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TWENTY-FIFTH ANNUAL REPORT

OF THE

UNITED STATES EMPLOYEES' COMPENSATION COMMISSION

JULY 1, 1940, TO JUNE 30, 1941

COMMISSIONERS

JEWELL W. SWOFFORD, Chairman

JOHN M. MORIN - JOHN J. KEEGAN

UNITED STATES

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TWENTY-FIFTH ANNUAL REPORT

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UNITED STATES EMPLOYEES' COMPENSATION COMMISSION

NOVEMBER 15, 1941.

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, 1941, is herewith submitted in conformity with section 33 of the act of September 7, 1916.

I. 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., 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 (U. S. C., title 5, sec. 796), providing compensation for certain employees on Federal Emergency Work projects who suffer traumatic injury while in the performance of duty.
5. The act approved August 16, 1941 (Public Law 208, 77th Cong.), provides compensation for disability or death resulting from injury to persons employed at military, air, or naval bases acquired by the United States from foreign countries, and on lands occupied or used by the United States for military or naval purposes outside the continental limits of the United States.

Workmen's compensation is one of the earliest forms of social legislation, and workmen's compensation laws have been enacted by the legislatures of all the States and Territories of the United States with one exception. Mississippi is the only State in which such legislation has not been adopted. The Federal Government, as early as

1908, recognized the necessity of making some provisions for the protection of workmen who might be injured in Federal employments, but it was not until 1916 that it adopted a liberal workmen's compensation law for the protection of all civil employees of the United States. It has been slow, however, in meeting its obligation to provide similar protective legislation for employees in private employments 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, which makes it mandatory for employers engaged in maritime employment upon the navigable waters of the United States to secure the payment of compensation for injury or death arising out of or in the course of such employment. A further advance was made through legislation approved May 17, 1928, which extended the Longshoremen's and Harbor Workers' Compensation Act to include all private employment in the District of Columbia.

The most recent Federal legislation in the field of workmen's compensation is the act approved August 16, 1941, which extends the provisions of the Longshoremen's and Harbor Workers' Compensation Act to certain employments in connection with national defense bases outside the continental United States. Large forces of workmen, including a high proportion of citizens of the United States, are at present employed in construction of military and naval bases at sites acquired from foreign governments and at points outside the continental limits of the United States in territory belonging to the United States. Such employment is in progress at points extending from Greenland to the Philippine Islands. It was apparent that appropriate legislation to provide workmen's compensation coverage for such employment was necessary for the mutual protection of the individual workmen employed on the projects and for the Federal Government. This need has been met by the enactment of the legislation above referred to.

In the administration of the act of August 16, 1941, the Commission has utilized so far as practicable existing facilities for administering the Longshoremen's and Harbor Workers' Compensation Act. It has established two new compensation districts to serve areas where there is a large concentration of defense work. The areas outside the continental limits of the United States have been assigned to compensation districts, as follows:

(1) *Caribbean district.*—This district comprises the West Indies and British Guiana, with headquarters at San Juan, P. R.

(2) *Pacific district.*—This district comprises all land areas in the Pacific Ocean south of 45° north latitude, with headquarters at Honolulu, T. H.

(3) *District No. 1.*—This district as established under the Longshoremen's and Harbor Workers' Compensation Act is extended to include Newfoundland and Greenland, with headquarters at Boston, Mass.

(4) *District No. 2.*—This district as established under the Longshoremen's and Harbor Workers' Compensation Act is extended to include Bermuda, with headquarters at New York, N. Y.

(5) *District No. 14.*—This district as established under the Longshoremen's and Harbor Workers' Compensation Act s extended to include all land areas in the Pacific Ocean north of 45° north latitude, and Alaska, with headquarters at Seattle, Wash.

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 is applicable to employees of the former Civil Works Administration, enrollees in the Civilian Conservation Corps, and employees of the Work Projects Administration, and other Federal agencies (except employees occupying administrative positions) who are paid from funds appropriated by the Emergency Relief Appropriation Act of 1941 or prior Emergency Relief Appropriation Acts for services rendered as employees of the United States.

Under the provisions of the Emergency Relief Appropriation Acts for the fiscal years 1937, 1938, and 1939, the limited compensation benefits authorized by the act of February 15, 1934, were extended to persons receiving assistance in the form of payments from the United States for services rendered under the National Youth Administration. The benefits extended under such authority were not limited to youths receiving assistance through payments made from the Federal Treasury for services rendered as "employees of the United States," but included, in addition, youths receiving financial assistance through the National Youth Administration in the form of student-aid who were not required to perform any work in the service of the United States. For the most part, youths of the latter class were students in regular attendance at school or college. Such students were required to perform work under the direction and control and for the benefit of the educational institutions where they were in attendance. The provisions of the law relating to compensation benefits for youth beneficiaries were modified in the Emergency Relief Appropriation Acts for the fiscal years 1940 to 1942. The effect of this modification is to provide compensation benefits only to injured youths engaged in rendering services as employees of the United States.

The provisions of this emergency compensation law were also extended to cases arising out of the 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 were 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 of the relief program was under the control

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of the Federal Administrator. The provisions of this law and the experience thereunder in respect to the several Federal relief programs are discussed in greater detail in a section of this report devoted to this subject.

The act approved June 25, 1936, conferred jurisdiction upon each of the several States to extend the provisions of the State workmen's compensation law to private employments on Federal property and premises located within the respective States. While this law seems to meet in a convenient manner the situation referred to in the Commission's nineteenth annual report and is a further advance toward complete workmen's compensation coverage for all employments with in Federal jurisdiction, it does not meet the needs of this situation as acceptably as a Federal compensation law such as the Longshoremen's and Harbor Workers' Compensation Act. The act of June 25, 1936, fails to provide adequate protection for workmen in private employment while at work on Federal property or premises in all States. There is one State without a workmen's compensation law and workmen employed on construction projects or in other employment on Federal property or premises in such State do not enjoy the benefits of such protective legislation. In some States the workmen's compensation statute does not extend to all employments or provide an acceptable measure of relief for the effects of industrial accidents to workers. Legislation designed to correct this condition has been considered in recent sessions of the Congress. The bill, S. 1784, introduced during the first session of the Seventy-seventhCongress, proposes to extend the provisions of the Longshoremen's and Harbor Workers' Compensation Act of March 4, 1927 (U. S. C., title 33, secs. 901–950), "to employees of contractors on public buildings and public works and to private employees employed at places subject to the exclusive jurisdiction of the United States." The Commission believes the objective of this measure is in the public interest.

In previous reports the Commission has repeatedly directed attention to the existence of two large bodies of workmen in private employment subject only to Federal regulation without the protection of workmen's compensation legislation. These comprise workmen in the employ of common carriers engaged in interstate commerce and the officers and crew of vessels of American registry. These large fields of commercial employment apparently cannot be brought within the purview of the State workmen's compensation laws, and the only remedy appears to be the enactment of appropriate legislation by the Federal Government.

Interest in the enactment of legislation to provide workmen's compensation benefits for seamen in the American merchant marine was renewed as a result of the ratification by the United States of the convention (No. 55) adopted by the International Labor Conference at its twenty-first session. This convention concerns the liability of shipowners in case of sickness, injury, or death of seamen. In connection with the hearings held by the Committee on Merchant Marine and Fisheries of the House of Representatives in 1939, and by the Committee on Commerce of the Senate in 1940, upon legislative measures to implement the provisions of this convention, consideration was also given to legislation to provide compensation for disability or death resulting from injury to officers and members of the crew of vessels under the jurisdiction of the United States. The legislation

considered at such hearings proposed to make the provisions of the Longshoremen's and Harbor Workers' Compensation Act applicable to the injury or death of an officer or member of the crew of any vessel of the American Merchant Marine, with reservations to preserve to seamen certain long-established rights, such as maintenance and care.

The extended hearings held before the Senate Committee on Commerce developed strong opposition from representatives of organized seamen to proposed workmen's compensation legislation. On the other hand, the enactment of such legislation was urged by representatives of shipowners and operators. In view of the conflicting claims advanced by these opposing groups relative to the effect the proposed legislation would have upon interests of seamen, the Senate adopted a resolution (S. Res. 299) directing studies to be made concerning this subject. The Senate Resolution provides:

Resolved, That the Department of Commerce, the Department of Labor, the United States Maritime Commission, the United States Employees' Compensation Commission, and the Maritime Labor Board are authorized and directed jointly to make a thorough study of workmen's compensation with a view to determining whether the same, by act of Congress, should be made applicable to seamen; to supply the Senate with statistical information and other data that may be helpful in considering such legislation; to confer in respect thereto with representatives of the seamen and shipowners, and to report to the Senate, on or before February 15, 1941, the findings and specific recommendations of the aforesaid agencies.

Pursuant to the Senate resolution an interdepartmental committee, composed of representatives of the five agencies named in the resolution, conducted a joint study of workmen's compensation for seamen. The report of this committee was transmitted to the Senate on September 15, 1941, and was subsequently printed as Senate Document No. 113. The report contains the analysis of the factual information developed through the studies made by the committee and certain conclusions and recommendations approved by each of the agencies participating in the study. The report of the committee summarized its conclusions as follows:

1. The principles of workmen's compensation legislation provide the most satisfactory method thus far designed for the adjustment of claims arising out of industrial accidents, and such legislation is in the interest of the public, employers, and particularly the workers themselves.

2. It is possible to devise a plan of workmen's compensation for seamen which will retain the essentially desirable features of the system without requiring the seamen to relinquish their long-standing rights to full wages and maintenance and cure to the end of the voyage and cure and maintenance while under treatment after the end of the voyage.

3. The minimum standards of workmen's compensation for seamen should be a plan which (*a*) takes effect without waiting period upon termination of wages at the end of the voyage; (*b*) pays benefits during period of out-patient treatment and convalescence not less than the maintenance to which the injured seamen is entitled during a period of temporary disability; (*c*) provides benefits computed on a full-time wage base, together with value of subsistence and lodging and remuneration for overtime and bonuses; and (*d*) provides benefits at least equal to those provided under the Longshoremen's and Harbor Workers' Compensation Act, but without limitation of total benefits payable for death or disability. Such a plan would give the seamen fundamental protection superior to the recoveries available under the present system.

In commenting upon the practicability of applying the salient features of workmen's compensation principles to all maritime employment the committee stated this might be accomplished:

(1) By extending the provisions of the Longshoremen's and Harbor Workers Compensation Act to cover all maritime employments with such adaptations and

modifications as might be necessary or desirable in the case of seamen who are now specifically excluded from the maritime employments to which such act is applicable; or (2) by a separate workmen's compensation statute for seamen which would preserve, insofar as consistent with the proposals herein, the language of the Longshoremen's and Harbor Workers' Act.

The administrative provisions of the Longshoremen's and Harbor Workers' Compensation Act have been thoroughly tested over a number of years, and it has been demonstrated beyond reasonable doubt that this law can be administered on a Nation-wide scale so as to provide for the prompt and equitable settlement of claims with a minimum of expense to the interested parties. Injured workmen or their dependents, in the case of death, benefit by the informal procedure permitted by this law, which eliminates the necessity for expensive litigation and prolonged delay in the adjustment of claims, common to actions at law to recover damages for personal injury. The Commission again recommends the existing Longshoremen's and Harbor Workers' Compensation Act, with the well-defined statutory construction of its provisions, as a basis for any new workmen's compensation legislation in Federal jurisdiction.

In its prior annual reports the Commission referred to workmen's compensation legislation for employees of common carriers engaged in interstate commerce, and in this connection commented upon proposed workmen's compensation legislation introduced in Congress at various times. Further interest in workmen's compensation for this large field of employment is indicated by the introduction of another legislative proposal in the House of Representatives. The bill, H. R. 4943, proposes to provide workmen's compensation for employees of carriers engaged in interstate transportation by motor vehicles. This bill contains, in general, the provisions of the Longshoremen's and Harbor Workers' Compensation Act with certain adaptations and changes designed to meet the needs of a workmen's compensation law for this class of employees engaged in interstate or foreign commerce. The need for workmen's compensation legislation for the employment to which this proposed legislation is directed seems obvious.

