2,039	1,753	1,649	2,028	1,938	1,768	1,288
November-----	1,932	1,875	1,749	1,539	1,655	1,509	1,512	1,215
December-----	1,769	1,505	1,334	1,695	1,627	1,452	1,424	1,183
January-----	1,909	1,728	1,496	1,674	1,694	1,420	1,487	1,081
February-----	1,780	1,498	1,415	1,412	1,361	1,185	1,265	992
March-----	1,808	1,701	1,496	1,622	1,704	1,403	1,409	1,090
April-----	1,942	1,607	1,536	1,555	1,700	1,512	1,500	1,315
May-----	2,167	1,735	1,661	1,719	1,525	1,657	1,521	1,405
June-----	2,406	1,850	1,808	2,088	1,766	1,908	1,727	1,645
Total-----	24,194	21,185	20,157	19,742	20,916	19,576	18,439	14,236

Month of fiscal year	Fatal								Grand total
	1935-36	1934-35	1934	1933	1932	1931	1930	1929	
July-----	11	3	5	0	5	7	3	0	13,765
August-----	8	5	3	4	9	6	8	5	14,991
September-----	1	7	5	1	7	3	0	4	13,362
October-----	4	6	6	4	5	7	5	7	14,743
November-----	5	4	3	6	6	6	3	7	13,026
December-----	6	3	2	5	2	5	5	6	12,023
January-----	0	5	6	9	5	10	10	3	12,537
February-----	5	7	2	5	4	6	1	3	10,941
March-----	11	9	3	2	4	6	3	5	12,274
April-----	8	4	3	2	5	3	7	7	12,686
May-----	5	4	3	5	4	6	5	6	13,428
June-----	6	7	2	5	0	6	10	6	15,140
Total-----	70	64	43	48	56	71	60	59	158,916

Cases disposed of.—During this fiscal year 24,876 nonfatal and 47 fatal cases were closed in the office of the Commission. On June 30, 1936, there were 1,711 cases pending in which final action had not been taken. In 619 nonfatal and 171 fatal cases, compensation was being paid respectively to injured employees and dependents of those who died as a result of injury. The remaining cases were incomplete and in various stages of adjudication. In a very large percentage of the nonfatal cases closed during the year, the injury did not cause a loss in time for work or the disability did not extend beyond the 7-day waiting period for which no compensation is payable. About 5 percent of the nonfatal and 62 percent of the fatal cases were rejected because they did not come within the scope of the law. Cases disposed of and the reasons therefor are shown in table 25.

TABLE 25.—CASES DISPOSED OF

Reason for closing	Fiscal year							
	1935-36	1934-35	1934	1933	1932	1931	1930	1929
NONFATAL								
No time lost-----	15,790	13,804	13,225	12,628	12,718	11,431	9,653	6,518
7 days or less-----	4,096	3,645	3,278	3,349	4,103	3,982	4,583	3,720
No jurisdiction-----	363	384	361	451	547	686	721	476
Compensation paid without award-----	3,718	3,333	3,380	3,468	3,808	3,507	3,902	2,878
Award of compensation-----	141	115	182	111	146	125	128	43
Miscellaneous-----	769	686	645	514	437	255	244	117
Total -----	24,876	21,967	21,071	20,521	21,761	19,986	19,231	13,752
FATAL								
No jurisdiction-----	2	10	6	6	18	18	2	7
No dependents (\$1,000 paid)-----	9	3	7	3	7	10	3	2
Payments completed-----	9	5	5	1	2	-----	1	4
Miscellaneous-----	27	15	21	12	5	19	16	-----
Total -----	47	33	39	22	32	47	22	13

An analysis of fatal cases approved during the year and nonfatal cases closed is given in table 26, according to the type of industry reporting the injury. The total compensation paid in 3,531 temporary disability and in 200 permanent disability cases closed during 1936 is \$418,804, and the estimated cost of 40 fatal cases approved during that year is \$226,372. More than 33 percent of the total compensation cost in nonfatal cases is chargeable to injuries reported from construction industries. More than one-third of the fatal cases occurred in this group. Of the 7,547 temporary total cases closed during the year, 4,016 were compensated while 3,531 had a duration of less than 8 days. Totals for the past 8 years are included in this table for comparative purposes.

The total amount paid in compensation in all nonfatal cases closed prior to July 1, 1936, is \$2,841,559. This amount does not include \$23,579 awarded for serious facial disfigurement. Compensation in the amount of \$562,932 had been paid to that date in 1,484 nonfatal cases open on the docket of the Commission in which final payment had not been made, and the future compensation payable in these cases is estimated to be \$415,527. These costs do not take into account amounts expended by employers or their insurance carriers for medical care furnished to injured employees. The total cost of benefits paid and estimated to be paid in 245 fatal cases, representing the total number of such cases approved prior to July 1, 1936, is \$1,386,621.

The weekly compensation in 40 fatal cases approved during 1936 is \$415.32 and the estimated total cost of these cases is \$226,372. The latter figure includes \$8,000 paid on eight cases in which there was no person entitled to compensation, \$6,993 paid for burial expenses in all cases, and \$857 as compensation for disability prior to death, thus leaving \$210,528 as the estimated payment to dependents. The distribution of the weekly cost and the total cost for each class of dependents is shown in the following tabulation:

Dependents	Number	Average age	Weekly award	Estimated valuation	Average	
					Weekly compensation	Value of awards
Widows	26	40.7	\$254.72	\$149,694	\$9.80	\$5,756
Children under 18	35	9.3	103.10	36,852	2.95	1,053
Sisters	2	11.0	4.06	1,421	2.03	711
Fathers	1	71.0	7.21	2,999	7.21	2,999
Mothers	5	60.6	33.10	19,562	6.62	3,912
Total	69	-----	402.19	210,528	-----	-----

TABLE 26.—NUMBER OF INJURIES INVOLVING LOSS OF TIME, BY EXTENT OF DISABILITY, FOR EACH INDUSTRIAL GROUP, FISCAL YEAR 1935-36
DISTRICT OF COLUMBIA

Industry	Total number of cases	Number of non-fatal cases	Total compensation	Nonfatal cases			
				Temporary total disability			
				Number of temporary total cases under 8 days	Number	Duration (days)	Amount of compensation
Clerical and personal service	1,627	1,624	\$59,061	830	758	22,617	\$33,138
Construction	1,702	1,687	139,949	834	797	31,912	67,947
Manufacturing	921	915	49,525	467	417	13,741	27,758
Trade	2,608	2,604	121,541	1,450	1,097	37,374	62,364
Transportation and public utilities	931	919	48,728	435	462	15,843	29,076
Total for 1935-36	7,789	7,749	418,804	4,016	3,531	121,487	220,283
Total for 1934-35	6,866	6,837	384,145	3,511	3,166	111,122	203,083
Total for 1933-34	6,626	6,592	436,043	3,145	3,239	116,088	214,291
Total for 1932-33	6,717	6,699	435,674	3,230	3,279	115,933	222,732
Total for 1931-32	7,812	7,775	393,610	3,986	3,623	115,502	227,529
Total for 1930-31	7,477	7,432	339,871	3,913	3,390	106,000	210,320
Total for 1929-30	8,461	8,442	298,243	4,532	3,781	112,729	227,199
Total for 1928-29	6,335	6,312	135,169	3,574	2,696	65,890	121,758
Total for closed cases	58,083	57,838	2,841,559	29,907	26,705	864,751	1,647,195
Active and pending cases	1,540	1,484	978,459	253	1,048		468,006
Grand total	59,623	59,322	3,820,018	30,160	27,753	864,751	2,115,201

Industry	Nonfatal cases—Continued			Fatal cases		
	Permanent partial disability			Number		Amount of weekly compensation
	Number	Duration (days)	Amount of compensation	Total	With dependents	
Clerical and personal service	36	13,605	\$25,923	3	2	\$27.55
Construction	56	26,380	72,002	15	14	196.77
Manufacturing	31	9,159	21,767	6	5	75.67
Trade	57	23,039	59,177	4	3	32.35
Transportation and public utilities	22	9,900	19,652	12	8	82.98
Total for 1935-36	202	82,083	198,521	40	32	415.32
Total for 1934-35	160	71,972	181,062	29	26	340.68
Total for 1933-34	208	84,139	221,752	34	25	282.48
Total for 1932-33	190	82,444	212,942	18	17	163.63
Total for 1931-32	166	65,069	166,081	37	29	371.59
Total for 1930-31	129	45,080	129,551	45	35	428.04
Total for 1929-30	129	26,990	71,044	19	15	229.14
Total for 1928-29	42	5,153	13,411	23	21	269.32
Total for closed cases	1,226	462,930	1,194,364	245	200	2,500.20
Active and pending cases	183		510,453	56	6	
Grand total	1,409	462,930	1,704,817	301	206	2,500.20
						1,419,881

Trust-fund account.—Transactions involving the special fund, created by section 44, are shown in the following tabulation:

District of Columbia trust-fund account for fiscal year 1936

Balance July 1, 1935		\$29,487.53
Cash	\$9,780.59	
Investment	19,706.94	
Receipts during fiscal year 1936		10,988.75
Payments under sec. 44 (c)	\$10,000.00	
Interest on investments	988.75	
Total		40,476.28
Expenditures		5,077.55
Compensation sec. 8 (g)	\$3,437.80	
Prosthetic appliances sec. 39 (c)	1,639.75	
Balance June 30, 1936		35,398.73
Cash	\$15,691.79	
Investments	19,706.94	
Expenses of administration:		
Salaries		42,660.78
Contract reporting:		
Alderson	\$263.05	
Middlemiss	4,867.13	
Special medical examinations		5,130.18
Total		381.00
Appropriation		48,171.96
		53,000.00

Expenses of administration.—The expense of administering this law is paid from funds provided for the purpose in the annual appropriation for the government of the District of Columbia and transferred to the Commission for expenditure. A total of \$53,300 was appropriated for the fiscal year 1936, and the estimated cost of administration during that year is \$50,998. The amount expended includes \$42,775 for personal services, \$5,130 for contract reporting services, and \$551 for special medical examinations ordered by the deputy commissioner.

Respectfully submitted.

JEWELL W. SWOFFORD,
HARRY BASSETT,
JOHN M. MORIN,
Commissioners.