The Commission has on several occasions referred to the many private relief bills introduced at each session of the Congress for the purpose of providing relief or the payment of damages on account of personal injury or death allegedly caused by the negligence of officers or employees of the Federal Government acting within the scope of their authority, or by defects in equipment or premises due to such negligence. The Committees on Claims in Congress receive several hundred bills of this kind at each session of the Congress. Many of these bills propose the payment of small sums as reimbursement for medical care, or damages for disability, while others propose the payment of substantial sums on account of personal injury that seem greatly in excess of the loss sustained. Occasionally such bills have been referred to the Commission for comment, particularly in respect to the reasonableness of the amount claimed as compared with the benefits that might be payable under the compensation law in a similar case. The Commission has suggested the enactment of appropriate legislation to confer upon it authority to investigate and determine the merits of such claims and either make awards directly to claimants or certify such awards to the Congress for settlement. An administrative procedure of this kind would not only relieve the congressional Committees on Claims of the great burden which now

rests upon the members of such committees but it would also provide the means for the expeditious and economical settlement of such claims. The Commission is the only Federal agency engaged constantly with the consideration of personal-injury claims, and its existing administrative facilities with slight expansion might readily undertake this additional work. The administrative cost of handling such claims in this manner would be far less than under any method involving the formality of procedures through the Federal courts. The Commission repeats the suggestion that consideration be given to the advisability of enacting legislation for this purpose.

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, including recommendations for legislation which the Commission deems necessary or desirable. The Commission respectfully urges serious consideration of its recommendations for legislation to amend the existing laws.

II. OPERATIONS UNDER THE UNITED STATES EMPLOYEES' COMPENSATION ACT OF SEPTEMBER 7, 1916

Employee coverage under this law is probably substantially greater now than at any time in the 25 years the law has been in operation. The number of individuals whose employment or service brings them within the scope of the law cannot be ascertained with exactness. In addition to personnel regularly employed in civil pursuits in the Federal Service, the law covers officers and enlisted personnel of the Army and the Navy Reserve Corps while engaged in active duty or authorized training duty in time of peace. It is estimated, however, on the basis of reports of the Civil Service Commission and from information received from other sources, that about 1,450,000 individuals are within the purview of this law.

Injuries reported.—During the calendar year 1940, the Commission received reports of 50,035 new injuries, of which 49,700 were nonfatal and 335 fatal. This number does not include any cases involving injuries to emergency employees whose claims for compensation are within the purview of the act of February 15, 1934. The number of new cases reported in 1940 represents, as shown in table 1, an increase of 16 percent over the number reported during 1939 and an increase of 51 percent over the average number of new cases reported annually during the 10-year period 1930 to 1939, inclusive. Although this increase may be accounted for partly by an increase in the number of employees in certain executive departments and establishments, this does not furnish a complete explanation. The number of injuries distributed according to the reporting offices is shown in table 2 for each 6-month period from January 1937 to June 30, 1941. Reference to this table shows that a number of departments reported a larger number of injuries during the calendar year 1940 than in preceding years.

The Department of War leads all other departments in the increase in the number of cases reported in 1940 over 1939, with 3,637 more cases in 1940 than in the previous year. The Department of the Navy leads in the percent of increase with 1,570 more cases in 1940, an increase of 70 percent. The increase in the Department of War is

46 percent; in the Department of the Post Office, 1,247 cases, or 9 percent; in the Commerce Department, excluding Civil Aeronautics Authority, 360 cases, or 55 percent; and in the Department of Justice, 133 cases, or 69 percent.

The Government of the District of Columbia shows an increase for the year of 86 cases, or 17 percent; the Tennessee Valley Authority of 226 cases, or 25 percent.

Departmental bureaus showing increases are the arsenals, 2,624 cases, or 225 percent; the Navy Yards, 1,390 cases, or 95 percent; the Q. M. C., 1,858 cases, or 167 percent; and the City Mail Service with an increase of 650 cases, or 11 percent.

The Department of Agriculture shows a decrease for the year of 1,162 cases, or 15 percent. The Forest Service accounts for 559 cases in this decrease, or 17 percent under 1939.

TABLE 1.—INJURIES REPORTED AND CLAIMS RECEIVED, SEPT. 7, 1916, TO JUNE 30, 1941

Period covered	Injuries reported				Claims received for disability and death			
	Nonfatal	Fatal	Total	Percent change from previous year	Disability	Death	Total	Percent change from previous year
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	−22.21	10,505	427	10,932	−21.50
1921	18,028	362	18,390	−8.42	7,857	310	8,167	−25.30
1922	17,905	354	18,259	−.71	6,804	282	7,086	−13.20
1923	17,713	279	17,992	−1.46	6,466	236	6,702	−5.40
1924	20,260	278	20,538	+14.15	6,890	224	7,114	+6.15
1925	20,377	314	20,691	+.74	6,987	274	7,261	+2.07
1926	19,208	319	19,527	−5.63	6,830	274	7,104	−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	−.58
1931	28,176	262	28,438	+9.09	9,240	168	9,408	+1.35
1932	25,117	231	25,348	−10.87	7,639	190	7,829	−16.78
1933	24,920	230	25,150	−.78	7,226	188	7,414	−5.30
1934	34,121	292	34,413	+36.83	10,124	238	10,362	+39.76
1935	32,822	307	33,129	−3.73	8,670	250	8,920	−13.92
1936	38,119	391	38,510	+16.24	7,711	313	8,024	−10.04
1937	37,364	329	37,693	−2.12	6,754	260	7,014	−12.59
1938	38,069	302	38,371	+1.80	6,101	222	6,323	−9.85
1939	42,939	269	43,208	+12.61	6,638	197	6,835	+8.10
1940								
January	4,037	29	4,066	+17.24	660	14	674	+9.24
February	3,877	33	3,910	+20.68	545	30	575	+17.35
March	4,018	25	4,043	+13.06	570	29	599	+13.45
April	3,731	21	3,752	+19.72	564	18	582	+22.01
May	3,823	30	3,853	+21.20	524	14	538	+6.96
June	3,547	25	3,572	+6.21	434	14	448	−4.88
July	4,057	23	4,080	+19.72	576	23	599	+22.00
August	4,989	32	5,021	+14.09	666	21	687	+12.99
September	4,343	30	4,373	−2.10	668	32	700	+1.16
October	5,016	35	5,051	+28.20	733	31	764	+0.79
November	4,111	22	4,133	+5.76	652	14	666	+5.05
December	4,151	30	4,181	+33.83	645	23	668	+18.02
Total for 1940	49,700	335	50,035	+15.80	7,237	263	7,500	+9.72
1941								
January	4,624	30	4,654	+14.46	792	29	821	+21.81
February	4,250	25	4,275	+9.34	669	22	691	+20.17
March	4,738	26	4,764	+17.83	772	20	792	+32.22
April	4,651	32	4,683	+24.81	704	22	726	+24.74
May	5,164	54	5,218	+35.43	766	39	805	+49.63
June	5,303	51	5,354	+49.89	702	20	722	+61.16
Total for 6 months	28,730	218	28,948	+24.80	4,405	152	4,557	+33.40
Grand total	670,834	8,388	679,222	----------	199,472	6,645	206,117	----------

TABLE 2.—INJURIES REPORTED BY ESTABLISHMENTS FOR 6-MONTH PERIODS, JAN. 1, 1937–JUNE 30, 1941

Establishment	1937		1938		1939		1940		1941
	Jan. to June	July to Dec.	Jan. to June	July to Dec.	Jan. to June	July to Dec.	Jan. to June	July to Dec.	Jan. to June
Department of State	3	7	3	8	8	10	4	9	8
Department of the Treasury:									
Administration	123	119	107	126	213	148	161	168	164
Internal Revenue	200	215	217	246	281	237	262	218	215
Procurement	60	80	95	83	113	83	68	53	53
Engraving and Printing	79	99	151	83	109	126	132	104	222
Public Health Service	38	55	42	53	66	(3)	(3)	------	------
Custodial Service	8	6	4	6	5	10	17	22	11
Bureau of Customs	183	196	168	197	189	188	202	178	199
Mints	93	78	68	91	57	62	58	129	163
Coast Guard	9	10	5	18	25	85	143	104	136
Bureau of Lighthouses	------	------	------	------	------	124	43	9	15
Total, Treasury Department	793	858	857	903	1,058	1,063	1,086	985	1,178
Department of War:									
Arsenals and armory	338	493	380	450	505	662	1,100	2,691	2,588
Other ordnance	80	89	78	47	85	117	166	231	431
Quartermaster	557	486	340	494	496	616	904	2,066	2,827
Engineers	1,643	1,958	1,563	2,562	1,594	2,021	1,173	1,482	1,641
Emergency Conservation Work	98	265	193	192	139	251	199	145	151
Air Service	336	322	221	255	429	484	469	588	800
Federal barge lines	316	348	291	251	236	(3)	(3)	------	------
National Guards	55	55	63	72	107	71	105	95	40
Other War	81	41	53	47	48	37	77	44	173
Total, War Department	3,504	4,057	3,182	4,370	3,639	4,259	4,193	7,342	8,651
Department of Justice:									
Bureau of Investigation	35	40	42	47	39	41	36	58	50
Bureau of Prisons	------	------	------	------	------	39	44	52	48
Immigration	------	------	------	------	------	------	------	74	80
All other Justice	31	28	38	44	55	20	26	37	32
Total, Justice Department	66	68	80	91	94	100	106	221	210
Post Office Department:									
City mail service (clerical and supervisory)	1,082	1,036	1,175	1,102	1,352	1,138	1,523	1,291	1,489
City mail service (carriers and collectors)	2,788	2,346	3,142	2,584	3,445	2,766	3,986	2,885	3,909
Special-delivery messengers	158	134	167	155	172	153	193	169	179
Rural mail delivery	148	101	146	114	164	106	180	119	179
Railway Mail Service	606	649	592	601	592	594	626	593	660
Motor-vehicle service	328	400	433	399	370	405	463	357	368
Custodial and laborers	746	838	873	913	1,017	995	1,156	1,003	1,102
All other Post Office	16	11	24	28	29	20	18	3	15
Total, Post Office Department	5,872	5,515	6,552	5,896	7,141	6,177	8,145	6,420	7,901
Department of the Navy:									
Yards	533	579	442	475	593	867	1,118	1,732	2,425
Naval Reserve Officer's Training Corps	3	33	26	72	12	31	31	40	15
Other Navy	228	222	251	221	343	394	382	507	610
Total, Navy Department	764	834	719	768	948	1,292	1,531	2,279	3,050
Department of the Interior:									
Indian Affairs	228	187	133	175	214	225	196	237	220
National Park Service	454	988	402	430	399	364	195	297	136
Bureau of Biological Survey	------	------	------	------	------	60	51	10	------
Bureau of Fisheries	------	------	------	------	------	60	13	86	74
Reclamation Service	616	726	599	708	804	690	673	706	558
Alaska Road Commission	10	24	10	25	12	39	11	19	10
Emergency Conservation Work	84	111	101	89	101	113	115	104	90
Geological Survey	37	38	36	95	72	92	53	70	67
General Land Office	48	70	27	82	28	94	23	71	19
St. Elizabeths Hospital	47	42	26	51	63	33	45	------	------
U. S. Housing Authority	------	6	34	52	31	(3)	(3)	------	------
Bonneville project	------	------	------	46	98	165	285	515	423
All other Interior	34	35	34	55	100	71	120	104	133
Total, Interior Department	1,558	2,227	1,402	1,808	1,922	2,006	1,780	2,219	1,730

See footnotes at end of table.

TABLE 2.—INJURIES REPORTED BY ESTABLISHMENTS FOR 6-MONTH PERIODS, JAN. 1, 1937–JUNE 30, 1941—Continued

Establishment	1937		1938		1939		1940		1941
	Jan. to June	July to Dec.	Jan. to June	July to Dec.	Jan. to June	July to Dec.	Jan. to June	July to Dec.	Jan. to June
Department of Agriculture:									
Agriculture Adjustment Administration	36	64	59	82	59	151	129	170	129
Soil Conservation Service	563	663	535	503	458	405	287	271	176
Emergency Conservation Work	181	298	346	279	264	361	318	273	254
Farm Security Administration	201	155	97	76	108	103	143	142	158
Farm Credit Administration	------	------	------	------	------	44	37	38	23
Rural Electrification Administration	------	------	------	------	------	4	5	6	4
Bureau of Animal Industry	164	211	199	244	188	222	251	232	237
Forest service	709	1,357	493	1,901	606	2,748	944	1,851	462
Bureau of Public Roads	88	209	115	200	138	(3)	(3)	------	------
Agriculture Economics Bureau	32	39	50	35	57	24	19	20	12
National Agriculture Research Center	------	16	4	23	61	34	40	17	47
Bureau of Plant Industry	48	42	47	58	45	83	78	86	61
Bureau of Dairying Industry	12	12	34	34	31	25	23	32	21
Biological Survey	32	35	62	43	38	(3)	(3)	------	------
Bureau of Plant Quarantine	71	161	93	183	94	640	118	467	103
Extension Service	35	50	51	50	60	54	60	55	70
Surplus Commodities Corporation	------	------	1	2	105	168	30	18	14
All other Agriculture	88	79	69	102	99	99	125	129	114
Total, Agriculture Department	2,260	3,391	2,255	3,815	2,411	5,165	2,607	3,807	1,885
Department of Commerce:									
Inland Waterways Corporation	------	------	------	------	------	311	239	306	256
Bureau of the Census	------	------	------	------	------	10	179	160	358
Bureau of Lighthouses	182	186	191	186	192	(3)	(3)	------	------
Bureau of Air Commerce	36	59	66	[2] 15	(2)	(3)	(3)	115	126
Bureau of Fisheries	22	41	26	65	25	(3)	(3)	------	------
Coast and Geodetic Survey	------	------	------	------	------	------	------	24	40
Bureau of Marine Inspection and Navigation	------	------	------	------	------	9	10	9	7
All other Commerce	38	56	44	52	54	51	44	41	54
Total, Commerce Department	278	342	327	318	271	381	472	655	841
Department of Labor:									
Immigration Service	68	54	55	75	47	47	68	------	------
All other Labor	29	26	17	7	20	20	27	23	51
Total, Labor Department	97	80	72	82	67	67	95	23	51
Federal Security Agency:									
Office of Education, C. C. C	------	------	------	------	------	4	4	3	------
Public Health Service	------	------	------	------	------	70	79	64	63
Employment Service	------	------	------	------	------	1	1	------	------
National Youth Administration	------	------	------	------	------	15	36	28	39
Social Security Board	------	------	------	------	------	101	148	83	63
Civilian Conservation Corps	------	------	------	------	------	------	50	114	115
All others	------	------	------	------	------	1	1	50	46
Total, Federal Security Agency	------	------	------	------	------	192	319	342	326
Federal Works Agency:									
Housing Authority	------	------	------	------	------	53	30	8	9
Public Buildings Administration	------	------	------	------	------	161	295	224	270
Work Projects Administration (administration section only)	------	------	------	------	------	302	343	274	248
Public Roads Administration	------	------	------	------	------	191	126	136	96
Public Works Administration	------	------	------	------	------	84	53	13	42
All others	------	------	------	------	------	------	1	1	1
Total, Federal Works Agency	------	------	------	------	------	791	848	656	666
Federal Loan Agency:									
Reconstruction Finance Corporation	------	------	------	------	------	13	25	16	18
Federal Home Loan Bank Board	------	------	------	------	------	2	1	------	------
Home Owners Loan Corporation	------	------	------	------	------	78	82	72	48
Federal Housing Administration	------	------	------	------	------	37	45	33	32
Total, Federal Loan Agency	------	------	------	------	------	130	153	121	98

See footnotes at end of table.

TABLE 2.—INJURIES REPORTED BY ESTABLISHMENTS FOR 6-MONTH PERIODS, JAN. 1, 1937–JUNE 30, 1941—Continued

Establishment	1937		1938		1939		1940		1941
	Jan. to June	July to Dec.	Jan. to June	July to Dec.	Jan. to June	July to Dec.	Jan. to June	July to Dec.	Jan. to June
Miscellaneous:									
International Boundary Commissions	56	97	95	101	98	126	122	142	102
Veterans' Administration	319	327	356	358	373	394	409	417	832
Government Printing Office	22	23	10	33	22	19	22	31	34
District of Columbia Government	375	417	414	440	282	234	360	242	354
Rural Electrification	3	2	4	3	10	(3)	(3)	(3)	(3)
General Accounting Office	12	23	18	41	24	55	48	79	62
Work Projects Administration	709	385	373	367	408	(3)	(3)	(3)	(3)
Other legislative branches	11	4	1	5	13	8	5	29	35
U. S. Maritime Commission	29	65	29	45	46	56	53	67	33
Federal Home Loan Bank Board	------	2	3	1	2	(3)	(3)	(3)	(3)
Home Owners' Loan Corporation	119	107	99	98	94	(3)	(3)	(3)	(3)
Federal Housing Administration	42	40	37	39	74	(3)	(3)	(3)	(3)
Farm Credit Administration	31	32	14	32	28	(3)	(3)	(3)	(3)
National Youth Administration	9	7	14	8	9	(3)	(3)	(3)	(3)
Reconstruction Finance Corporation	11	12	3	14	18	(3)	(3)	(3)	(3)
Federal Emergency Relief Administration	3	1	1	------	------	(3)	(3)	(3)	(3)
National Advisory Committee for Aeronautics	4	6	5	10	6	11	13	2	5
Federal Communications Commission	3	5	3	1	3	------	------	------	------
Architect of the Capitol	39	43	42	25	17	17	23	6	29
Civil Aeronautics Authority	------	------	------	68	89	88	132	(1)	(1)
Puerto Rico Reconstruction Administration	------	35	4	7	18	(3)	(3)	(3)	(3)
Social Security Board	46	50	93	136	156	(3)	(3)	(3)	(3)
Tennessee Valley Authority	544	736	456	659	404	489	496	623	700
Securities Exchange Commission	6	9	14	8	14	8	19	10	16
Public Works Administration	66	67	45	79	117	(3)	(3)	(3)	(3)
Railroad Retirement Board	------	------	------	------	------	------	24	21	19
All other agencies	100	68	71	81	76	101	131	91	132
Grand total	17,754	19,939	17,653	20,718	19,960	23,248	23,196	26,839	28,948

[1] Transferred to Commerce, June 30, 1940.
[2] Transferred to Civil Aeronautics, June 23, 1938.
[3] Transferred July 1, 1939, under the Reorganization Act.

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, 1940, approximately 10,400 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 5,200 cases are included in the first and second classes, 2,363 in the third class, and 2,832 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-continuing disability cases.—On December 31, 1940, compensation for disability was being paid in 2,363 cases in which it appeared that the disability was permanent or of long indefinite duration. In 503 cases the disability is classified as total and in 1,860 cases as partial. The number of cases in which compensation was being paid for partial disability shows a decrease of 17 as compared with the number at the close of the preceding year. The duration of disability and the cost of benefits paid and estimated in the 2,363 cases open as of December 31, 1940, is tabulated according to the year in which the injury occurred in table 3. In approximately 29 percent of these cases compensation is being paid on account of injuries that occurred 15 or more years prior to December 31, 1940, and in approximately 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, 1940, amounts to $12,474,007. In addition to the compensation paid to injured beneficiaries the Commission expended $1,463,443 for medical attention required on account of the injuries. The estimated value of future instalments of compensation payable in these cases is approximately $16,163,672. This estimate of the cost of future compensation 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 represents future instalments of compensation for disability only and does not make any allowance for probable future changes in the compensation award nor include any allowance for medical care or other benefits, such as additional compensation in certain cases of permanent total disability for the services of an attendant, transportation, and allied costs. The adjusted death rate for this class of beneficiaries computed on the basis of 8,698 years of exposure is 38.4 per thousand per annum, or more than double the normal rate of 16.7 for the same age distribution.

Additional compensation authorized by the amendment to section 6 of the Compensation Act approved May 13, 1936, is being paid in 39 cases of permanent total disability at the close of 1940, in which it was found that the beneficiary was rendered so helpless from the effects of the injury as to require the constant services of an attendant. In 24 cases the beneficiary is totally blind, in 6 cases the disability involves loss or loss of use of 2 or more major members, and in the 9 remaining cases the disability is due to a variety of causes. The additional compensation paid to December 31, 1940, in 39 such cases open during the calendar year 1940, amounts to $65,636. The estimated future cost of this additional compensation alone is $224,594.

TABLE 3.—INCOMPLETE CASES INVOLVING LONG-CONTINUING OR PERMANENT DISABILITY, SHOWING DURATION AND COSTS, BY YEARS, AS OF DEC. 31, 1940

Year	Number of cases	Duration to Dec. 31, 1940	Medical cost	Compensation to Dec. 31, 1940	Estimated future cost
TOTAL DISABILITY					
Before 1916	4	16, 715	$52	$28, 451	$20, 211
1916	2	8, 805	204	17, 316	11, 965
1917	8	53, 034	7, 248	118, 880	85, 987
1918	15	112, 601	16, 357	291, 525	196, 149
1919	37	235, 441	41, 978	613, 304	452, 627
1920	31	200, 728	62, 578	543, 507	364, 569
1921	18	110, 921	15, 403	277, 134	194, 314
1922	20	121, 521	21, 198	298, 942	234, 236
1923	26	139, 203	23, 432	346, 703	299, 989
1924	14	65, 310	22, 490	188, 958	198, 681
1925	18	80, 347	10, 223	218, 180	217, 514
1926	23	107, 839	53, 220	303, 107	285, 717
1927	17	77, 366	33, 855	217, 385	208, 413
1928	22	90, 854	17, 849	258, 237	361, 247
1929	22	81, 198	40, 690	221, 209	317, 290
1930	30	100, 807	21, 491	294, 427	555, 251
1931	27	88, 272	19, 864	267, 306	479, 457
1932	15	43, 027	8, 165	121, 235	216, 201
1933	17	42, 131	10, 261	115, 160	257, 207
1934	23	50, 620	23, 635	144, 358	362, 709
1935	20	36, 563	8, 583	96, 572	291, 385
1936	30	48, 099	21, 123	133, 377	471, 439
1937	30	34, 536	18, 284	90, 448	495, 183
1938	16	14, 434	21, 420	37, 168	229, 498
1939	12	6, 596	6, 973	16, 100	145, 142
1940	6	1, 327	1, 278	3, 118	107, 337
Total	503	1, 968, 295	527, 854	5, 262, 107	7, 059, 718
PERMANENT PARTIAL					
Before 1916	5	7, 413	----------	$15, 600	$16, 746
1916	4	8, 372	$1, 374	16, 795	15, 697
1917	24	61, 860	8, 491	126, 417	83, 194
1918	51	142, 983	28, 972	336, 846	238, 675
1919	73	224, 329	43, 710	536, 203	292, 867
1920	56	158, 346	22, 894	405, 456	251, 152
1921	56	158, 927	43, 157	411, 480	315, 451
1922	53	140, 993	34, 420	357, 659	269, 238
1923	46	111, 094	35, 661	292, 521	275, 877
1924	60	137, 516	33, 382	362, 595	306, 678
1925	60	130, 440	47, 538	332, 029	285, 561
1926	54	107, 489	24, 093	287, 445	237, 008
1927	58	110, 731	35, 826	309, 217	319, 912
1928	71	142, 722	50, 410	393, 261	399, 014
1929	89	147, 095	51, 455	410, 714	482, 861
1930	97	151, 775	57, 684	411, 298	457, 237
1931	92	138, 657	45, 453	344, 475	505, 773
1932	61	80, 604	22, 373	193, 600	288, 114
1933	84	95, 157	44, 914	244, 879	362, 691
1934	102	105, 064	45, 651	285, 346	542, 223
1935	97	91, 344	46, 083	238, 709	487, 481
1936	117	108, 138	62, 988	289, 679	663, 308
1937	110	88, 461	47, 945	231, 440	523, 175
1938	127	78, 384	55, 339	204, 579	547, 509
1939	119	52, 744	33, 615	134, 808	515, 780
1940	94	17, 549	12, 161	38, 849	420, 732
Total	1, 860	2, 798, 187	935, 589	7, 211, 900	9, 103, 954
Grand total	[1] 2, 363	4, 766, 482	1, 463, 443	12, 474, 007	16, 163, 672

[1] Four third-party cases not included since no compensation was paid in 1940.

TABLE 4.—TOTAL MONTHLY COMPENSATION AND COST OF ALL FATAL CASES ACTIVE IN 1940, BY ESTABLISHMENT

Establishment	Number of cases active in 1940	Number of dependents on roll in 1940	Monthly award	Compensation cost in 1940	Compensation cost to Dec. 31, 1940	Estimated future cost	Total compensation	Medical cost	Compensation before death	Burial cost	Total paid and estimated cost
State	6	12	$338.32	$4,055	$35,766	$71,043	$106,809	$910	$513	$875	$109,107
Treasury	168	278	9,499.96	105,690	1,074,183	1,709,541	2,783,724	10,839	11,581	24,933	2,831,077
Justice	170	294	11,088.82	129,537	1,614,171	2,132,081	3,746,252	18,749	2,601	32,382	3,799,984
War	794	1,350	37,532.89	428,669	5,425,694	6,824,581	12,250,275	47,042	40,670	104,117	12,442,104
Post Office	477	706	27,614.03	309,951	3,832,807	4,719,942	8,552,749	57,964	68,606	70,328	8,749,647
Navy	365	601	20,022.26	227,197	2,783,775	3,686,796	6,470,571	12,628	49,309	43,483	6,575,991
Interior	199	378	9,969.08	113,874	1,066,632	1,743,384	2,810,016	18,213	21,256	30,442	2,879,927
Agriculture	303	578	16,436.00	184,493	1,563,612	2,974,161	4,537,773	44,966	27,347	54,376	4,664,462
Commerce	87	145	3,958.79	45,647	377,847	749,573	1,127,420	866	2,039	13,420	1,143,745
Labor	4	4	242.08	2,872	17,542	42,555	60,097	43	----------	833	60,973
Federal Security Agency	36	56	1,817.54	21,263	267,585	371,851	639,436	2,286	4,793	5,355	651,870
Federal Works Agency	39	71	2,436.07	24,807	167,240	402,163	569,403	2,961	2,130	7,151	581,645
Federal Loan Agency	11	21	770.38	9,242	32,122	148,314	180,436	769	1,740	2,510	185,455
Veterans' Administration	75	107	3,448.00	40,858	366,439	666,186	1,032,625	3,061	23,089	10,848	1,069,623
District of Columbia	17	33	872.91	9,792	96,812	134,717	231,529	1,905	2,626	2,367	238,427
U. S. Maritime Commission	74	89	3,813.86	44,403	814,943	735,451	1,550,394	4,600	3,686	6,909	1,565,589
Tennessee Valley Authority	57	155	3,685.96	42,153	173,141	699,965	873,106	1,688	2,772	10,776	888,342
Special act	17	27	888.48	10,262	106,501	86,384	192,885	2,450	6,360	1,100	202,795
All other	19	23	979.29	11,658	101,879	223,650	325,529	2,568	276	3,629	332,002
Total	2,918	4,928	155,414.72	1,766,423	19,918,691	28,122,338	48,041,029	234,508	271,394	425,834	48,972,765

TABLE 5.—TOTAL MONTHLY COMPENSATION AND COST OF ALL FATAL CASES ACTIVE IN 1940, BY YEAR OF INJURY

Year	Number of cases active in 1940	Number of dependents on roll in 1940	Monthly award	Compensation cost in 1940	Compensation cost to Dec. 31, 1940	Estimated future cost	Total compensation	Medical cost	Compensation before death	Burial cost	Total paid and estimated cost
1916	14	14	$492.02	$5,668	$153,977	$67,621	$221,598	$832	$323	$1,224	$223,977
1917	62	63	2,376.67	28,515	693,412	402,901	1,096,313	8,983	12,377	5,031	1,122,704
1918	134	136	5,667.65	66,901	1,588,573	956,786	2,545,359	3,415	19,551	9,746	2,578,071
1919	129	132	5,727.05	68,205	1,552,873	1,004,785	2,557,658	8,089	17,066	12,160	2,594,973
1920	113	114	5,175.51	61,021	1,310,481	893,043	2,203,524	8,451	22,674	10,521	2,245,170
1921	84	86	3,882.63	44,732	951,273	660,929	1,612,202	5,333	10,065	7,722	1,635,322
1922	80	85	3,916.44	46,170	912,024	686,645	1,598,669	7,290	5,738	8,018	1,619,715
1923	96	121	4,718.07	55,076	1,048,842	847,111	1,895,953	10,360	9,535	9,093	1,924,941
1924	84	106	4,043.75	46,193	863,068	678,086	1,541,154	5,000	10,175	8,771	1,565,100
1925	94	126	4,675.32	53,598	970,012	785,099	1,755,111	10,377	8,411	10,583	1,784,482
1926	107	154	5,744.15	66,181	1,087,381	981,014	2,068,395	12,488	6,732	11,670	2,099,285
1927	111	163	6,090.99	72,102	1,077,658	1,094,830	2,172,488	9,683	14,883	20,601	2,217,655
1928	117	187	6,508.59	75,340	1,046,552	1,172,279	2,218,831	13,102	17,586	20,507	2,270,026
1929	141	210	7,848.40	91,545	1,160,189	1,397,665	2,557,854	17,786	13,805	25,033	2,614,478
1930	102	179	6,085.18	71,417	798,944	1,198,855	1,997,799	7,619	11,253	18,103	2,034,774
1931	108	197	5,983.37	69,380	677,528	1,098,370	1,775,898	8,560	13,469	19,662	1,817,589
1932	129	227	6,752.65	75,899	690,476	1,181,963	1,872,439	6,696	13,499	21,411	1,914,045
1933	145	287	7,740.47	90,384	707,680	1,398,337	2,106,017	12,347	12,062	26,752	2,157,178
1934	173	334	9,136.42	104,916	693,066	1,616,549	2,309,615	25,698	23,365	30,476	2,389,154
1935	161	348	8,893.38	102,185	574,384	1,658,152	2,232,536	7,100	8,012	29,410	2,277,058
1936	190	396	10,457.99	119,222	546,773	1,970,126	2,516,899	9,790	14,364	33,141	2,574,194
1937	159	346	9,543.60	106,243	370,701	1,769,461	2,140,162	9,964	1,414	25,936	2,177,476
1938	156	351	9,312.24	104,104	254,584	1,729,728	1,984,312	13,954	4,291	24,810	2,027,367
1939	146	373	9,223.44	103,034	150,202	1,744,375	1,894,577	8,214	744	22,162	1,925,697
1940	83	193	5,418.74	38,392	38,038	1,127,628	1,165,666	3,377	----------	13,291	1,182,334
Total	2,918	4,928	155,414.72	1,766,423	19,918,691	28,122,338	48,041,029	234,508	271,394	425,834	48,972,765
Closed in 1940	86	301	6,434.49	33,976	510,057	----------	510,057	6,939	5,863	11,660	534,519
Active	2,832	4,627	148,980.23	1,732,447	19,408,634	28,122,338	47,530,972	227,569	265,531	414,174	48,438,246

TABLE 6.—INCOMPLETE CASES INVOLVING LONG-CONTINUING OR PERMANENT DISABILITY, SHOWING DURATION AND COSTS AS OF DEC. 31, 1940, BY ESTABLISHMENT

Establishment	Total disability					Partial disability					Total cost
	Number of cases	Duration to Dec. 31, 1940	Medical cost	Compensation to Dec. 31, 1940	Estimated future cost	Number of cases	Duration to Dec. 31, 1940	Medical cost	Compensation to Dec. 31, 1940	Estimated future cost	
Treasury	28	85,007	$24,144	$246,484	$402,259	65	127,731	$37,072	$371,258	$369,450	$1,450,667
Justice	9	29,499	18,638	92,486	146,379	33	53,644	27,743	182,172	215,066	682,484
War	136	615,473	191,696	1,538,319	1,783,891	631	1,082,603	289,715	2,623,193	3,038,354	9,465,168
Post Office	52	211,950	41,463	598,302	773,407	100	148,771	58,143	388,549	576,390	2,436,254
Navy	85	381,709	51,132	1,023,443	1,220,737	172	308,980	54,904	839,336	857,521	4,047,073
Interior	45	157,498	45,823	439,825	676,408	213	287,645	131,473	755,383	977,585	3,026,497
Agriculture	44	150,852	43,830	409,323	651,910	263	280,615	191,096	725,036	1,198,559	3,219,754
Commerce	6	17,409	4,055	47,451	84,091	45	50,526	19,694	132,074	215,751	503,116
Labor	2	4,141	128	10,765	24,274	3	4,914	556	10,801	12,808	59,332
Veterans' Administration	48	148,764	45,966	408,571	623,321	148	230,197	38,253	576,202	636,299	2,328,612
District of Columbia	7	22,583	5,303	57,683	69,904	29	23,156	8,575	54,797	88,979	285,241
Work Projects Administration	3	4,548	1,642	8,701	19,572	20	15,171	9,543	39,215	94,699	173,372
U. S. Maritime Commission	8	48,719	35,157	140,746	127,087	31	84,341	11,524	251,699	216,568	782,781
Tennessee Valley Authority	3	4,774	3,247	9,447	50,786	48	34,131	21,438	92,602	295,081	472,601
All other	4	15,652	6,816	42,513	58,004	39	39,007	34,094	103,759	208,475	453,661
Special act	23	69,717	8,814	188,048	347,688	20	26,755	1,766	65,824	102,369	714,509
Total	503	1,968,295	527,854	5,262,107	7,059,718	1,860	2,798,187	935,589	7,211,900	9,103,954	30,101,122

TABLE 7.—NUMBER AND COST OF FEDERAL FATAL CASES ACTED UPON DURING 1940

Establishment	Number of cases	Number of dependents	Monthly award	Cost in 1940	Cost to Dec. 31, 1940	Estimated future cost	Total compensation	Medical cost	Compensation before death	Burial cost	Total paid and estimated cost
Agriculture	25	56	$1,456.53	$11,764	$13,163	$298,653	$311,816	$1,662		$4,046	$317,524
Commerce	7	16	290.98	2,728	2,910	52,029	54,939	140		1,051	56,130
Interior	19	56	1,048.37	9,410	23,342	213,890	237,232	2,828	$3,676	3,183	246,919
Labor	2	2	119.58	1,402	1,406	24,739	26,145	43		413	26,601
Navy	20	44	1,259.29	9,288	9,413	280,386	289,799	270	643	3,005	293,717
Post Office	16	31	1,058.80	9,768	17,827	178,801	196,628	1,156		2,558	200,342
Justice	2	5	110.85	1,330	1,857	18,488	20,345			497	20,842
Treasury	9	16	571.74	4,296	6,669	129,712	136,381	996		1,409	138,786
War	38	93	2,300.25	21,401	24,640	442,290	466,930	1,819		5,012	473,761
Veterans' Administration	5	9	300.50	3,304	3,720	54,488	58,208	184	6,571	741	65,704
District of Columbia	1	5	62.64	412	412	10,982	11,394	54		200	11,648
U. S. Public Health Service	4	4	206.50	2,052	2,088	43,677	45,765	475		767	47,007
Federal Works Agency	3	10	249.37	1,362	1,480	48,860	50,340	934		300	51,574
Home Owners' Loan Corporation	2	3	124.39	1,493	2,783	28,481	31,264	213	1,272	433	33,182
Interstate Commerce Commission	1	1	61.25	245	245	16,148	16,393				16,393
U. S. Maritime Commission	3	4	96.88	603	6,919	13,110	20,029	10		500	20,539
Architect of the Capitol	1	2	78.75	787	2,270	11,694	13,964	1,740		200	15,904
Civil Aeronautics Authority	3	5	223.13	1,911	1,911	51,085	52,996	8		963	53,967
Tennessee Valley Authority	7	15	310.99	2,944	4,140	52,617	56,757	344	2,718	1,007	60,826
Total	168	377	9,930.79	86,500	127,195	1,970,130	2,097,325	12,876	14,880	26,285	2,151,366
No dependents	40							1,611	326	5,258	7,195
Disapprovals	108							189			189
Grand total	316	377						14,676	15,206	31,543	2,158,750

Fatal cases.—Compensation in the total amount of $1,766,423 was paid during the year ending December 31, 1940, in the form of death benefits to 4,928 dependents of 2,918 deceased employees. Death benefits were awarded during the year in 168 new cases in which 377 dependents were entitled to compensation. During the same period the award to 301 dependents terminated and 86 cases were closed. On December 31, 1940, compensation was being paid in 2,832 fatal cases to, or on the account of 4,627 dependents of deceased employees. The dependents in these cases are 2,422 widows; 1,844 children, 71 dependents over 18 years of age incapable of self-support; 249 parents; 40 brothers, sisters, grandparents, or grandchildren; and 1 widower. The remarriage rate for widows receiving compensation, computed on the basis of 33,594 years of exposure, is only 1.67 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 in table 8 covering the period 1931 to 1940, inclusive:

TABLE 8.—AWARDS, CESSATIONS, AND ACTIVE DEATH CASES, 1931-40

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
1931	2,169	153	81	2,241	1936	2,486	179	124	2,541
1932	2,241	144	87	2,298	1937	2,541	181	119	2,603
1933	2,298	138	103	2,333	1938	2,603	174	86	2,691
1934	2,333	188	106	2,415	1939	2,691	165	107	2,749
1935	2,415	199	128	2,486	1940	2,749	[1] 169	86	2,832

[1] Payments began on a third-party case not previously included.

The average monthly compensation award in 168 fatal cases with dependents, approved during the year 1940, is $59.11. The average award in new cases approved during the 5 preceding years, is, respectively, $63.30 in 1939, $59.76 in 1938, $57.11 in 1937, $58.68 in 1936, and $57.33 in 1935. In addition to the compensation awarded to dependents in these cases, other benefits were authorized in the amount of $54,041, distributed as follows: Burial expense, $26,285; medical expense, $12,876; disability compensation, $14,880. Benefits amounting to $7,195 were awarded in 40 additional cases in which there were no dependents entitled to compensation. The benefits authorized in these approved cases were burial expense, $5,258; medical expense, $1,611; and disability compensation, $326. The compensation awards to dependents in 168 fatal cases approved in 1940, distributed to show the various classes of dependents, the compensation award for each class, and the average monthly compensation, are shown in table 9.

TABLE 9.—AWARDS IN 168 CASES WITH DEPENDENTS, APPROVED IN 1940

FEDERAL ACT

Dependents	Number of dependents	Total monthly award	Total estimated value of award	Average		
				Age	Monthly award	Estimated value of award
Widows	138	$6,934.09	$1,767,114	38.9	$50.25	$12,805
Children under 18	183	2,242.10	236,247	8.9	12.25	1,291
Brothers and sisters under 18	9	51.25	4,542	13.3	5.69	505
Over 18 years and incapable of self-support	7	120.79	43,108	34.6	17.26	6,158
Grandchildren	4	8.75	868	3.8	2.19	217
Fathers	12	161.43	12,335	68.1	13.45	1,028
Mothers	24	412.38	33,121	62.6	17.18	1,380
Total	377	9,930.79	2,097,325			

Compensation costs in 2,918 cases in which payments were made during 1940 are shown in table 5. The cases included in this table are distributed according to the year in which the injury occurred, and it will be noted that in about 25 percent of the cases, compensation is being paid for injuries that occurred previous to 1924. In about 50 percent of all cases compensation is being paid for injuries that occurred previous to 1931. Over $19,918,000 has been paid to the beneficiaries of deceased employees in these cases to and including December 31, 1940. The estimated value of future installments of compensation payable to these beneficiaries is $28,122,338. Other benefits, in addition to death compensation, amounting to $931,736, have been paid in these cases as follows: $234,508 for medical care, $271,394 for compensation on account of disability prior to death, and $425,834 for burial expenses. The estimated total cost of these cases is $48,972,765.

Nonfatal cases disposed of.—During the year 1940 a total of 49,042 nonfatal 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 are: Compensation paid, 5,677; period of disability covered by leave with pay, 11,345; no time lost, 22,514; duration of disability 3 days or less, 5,917; disapproved by the Commission, 3,206; and no claim filed, 387. It is interesting to note that of the 20,615 cases in which disability lasted more than 3 days, 11,345 cases or 55 percent involved no direct compensation benefit, other than medical, the lost time being charged to leave with pay, presumably much of which was sick leave. All of the cases disposed of 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. About 51 percent of the 22,514 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 47 percent of all approved noncompensated cases at a total

cost of $337,081. The total amount expended for medical treatment in all nonfatal cases reported as closed in this report is $710,301. 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 per year.

The number of cases disapproved by the Commission in 1940 represents 6.5 percent of all cases disposed of during that year. The number of such cases in the preceding year represents 6.6 percent of the cases disposed of in that year. The percentage of cases disapproved in 1938 is 7.6 percent; in 1937, 7.7; in 1936, 8.5; in 1935, 8.2; and in 1934, 6.7. The number of cases disapproved by the Commission for the 4 years 1937 to 1940, inclusive, and the reason for disapproval are shown in table 10.

TABLE 10.—DISAPPROVED CASES, 1937–40

Reason for disapproval	1940		1939		1938		1937	
	Nonfatal	Fatal	Nonfatal	Fatal	Nonfatal	Fatal	Nonfatal	Fatal
Disability not due to injury	2,926	70	2,546	49	2,494	76	2,484	68
Injury not sustained while in performance of duty	166	36	149	18	140	29	152	12
Claim not filed within the statutory limit	67	2	84	3	93	4	59	8
Claimant not a civil employee	39		21	1	19		19	5
Accepted retirement, no compensation paid			7		6		6	
Intoxication proximate cause of injury			2		1		3	1
Injury due to willful misconduct	1						1	
Miscellaneous and incomplete	7		27		35		270	
Total	3,206	108	2,836	71	2,788	109	2,994	94

Temporary total disability.—In 22,972 lost-time cases closed during 1940, the injury caused 461,976 days of temporary total disability. Approximately 48 percent of the loss of time, or 223,768 days, was covered by leave of absence with pay. In 11,271 cases the entire period of temporary disability was covered by leave and no compensation was awarded for the 182,464 days lost due to disability. Although not reflected in compensation costs this loss in time of 223,768 days covered by leave is equivalent to an average work year of 257 days for about 870 employees, and represents an additional cost to the Government for injuries to its employees. If this hidden cost is computed on the basis of a presumed annual wage of $1,500 which is probably close to the average for this class, the cost to the Government for time lost on account of such injuries is nearly $1,300,000, and this sum should be added to the amount actually paid to injured employees in the form of disability compensation to ascertain the total cost.

In 5,404 compensated cases the disability amounted to 262,443 days, of which 33,809 days were covered by leave of absence with pay. Disability compensation awarded for lost time without pay in these cases amounts to $573,127. The average duration of disability in compensated cases is 48.6 days, and the average compensation awarded amounts to $106.06 per case. The average duration and

compensation awarded in cases closed in 1940 is less than in 1939, when the average duration was 55 days and the average award $121. The average duration of disability in similar cases closed in 1938 is 56 days; in 1937 is 51 days; and in 1936, 55 days. The average award in the respective years is $124, $115, and $130.

Table 11 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, 1941, is shown in table 12. This tabulation shows that 25.7 percent of the temporary disability cases closed in 1940 did not involve compensation because of the 3-day waiting period, that 82.8 percent did not extend beyond 4 weeks, 90.7 percent were 7 weeks or less in duration, and that 97.5 percent were back at work by the end of the fifteenth week.

TABLE 11.—NUMBER, DURATION, AND COST OF LOST TIME INJURIES CAUSING TEMPORARY TOTAL DISABILITY CLOSED DURING 1940

Establishment	All cases				Compensated cases								
	Number of cases	Duration (days)	Leave (days)	Average duration	Number of cases	Duration (days)	Leave (days)	Compensation	Average		Medical		Number of additional awards
									Duration	Compensation	Number of cases	Cost	
Agriculture	3,200	73,756	23,384	23.0	1,040	51,632	3,516	$115,756	49.6	$111.30	873	$66,215	137
Commerce	648	15,591	3,643	24.1	319	12,444	797	25,647	39.0	80.40	156	5,305	10
Interior	1,624	37,427	11,821	23.0	580	27,193	2,326	57,935	46.9	99.89	413	33,359	77
Justice	117	2,289	1,725	19.6	8	662	169	1,421	82.8	177.63	4	1,671	4
Labor	44	723	689	16.4	1	10	--------	19	10.0	19.00	1	118	2
Navy	2,837	57,957	37,740	20.4	465	25,979	6,489	53,426	55.9	114.89	121	11,416	57
Post Office	6,772	123,449	72,566	18.2	1,244	58,935	10,701	142,154	47.4	114.27	698	60,195	121
International Boundary	152	1,829	819	12.0	25	1,060	118	2,091	42.4	83.64	24	1,843	3
State	5	237	133	47.4	1	176	72	165	176.0	165.00	1	286	--------
Treasury	892	13,891	10,815	15.6	48	3,475	674	8,358	72.4	174.13	22	2,030	7
War	3,719	79,526	30,653	21.4	1,138	52,422	4,970	108,088	46.1	94.98	625	46,930	127
Veterans' Administration	675	13,624	9,450	20.2	62	5,620	1,616	8,120	90.6	130.97	18	1,025	14
District of Columbia Government	408	8,884	4,526	21.8	64	4,869	569	8,635	76.1	134.92	22	2,545	4
Government Printing Office	36	1,198	937	33.3	7	258	1	755	36.9	107.86	4	226	--------
U. S. Maritime Commission	53	1,022	545	19.3	7	557	102	1,073	79.6	153.29	--------	31	3
Tennessee Valley Authority	550	11,233	2,203	20.4	238	9,075	363	22,497	38.1	94.53	96	7,256	36
Civil Aeronautics Authority	52	1,044	589	20.1	13	465	80	1,059	35.8	81.46	6	1,180	1
Social Security Board	222	3,670	2,849	16.5	10	950	225	2,243	95.0	224.30	5	637	--------
Federal Works Administration	733	10,610	6,239	14.5	112	5,011	841	10,235	44.7	91.38	86	8,911	12
Home Owner's Loan Corporation	83	1,000	750	12.0	7	289	62	750	41.3	107.14	7	643	2
All others	150	3,016	1,692	20.1	15	1,361	118	2,700	90.7	180.00	5	2,676	4
Total	22,972	461,976	223,768	20.1	5,404	262,443	33,809	573,127	48.6	106.06	3,187	254,498	621

Establishment	Noncompensated cases																		Total number of additional awards
	Leave cases						No claim filed						3 days or less						
	Number of cases	Duration (days)	Leave (days)	Medical		Number of additional awards	Number of cases	Duration (days)	Leave (days)	Medical		Number of additional awards	Number of cases	Duration (days)	Leave (days)	Medical		Number of additional awards	
				Number of cases	Cost					Number of cases	Cost					Number of cases	Cost		
Agriculture	1,207	19,112	18,698	933	$39,044	99	139	1,337	55	97	$1,441	8	814	1,675	1,115	550	$5,742	33	277
Commerce	188	2,749	2,716	49	2,061	6	13	125		5	122	1	128	273	130	30	400	1	18
Interior	562	8,989	8,823	375	18,713	45	36	321	37	19	484	1	446	924	635	307	3,781	20	143
Justice	85	1,531	1,510	41	5,059	7	1	45		1	167		23	51	46	6	57		11
Labor	25	549	537	15	817	4	1	133	124	1	52		17	31	28	4	44		6
Navy	1,713	29,734	29,541	163	7,006	23	27	866	426	3	325	1	632	1,378	1,284	23	377	4	85
Post Office	3,715	60,063	58,995	1,712	52,229	130	86	980	233	37	718		1,727	3,471	2,637	580	6,169	35	286
International Boundary	66	606	587	52	850	2	5	45	11	4	57		56	118	103	42	335	2	7
State	3	58	58	1	5								1	3	3				
Treasury	571	9,676	9,557	168	13,248	28	5	179	76	2	27		268	561	508	32	399	4	39
War	1,586	24,564	24,126	776	31,533	64	52	644	120	31	697	1	943	1,896	1,437	466	5,442	21	213
Veterans' Administration	452	7,620	7,499	19	957	4	2	39	23	1	41		159	345	312	3	58	1	19
District of Columbia Government	247	3,812	3,778	51	1,718	1							97	203	179	7	30		5
Government Printing Office	24	931	927	8	597	1							5	9	9				1
U. S. Maritime Commission	36	444	426	14	306	1							10	21	17	4	23	1	5
Tennessee Valley Authority	115	1,721	1,677	61	2,425	5	9	65		2	28		188	372	163	26	312		41
Civil Aeronautics Authority	23	505	501	18	1,762		4	48		2	72		12	26	8	6	84		1
Social Security Board	151	2,587	2,523	55	2,511	1	1	10		1	5		60	123	101	15	186		1
Federal Works Administration	387	5,111	5,002	160	7,610	16	3	13		1	3		231	475	396	75	1,257	6	34
Home Owner's Loan Corporation	44	634	629	17	1,280	7	1	13		1	53		31	64	59	7	146	2	11
All others	71	1,468	1,428	24	1,750	7	2	59	46				62	128	100	6	94	1	12
Total	11,271	182,464	179,538	4,712	191,481	451	387	4,922	1,151	208	4,292	12	5,910	12,147	9,270	2,189	24,936	131	1,215

TABLE 12.—NUMERICAL AND PERCENTAGE DISTRIBUTION OF TEMPORARY TOTAL DISABILITY CASES ACCORDING TO NUMBER OF DAYS DISABLED IN CASES CLOSED DURING CALENDAR YEAR, 1940, AND CUMULATIVE EXPERIENCE, SEPT. 7, 1916, TO DEC. 31, 1940

Number of days disabled	Sept. 7, 1916, to Dec. 31, 1940			1940			
	Number of cases	Percent of total number of cases	Cumulative percent	Number of cases	Duration (days)	Percent of total number of cases	Cumulative percent
1 to 3	81,936	22.42	22.42	5,904	12,134	25.69	25.69
4 to 7	77,244	21.13	43.55	5,143	27,427	22.38	48.07
8 to 14	74,383	20.35	63.90	4,591	48,891	19.98	68.05
15 to 21	38,087	10.42	74.32	2,155	38,251	9.38	77.43
22 to 28	22,058	6.03	80.35	1,226	30,485	5.34	82.77
29 to 35	15,861	4.34	84.69	787	24,982	3.43	86.20
36 to 42	10,738	2.94	87.63	557	21,794	2.42	88.62
43 to 49	8,613	2.36	89.99	468	21,520	2.04	90.66
50 to 56	6,464	1.77	91.76	401	21,222	1.75	92.41
57 to 63	5,369	1.47	93.23	315	18,949	1.37	93.78
64 to 70	3,913	1.07	94.30	251	16,679	1.09	94.87
71 to 77	2,862	.78	95.08	186	13,730	.81	95.68
78 to 84	2,283	.62	95.70	134	10,843	.58	96.26
85 to 91	1,904	.52	96.22	109	9,571	.47	96.73
92 to 98	1,611	.44	96.66	119	11,294	.52	97.25
99 to 105	1,250	.34	97.00	64	6,526	.28	97.53
106 to 112	1,006	.28	97.28	62	6,756	.27	97.80
113 to 119	872	.24	97.52	56	6,515	.24	98.04
120 to 126	840	.23	97.75	42	5,155	.18	98.22
127 to 133	670	.18	97.93	36	4,688	.16	98.38
134 to 140	565	.15	98.08	25	3,421	.11	98.49
141 to 147	492	.13	98.21	26	3,737	.11	98.60
148 to 154	463	.13	98.34	22	3,321	.10	98.70
155 to 161	410	.11	98.45	23	3,632	.10	98.80
162 to 168	330	.09	98.54	21	3,461	.09	98.89
169 to 175	317	.09	98.63	14	2,402	.06	98.95
176 to 182	248	.07	98.70	16	2,862	.07	99.02
183 to 365	3,197	.87	99.57	162	40,546	.71	99.73
366 to 547	786	.22	99.79	38	16,353	.17	99.90
548 to 730	325	.09	99.88	8	5,464	.03	99.93
730 plus	456	.12	100.00	17	19,370	.07	100.00
Total	365,553	100.00	----------	22,978	461,981	100.00	----------

Permanent partial disability.—Permanent partial disability cases closed during 1940 number 327 as compared with 202 closed during the preceding year. In 77 of these cases no compensation was paid as all but 21 days of the entire period of disability of 3,082 days was covered by leave of absence with pay and the injured employee was able to resume his employment without compensable loss in earning capacity. 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 may suffer a subsequent loss in earning capacity attributable to the permanent loss incurred. The duration of disability in the 250 compensated permanent disability cases is 148,043 full days, for which compensation was paid in the amount of $385,419. In addition to the compensation paid to injured employees, the sum of $63,996 was expended for medical treatment. This amount does not include $3,842 for such treatment in 32 of the 77 cases in which no compensation was paid. The average duration of disability in compensated cases closed during 1940 is 592 days as compared with 956 days in cases closed during 1939. The average award for the respective years is $1,542 and $2,558. Table 13 classifies these cases by reporting office and shows the number of cases, duration of disability, and the amount of compensation.

TABLE 13.—NUMBER, DURATION, AND COSTS OF PERMANENT PARTIAL DISABILITY CASES CLOSED DURING 1940

Establishment	All cases			Compensated cases									Noncompensated cases						Total number of additional awards
	Number of cases	Duration (days)	Average duration	Number of cases	Duration (days)	Leave (days)	Compensation	Average		Medical		Number of additional awards	Number of cases	Duration (days)	Leave (days)	Medical		Number of additional awards	
								Duration (days)	Compensation	Number of cases	Cost					Number of cases	Cost		
Agriculture	36	12,599	350	34	12,523	681	$26,501	368	$779.44	32	$11,533	11	2	76	74	2	$475	1	12
Commerce	8	2,297	287	7	2,293	72	7,041	328	1,005.86	5	741	-------	1	4	4	-------	31	2	2
Interior	31	15,177	490	25	14,991	190	34,920	600	1,396.80	15	14,864	7	6	186	186	2	92	2	9
Justice	4	2,403	601	3	2,381	233	8,133	794	2,711.00	3	593	-------	1	22	22	1	173	1	1
Navy	64	26,011	406	43	25,178	685	74,291	586	1,727.70	24	6,222	27	21	833	831	5	367	2	29
Post Office	23	9,605	418	16	9,405	1,119	24,561	588	1,535.06	15	6,258	9	7	200	196	4	585	3	12
Treasury	13	17,025	1,310	9	16,833	430	56,020	1,870	6,224.44	8	4,301	8	4	192	192	1	147	1	9
War	94	46,347	493	73	45,622	548	113,000	625	1,547.95	55	13,343	34	21	725	716	12	1,185	7	41
Veterans' Administration	17	9,133	537	12	8,860	586	21,191	738	1,765.92	5	1,647	6	5	273	271	1	75	-------	6
District of Columbia	10	5,973	597	10	5,973	304	11,730	597	1,173.00	6	1,707	4	-------	-------	-------	-------	-------	-------	4
Tennessee Valley Authority	11	2,555	232	10	2,505	4	4,924	251	492.40	7	1,722	2	1	50	50	1	101	-------	2
Federal Works Agency	7	845	121	5	761	88	1,397	152	279.40	3	771	1	2	84	84	1	79	-------	1
All other	9	1,155	128	3	718	165	1,710	239	570.00	-------	294	4	6	437	435	2	532	2	6
Total	327	151,125	462	250	148,043	5,105	385,419	592	1,541.68	178	63,996	113	77	3,082	3,061	32	3,842	21	134

Permanent total disability.—Twenty-three injury cases in which disability was classified as permanent total were closed in the files of the Commission during the calendar year 1940. The duration of disability in these cases is 94,716 days, or an average of slightly more than 11 calendar years per case. More than half of these injuries occurred prior to the year 1928.

The total amount expended by the Commission in the 23 cases is $273,846, or $11,906 per case. Of this average cost, $1,778 or about 15 percent, represents expenditures for medical care. This medical expense is exclusive of services rendered by governmental medical and hospital facilities.

Of the 23 cases, 19 were terminated by the death of the injured from causes either adjudged noncompensable, or found to have occurred outside the statutory period. The 23 cases are shown by year of injury in table 14.

TABLE 14.—NUMBER, DURATION, AND COSTS OF PERMANENT TOTAL DISABILITY CASES CLOSED IN 1940, BY YEAR OF INJURY

Year injured	Number of cases	Duration (days)	Leave (days)	Compensation	Medical cost	Total cost	Average cost per case
1917	1	8,198	3	$11,507	$294	$11,804	$11,804
1920	2	14,644	----------	20,857	559	21,416	10,708
1921	1	6,172	----------	20,174	510	20,684	20,684
1922	1	3,803	24	9,818	68	9,886	9,886
1923	1	6,312	68	11,585	827	12,412	12,412
1924	2	10,096	----------	22,704	1,466	24,170	12,085
1925	1	5,415	30	11,518	12,023	23,541	23,541
1926	3	13,645	273	43,583	13,807	57,390	19,130
1928	1	4,396	1	16,157	283	16,440	16,440
1929	2	7,493	40	21,241	1,391	22,632	11,316
1930	1	3,502	12	13,093	428	13,521	13,521
1932	2	5,702	38	17,849	6,111	23,960	11,980
1935	2	3,505	46	7,051	187	7,238	7,238
1936	1	1,059	70	3,792	1,323	5,115	5,115
1937	1	232	----------	439	980	1,419	1,419
1938	1	542	125	1,576	642	2,218	2,218
Total	23	94,716	730	232,947	40,899	273,846	11,906

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 the 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, 1941, for medical treatment and transportation for the purpose of securing the same, are as follows:

Physician or surgeon	$418, 006. 51
Hospital	343, 637. 12
Appliances	16, 389. 34
Nurse	22, 873. 79
Transportation	36, 973. 11
Miscellaneous	23, 403. 71
Grand total	861, 283. 58

Payments made from the compensation fund for medical treatment in 3,387 of the 5,677 compensated nonfatal cases closed in 1940 amount to $359,393, or $106.11 per case treated. The expense for this service in 18,705 noncompensated nonfatal cases out of a total of 40,159 such cases closed during 1940 is $18.02 per case treated. Medical treatment furnished in 81 of 316 fatal cases approved in 1940 cost $14,676, or $181.19 per case treated. Expenditures from the compensation fund for medical treatment in 306,024 out of a total of 641,067 cases tabulated prior to December 31, 1940, amount to $11,395,446, or an average of $37.24 per case treated.

These costs do not include payments for medical treatment in nonfatal cases which are still active. Expenditures to December 31, 1940, for medical treatment in 503 permanent or prolonged total disability cases still open on that date amount to $527,854, or $1,049 per case, and in 1,860 incomplete permanent partial disability cases expenditures for this purpose amount to $935,589, or $503 per case. In many of these permanent disability cases the injured employees are still in hospitals, or under medical treatment. So far as practicable these cases are hospitalized in institutions operated by the Government. Medical payments in cases closed during 1940, together with the amount paid in all cases tabulated prior to December 31, 1940, are shown in table 15.

Third-party cases.—Recoveries were made in 409 cases closed during 1940 in which the injury occurred under circumstances creating a legal liability upon a third party for the payment of damages. In 11 fatal cases the gross value of the recovery is $52,116 and the net value after deducting attorneys' fees and other costs of collection is $36,628, of which $29,626 represents the estimated net saving in compensation costs. This saving is 26 percent of the total benefits paid and estimated to be paid in these 11 fatal cases. In 2 permanent total injury cases gross recoveries amount to $13,410 and net recoveries, $8,717, all of which is a net saving in compensation costs. In 396 other nonfatal injury cases, the gross value of the recovery is $285,695 and the net value is $209,531, of which $55,342 is a direct saving in compensation costs. This saving is 73 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 $93,685, of which $46,268 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, 1940, 59 fatal and 579 nonfatal cases were 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 are shown in tables 16 and 17.

TABLE 15.—SUMMARY OF MEDICAL PAYMENTS IN NONFATAL CASES CLOSED AND FATAL CASES ACTED UPON DURING 1940, AND CUMULATIVE DATA SEPT. 7, 1916, TO DEC. 31, 1940

Classification	1940			Sept. 7, 1916, to Dec. 31, 1940		
	Number of cases	Number with medical payments	Total medical cost	Number of cases	Number with medical payments	Total medical cost
Compensated cases:						
Temporary total disability	5,404	3,187	$254,498	157,115	85,599	$5,650,176
Permanent partial disability	250	178	63,996	6,916	5,007	1,241,671
Fatal cases approved	316	81	14,676	6,376	2,115	454,298
Permanent total (closed)	23	22	40,899	489	448	461,262
Total	5,993	3,468	374,069	170,896	93,169	7,807,407
Noncompensated cases:						
Covered by leave:						
Temporary total disability	11,271	4,712	191,481	111,125	43,363	1,599,573
Permanent partial disability	74	31	3,769	925	458	55,943
Total	11,345	4,743	195,250	112,050	43,821	1,655,516
No claim filed:						
Temporary total disability	387	208	4,292	15,285	4,571	76,778
Permanent partial disability				100	26	1,609
Total	387	208	4,292	15,385	4,597	78,387
3 days or less:						
Temporary total disability	5,910	2,189	24,936	81,944	28,995	358,004
Permanent partial disability	3	1	73	106	48	1,677
Total	5,913	2,190	25,009	82,050	29,043	359,681
No time lost: Total	22,514	11,564	112,530	223,108	123,010	1,112,913
Total noncompensated cases	40,159	18,705	337,081	432,593	200,471	3,206,497
Disapproved (noncompensable)	3,314	705	14,016	37,578	12,384	381,542
Grand total	49,466	22,878	725,166	641,067	306,024	11,395,486

TABLE 16.—DISPOSITION OF CASES EXAMINED FOR POSSIBLE THIRD PARTY LIABILITY, FROM JAN. 1, 1940, TO DEC. 31, 1940

Establishment	Cases pending Jan. 1, 1940	New cases received in 1940	Cases closed during calendar year 1940				Pending cases Dec. 31, 1940	
			Closed no liability	Closed for other reasons	Completed cases where recovery was made		Fatal	Nonfatal
					Fatal	Nonfatal		
Agriculture	89	126	2	86	3	30	18	76
Interior	9	18		9	2	5	1	10
Navy	11	26		11		6	2	18
Post Office:								
City Mail Service	226	370	6	208	3	136	9	234
Railway Mail Service	73	121	1	54		76		63
Rural Mail Service	19	36	2	19	1	13		20
Motor Vehicle Service	23	54		12		41		24
Other Post Office Employees	12	6	1	5		6	1	5
Total, Post Office	353	587	10	298	4	272	10	346
Treasury	37	69	1	39	1	25	5	35
War	23	41		22		11	8	23
Federal Loan Agency		10		2		4	2	2
Federal Security Agency		11		4		3		4
Works Projects Administration [1]	45	26	1	22		22	1	25
Other establishments	60	68	2	53	1	20	12	40
Total, Federal	627	982	16	546	11	398	59	579

[1] Administrative employees only.

TABLE 17.—BENEFITS PAID AND ESTIMATED AND DAMAGES RECOVERED DURING 1940 IN INJURY CASES ARISING FROM NEGLIGENCE OF THIRD PARTY

Disability	Total number of third-party cases open during year	Court costs paid	Recoveries				Refund received by the Commission	Estimated net credit to Government
			Number of cases	Amount approved		Benefits paid and estimated		
				Gross	Net			
Fatal	131	--------	11	$52, 116	$36, 628	$113, 610	$9, 612	$29, 626
Permanent total	2	$28	2	13, 410	8, 717	30, 435	1, 297	8, 717
Other, nonfatal	1, 476	1, 188	396	285, 695	209, 531	75, 428	35, 359	55, 342
Total	1, 609	1, 216	[1] 409	351, 221	254, 876	219, 473	46, 268	93, 685

[1] This total includes 29 cases upon which property damage was recovered in the amount of $5,108. This amount has not been included in the tabulation. On 19 cases the amounts of the recoveries are unknown.

The tabulation of causes of nonfatal injuries formerly included in the annual reports of the Commission is omitted from this report for the reason that current information of this nature is published in the Commission's monthly Safety Bulletin. An analysis of the causes of nearly 50,000 nonfatal injury cases reported during the calendar year 1940 discloses that approximately 37 percent of such cases fall within two main causes of injuries: "Handling objects" and "Falls of persons." Handling objects constitutes the principal cause of such injuries, accounting for 22 percent of the total nonfatal cases reported. Falls of persons is second as the cause of 15 percent.

Other causes which together with handling objects and falls of persons account for two-thirds of the cases surveyed are distributed in the order of their importance as follows: Stepping in or on objects, 9 percent of the total surveyed; striking against objects, 8 percent; flying and swinging objects, 6 percent; and hand tools, 6 percent. For detailed analysis of these causes, the various issues of the Safety Bulletin should be consulted.

The principal accident cause of fatal injuries to civilian employees is vehicles which accounts for 23 percent of the total surveyed. Falls of persons is second and accounts for approximately 13 percent of the total.

Cost of compensation law.—An analysis of expenditure from the compensation fund showing the amount expended for the different classes of benefits during the 5 fiscal years 1937–41, inclusive, is shown in table 18. The administrative expense connected with this law cannot be stated exactly, as part of the general overhead is properly chargeable to each of the several laws administered by the Commission. The Commission expended $569,869 for administrative purposes during the fiscal year 1941 and it is estimated that $235,066 of this amount fairly represents the cost of administering this particular law. Expenditures for compensation benefits during the same fiscal year amounted to $4,980,875 and therefore the administrative expense for this law is only about 4.7 percent of the total cost. The amounts reported do not include any expenditures from funds appropriated for emergency work. Table 19 furnishes a comparative statement of annual appropriations and expenditures for administrative expenses and compensation benefits, respectively, for each fiscal year since the Commission was organized.

TABLE 18.—COMPARATIVE STATEMENT OF EXPENDITURES FROM THE EMPLOYEES' COMPENSATION FUND, JULY 1, 1936, TO JUNE 30, 1941

Items	Fiscal year—				
	1937	1938	1939	1940	1941
Employees' compensation fund:					
Injury compensation	$1, 968, 735	$1, 877, 038	$1, 866, 460	$1, 972, 575	$2, 233, 148
Lump-sum awards (injury)	9, 883	2, 903	3, 025		1, 218
Medical treatment and supplies	721, 555	625, 649	573, 401	638, 250	824, 311
Transportation (sec. 9)	31, 876	33, 619	39, 003	39, 631	36, 973
Death compensation	1, 658, 788	1, 690, 915	1, 718, 628	1, 790, 570	1, 857, 841
Lump-sum awards (death)		3, 024		2, 465	
Burial expenses	33, 258	28, 375	26, 973	29, 582	25, 238
Embalming and transportation (sec. 11)	3, 797	2, 418	2, 954	3, 052	2, 064
Court costs	1, 166	1, 928	426		82
Total	4, 429, 058	4, 265, 869	4, 230, 870	4, 476, 125	4, 980, 875

TABLE 19.—APPROPRIATIONS AND EXPENDITURES, 1916–41

	Salaries and expenses		Compensation fund	
	Total appropriations	Net expenditures, including estimated outstanding liabilities at the end of fiscal year	Total appropriations [1]	Net expenditures
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	522, 300. 00	[6] 183, 363. 00	4, 250, 000	4, 254, 371. 00
1937	[7] 516, 250. 00	[6] 235, 156. 00	[7] 4, 750, 000	4, 429, 058. 00
1938	527, 750. 00	[6] 232, 109. 00	4, 650, 000	4 265, 869. 00
1939	557, 275. 00	[6] 237, 210. 00	4, 775, 000	4, 230, 870. 00
1940	[8] 584, 300. 00	[6] 248, 619. 00	4, 500, 000	4, 476, 125. 00
1941	[8] 568, 900. 00	[6] 235, 066. 00	5, 100, 000	4, 980, 875. 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 1937. 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.
[8] Does not include transfer authorized from Emergency Relief appropriation.

Recommendations for legislation.—The history of nearly all workmen's compensation laws is marked by frequent amending legislation designed to meet ever changing conditions affecting employment, to correct defects in administrative procedure, and to liberalize the provisions of such laws to more effectively achieve the objectives for which

they were conceived. The Federal Employees' Compensation Act of September 7, 1916, is somewhat of an exception in this respect for there have been relatively few amendments to this law in the 23 years since its enactment. This is a tribute to the foresight and wisdom of its authors for it has operated during these years in a manner that might generally be described as satisfactory. There has been but one essential amendment to liberalize its benefits, namely the amendment approved February 12, 1927, which increased the maximum and minimum compensation rates which prior to that date were wholly inadequate.

It is the opinion of the Commission that amendments should be enacted to correct certain inequities in the law which operate unfairly to the disadvantage of certain beneficiaries, to extend the benefits of law to certain classes not now entitled thereto and to stengthen certain administrative features. Some of the recommendations made herein have been proposed heretofore. They are again renewed with the conviction that their enactment is essential in the interest of justice and efficient administration. These amendments are submitted in the order of the section of the law to which they relate and without regard to their relative importance:

Sec. 4. This section authorizes the payment of compensation to employees partially disabled as a result of an injury and provides that such compensation shall be equivalent to 66⅔ percentum of the difference between the employee's monthly pay at the time of injury and his monthly wage earning capacity after the beginning of such partial disability. In many cases in which compensation is payable under this section the injured person has potentialities for gainful employment which, if developed through vocational training and rehabilitation, would result in a gain to society and ultimately reduce compensation costs by restoring to the injured person a substantial wage earning capacity. Under existing law, such injured employees are eligible for training under the vocational rehabilitation services operated through State agencies in those States receiving financial aid from the Federal Government to support such services. However, no provision has been made to assist beneficiaries of the Federal Employees' Compensation Act to take full advantage of the opportunity to receive the required training. Such employees, particularly those with dependents, cannot maintain themselves and their families with the relative small compensation received for partial disability and, under such circumstances, it is not feasible for them to accept training. It appears desirable, therefore, to encourage the economic rehabilitation of permanently disabled employees by making suitable provisions for the payment of additional compensation to such employees for their maintenance while undergoing vocational rehabilitation under the direction of the Commission. A precedent for this course of action may be found in the Longshoremen's and Harbor Workers' Compensation Act. The Commission believes the law should be amended to include similar provisions in the Federal Employees' Compensation Act.

Sec. 7. This section provides that as long as an employee is in receipt of compensation under the Compensation Act he shall not receive from the United States any salary, pay, or remuneration whatsoever except in return for services actually performed. The only exception is pensions for services in the Army and Navy of the United States. There have been instances in which this section has seemingly operated unjustly because of the strict interpretations of the word "pension" by the Comptroller General of the United States. Thus a person receiving retainer pay from the Navy is not entitled to compensation for disability resulting from an injury while in the performance of duty as a civil employee of the United States while he continues to receive retainer pay. The receipt of retainer pay does not preclude the employment of the recipient in a civil capacity in the Federal service or payment of salary or wages for such services. Since disability compensation is paid for loss of wage due to disability resulting from injury, payment of such compensation should be permitted in cases of this kind provided the retainer pay or other allowance is not increased by reason of the same or related disability. In other words an injured person entitled to receive

retainer pay should be compensated for his loss in wage on account of injury just as any other employee in the same employment. The Commission believes section 7 should be amended to correct this injustice.

SEC. 10. Under section 10 of the existing law the compensation awarded to dependent parents 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.

In cases of death where there is no widow and the deceased employee is survived by children, "the compensation of a child under legal age shall be paid to its guardian." The same procedure is required in respect to payment of compensation awarded to a "brother, sister, or grandchild under legal age." This requirement of the law has led to administrative difficulties in connection with the payment of compensation to minors in cases in which the estate has been so small as not to warrant the expense necessary to obtain and continue guardianship. The Commission believes the law should be amended so as to permit payment of compensation in the discretion of the Commission to any State officer authorized to receive funds for such minors or to a responsible person having custody of the minor.

SEC. 11. 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 the 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.

SEC. 27. Subparagraph (a) of this section provides that where a beneficiary who has been paid compensation under this act recovers money or other property in satisfaction of the liability of a third person to pay damages for the injury "he shall refund to the United States" the amount of compensation paid by the Commission on account of such injury. There is no penalty, however, for failure to make such refund. This is a defect in the law which should be corrected and the Commission recommends an appropriate amendment for this purpose.

SEC. 40. The word "Employee" as used in this act is defined in section 40 to include "All civil employees of the United States." The Attorney General of the United States in an opinion dated November 22, 1917, held that a distinction must be made between "officer" and "employee" and that the benefits of the Compensation Act do not extend to officers of the Federal Government. The number of the latter has increased materially since the compensation law was enacted and in many instances those within this category receive salaries below that received by persons in the Federal service classified as employees. The risks of injury incidental to employment is as great in the case of an officer as it is in the case of an employee engaged in work of the same general classification and there appears to be no logical grounds for discrimination between the two. The Commission accordingly recommends an amendment to bring officers of the United States within the purview of this law.

SEC. –. Under existing law there is no authority for the regulation of fees for legal or other services rendered in respect to a claim or an award for compensation.

Such authority is usually conferred upon the agency administering workmen's compensation laws. This is necessary in order to prevent excessive claims against beneficiaries who may receive an award of compensation. Such authority is found in the Longshoremen's and Harbor Workers' Act and in the Act of February 15, 1934, extending compensation benefits to persons employed on emergency relief work. The Commission believes a new section should be added to the Federal Employees' Compensation Act to provide similar authority to regulate fees for legal and other services in cases arising under that law.

III. OPERATIONS UNDER THE ACT OF FEBRUARY 15, 1934

The act approved February 15, 1934 (U. S. C., title 5, sec. 796), 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 nineteenth annual report but, in view of the interest in this law, some of these are summarized 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, persons other than administrative employees paid from funds provided by the Emergency Relief Appropriations of 1935–41, inclusive, and certain other beneficiaries specified in such acts. 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.

There have been specific cases in which this limitation has deprived employees of any relief in cases in which disability and death resulted from desease of occupational origin. For this reason the Commission believes that the scope of the law should be expanded to cover all cases in which disability or death is clearly due to occupational hazards.

The act of February 15, 1934, places a limit upon the amount that may be paid for disability or death. Under the original enactment the total compensation payable in any case was limited to $3,500 and the rate at which compensation might be paid was limited to a maxi-

mum of $25 per month. The limitation upon the monthly compensation rate was especially harsh and this limitation was raised to $30 effective July 1, 1937, and to $50 effective July 1, 1938. The maximum compensation in an individual case was increased to $4,000. The modification of the law increasing the monthly rate to $50 and the total payment to $4,000 was incorporated in the Emergency Relief Appropriation Act of 1938. However, the changes are applicable to all benefits accruing subsequent to July 1, 1938, in cases open on that date. The liberalization of the law in this respect eliminates to a large degree the hardships resulting from the prior inadequate rates to which reference was made in the Commission's earlier reports.

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. Purusuant to this authority five special funds were established in the Treasury to cover respectively the cost of compensation benefits in connection with the Civil Works program, the Civilian Conservation Corps, and the works program authorized by the Federal Emergency Relief Appropriation Acts of 1935, 1936, and 1937. Emergency Relief Appropriation Acts subsequent to 1937 do not include funds to cover the cost of deferred compensation benefits. The appropriation in such acts covers only the cost of benefits during the current fiscal year. These funds are administered by the Commission for the purpose indicated and are available annually in such amounts as may be specified in the annual appropriation acts.

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 other emergency relief employments. 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 records of the Commission show that 166,749 cases of alleged injury to employees were reported from the Civil Works program from the commencement of such program to September 30, 1941, inclusive. This program to provide employment on a Nation-wide scale for millions of unemployed operated for less than 6 months, but during this period provided approximately 1,193 million man-hours of employment. Considering the conditions under which the program was put into operation and the procedure followed in respect to the placement of workers, the accident record for this employment is not as serious as might reasonably have been anticipated. These injuries, however, will probably involve an ultimate total cost of between $5,000,000 and $5,750,000 to the Federal Government based on the existing scale of compensation benefits.

Expenditures for compensation benefits through June 30, 1941, amount to $5,086,368, of which $662,123 represents compensation to dependents in fatal cases. Approximately half of the total amount in nonfatal cases represents payments for medical services. The adjudication of claims for this employment has been completed except for the payment of future installments of compensation in 329 cases, of which 72 are nonfatal and 257 fatal. Of the 72 nonfatal cases, 48 have been granted awards for permanent total disability and 24 have received formal awards for permanent partial disability. Case history evaluations indicate that approximately $72,000 will be expended after June 30, 1941, on these 72 nonfatal cases; and approximately $330,000 on the 257 fatal cases with 534 dependents of which 192 are widows and 299 are children under 18 years of age. Another exception should be noted; namely, the necessity of handling inquiries from interested parties regarding such claims and considering requests for the reopening of closed cases.

Aside from these activities the record relating to this program as presented in previous issues of the annual report of the Commission may be considered closed.

Cost of compensation and administrative expenses.—A special fund was set aside in the Treasury in pursuance of the provisions of the act of Feburary 15, 1934, for the payment of compensation and the administrative expenses of the Commission in administering the compensation benefits extended to employees of the Civil Works Administration. The funds reserved for this purpose were set aside from funds appropriated by the act above referred to. The status of this fund, as of June 30, 1941, follows:

Original allocation	$25, 000, 000
Allotments recinded	13, 200, 000
Revised total allocation	11, 800, 000
Transferred to other funds	5, 218, 250
Available for obligation	6, 581, 750
Expenditures to June 30, 1941	5, 586, 278
Unexpended balance June 30, 1941	995, 472

Expenditures from this fund, showing the object of expenditures, are shown by fiscal years in table 20. The expenditures from this fund include benefits and administrative expense in connection with cases involving the injury or death of veterans and other persons in the hurricane which on September 2, 1935, destroyed certain veterans' work camps located in Florida. Upon reference to table 20 it will be noted that $5,086,368 has been expended for compensation benefits as compared with $499,910 for administrative expenses.

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TABLE 20.—CLASSIFICATION OF EXPENDITURES FROM CIVIL WORKS EMPLOYEES COMPENSATION FUND

Items	Fiscal year					
	1934, 1935, and 1936	1937	1938	1939	1940	1941
Compensation benefits:						
Disability compensation	$1,726,805	$164,708	$114,743	$99,095	$78,457	$51,371
Medical	2,060,091	10,635	4,835	4,066	3,400	2,261
Transportation	39,222	4,274	1,932	1,424	550	453
Death compensation	188,645	75,617	97,605	101,197	103,775	95,284
Burial	53,539	200	97			
Miscellaneous	1,519	158	76	163	170	
Total compensation benefits	4,069,821	255,592	219,289	205,945	186,352	149,369
Administrative expenses:						
Personal services	357,858	13,908	9,486	8,846	6,980	5,593
Supplies and materials	4,997	33			131	161
Communication services	2,899	39				
Travel expenses	3,865	862	84			
Rent	10,381	121				
Equipment	12,782	2				
Printing and binding	25,433	19				
Miscellaneous	1,704		383			139
Transferred to other departments	33,204					
Total administrative expenses	453,123	14,984	9,953	8,846	7,111	5,893
Total compensation benefits and administrative expenses	4,522,944	270,576	229,242	214,791	193,463	155,262

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. These restrictions relating to compensation for disability or death are continued in effect under the terms of the act approved June 28, 1937, entitled "An act to establish a Civilian Conservation Corps."

Provision has been 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 are not suspended during periods of physicial 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 to 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 from May 1, 1933, through September 30, 1941, reports have been received in 78,882 cases, of which 6,466 are fatal cases. Cases reported from this employment to September 30, 1941, are shown for each 6-month enrollment period in table 21.

TABLE 21.—INJURIES REPORTED AND CLAIMS RECEIVED FROM CIVILIAN CONSERVATION CORPS, MAY 1933 TO SEPT. 30, 1941

Enrollment period	Injuries reported			Claims filed		
	Nonfatal	Fatal	Total	Nonfatal	Fatal	Total
May 1, 1933, to Sept. 30, 1933	1, 222	161	1, 383	13	25	38
Oct. 1, 1933, to Mar. 31, 1934	3, 650	324	3, 974	240	85	325
Apr. 1, 1934, to Sept. 30, 1934	3, 681	373	4, 054	479	73	552
Oct. 1, 1934, to Mar. 31, 1935	4, 191	509	4, 700	696	131	827
Apr. 1, 1935, to Sept. 30, 1935	4, 098	453	4, 551	871	101	972
Oct. 1, 1935, to Mar. 31, 1936	5, 594	763	6, 357	844	113	957
Apr. 1, 1936, to Sept. 30, 1936	5, 373	580	5, 953	1, 036	90	1, 126
Oct. 1, 1936, to Mar. 31, 1937	5, 455	541	5, 996	634	85	719
Apr. 1, 1937, to Sept. 30, 1937	5, 334	420	5, 754	763	68	831
Oct. 1, 1937, to Mar. 31, 1938	4, 248	326	4, 574	833	73	906
Apr. 1, 1938, to Sept. 30, 1938	3, 859	283	4, 142	573	67	640
Oct. 1, 1938, to Mar. 31, 1939	4, 538	293	4, 831	551	42	593
Apr. 1, 1939, to Sept. 30, 1939	4, 806	334	5, 140	915	50	965
Oct. 1, 1939, to Mar. 1, 1940	5, 032	280	5, 312	814	59	873
Apr. 1, 1940, to Sept. 30, 1940	4, 564	294	4, 858	792	47	839
Total to Sept. 30, 1940	65, 645	5, 934	71, 579	10, 054	1, 109	11, 163
October, 1940	754	43	797	121	19	140
November, 1940	637	44	681	114	10	124
December, 1940	637	58	695	100	7	107
January, 1941	580	40	620	99	12	111
February, 1941	526	32	558	91	3	94
March, 1941	612	73	685	93	4	97
6-month total	3, 746	290	4, 036	618	55	673
April, 1941	604	35	639	121	8	129
May, 1941	579	40	619	116	4	120
June, 1941	511	44	555	87	6	93
July, 1941	511	46	557	96	2	98
August, 1941	371	43	414	101	7	108
September, 1941	449	34	483	118	8	126
6-month total	3, 025	242	3, 267	639	35	674
Grand total to Sept. 30, 1941	72, 416	6, 466	78, 882	11, 311	1, 199	12, 510

Open cases.—On October 1, 1941, there were 1,322 nonfatal and 1,251 fatal cases on hand in which compensation was being paid or which were incomplete at that time.

The nonfatal cases included 454 cases in which compensation was being paid for permanent or long-continuing disability. The remaining 868 cases represent incomplete cases in which awards had not been made, and minor-disability injury claims in which the disability appeared to be only of short duration.

The fatal cases include 968 cases in which compensation awards were made prior to September 30, 1941. In the 968 cases in which awards had been made, compensation was being paid to or on account of 2,784 beneficiaries. The classification of the dependents in these cases as of September 30, 1941, and the number of each is shown in table 22 together with other information relating to the death awards.

TABLE 22.—AWARDS TO DEPENDENTS IN 968 CIVILIAN CONSERVATION CORPS FATAL CASES, ACTIVE ON JUNE 30, 1941, BY KIND OF DEPENDENT

Kind of dependent	Number	Monthly award	Total compensation	Average		
				Age	Monthly award	Compensation
Widows	54	$857.66	$152,546	37.1	$15.88	$2,825
Children under 18	128	725.63	94,078	7.5	5.67	735
Over 18, incapable of self-support	14	94.50	8,696	23.6	6.75	621
Brothers and sisters	1,264	5,058.57	462,713	9.6	4.00	366
Fathers	508	3,685.44	349,806	52.3	7.25	689
Mothers	795	6,390.32	596,145	47.8	8.04	750
Grandparents	21	133.95	11,459	68.5	6.38	546
Total	2,784	16,946.07	1,675,443			

The total paid and estimated cost of these 968 fatal cases is $1,683,742. This sum includes $5,413 paid as disability compensation, $828 expended for medical care of deceased enrollees, and $2,058 for burial expense. The small expenditures form the compensation fund for medical care and burial expenses in these cases are explained by the practice of the Civilian Conservation Corps in providing this service from its own funds. The amount expended by the corps for this purpose is not known to the Commission but it unquestionably represents a considerable sum which should be taken into account in estimating the total cost of benefits paid in such fatal cases. The average cost of death benefits paid from the compensation fund, based on awards made prior to October 1, 1941, is $1,733 per case. This low average cost is due to 2 causes; namely, the low compensation rate for this employment and the fact that approximately 93 percent of the dependents are parents, brothers, or sisters. This class of dependents is entitled to a compensation for a maximum period of only 8 years. In only 54 out of these 968 cases is there a surviving widow receiving compensation.

Cases disposed of.—A total of 71,084 nonfatal cases reported from this employment were closed prior to October 1, 1941, as shown in table 23. About 29 percent of these cases, or 20,928 cases, were disapproved by the Commission. In 3,256 cases no time was lost from work but in 788 such cases $18,453 was expended from the compensation fund for medical services.

TABLE 23.—COST OF ALL CLOSED NONFATAL CASES OF ENROLLEES IN THE CIVILIAN CONSERVATION CORPS, MAY 1933 THROUGH SEPT. 30, 1941

Classification	Number of cases	Days duration	Days covered by enlistment	Compensation paid	Medical	
					Number of cases	Cost
Regular Corps:						
No time lost	3,239				785	$18,392
Covered by enlistment	38,958	1,494,362	1,487,064		1,184	25,099
Compensation paid:						
Temporary total	3,750	346,779	107,805	$196,798	1,031	42,952
Permanent partial	3,757	1,791,144	260,394	1,339,812	1,527	93,966
Indian Corps:						
No time lost	17				3	61
Covered by enlistment	160	2,146	3,139		17	850
Compensation paid:						
Temporary total	209	14,916	3,675	9,310	39	2,425
Permanent partial	66	42,578	1,455	36.407	32	2,232
Total approved cases	50,156	3,692,925	1,863,532	1,582,327	4,618	186,977
Total disapproved cases	20,928				122	2,642
Total cases closed	71,084	3,692,925	1,863,532	1,582,327	4,740	189,619

Of a total of 6,466 fatal cases reported, 4,941 cases have been disapproved. This unusually high proportion 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.

Temporary disability.—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 involving a time loss and closed prior to October 1, 1941, show that in 58 percent of such cases the injured enrollees received full pay while disabled. In 39,118 such cases the injury caused disability for 1,497,508 days. This is an average of 38 days per case. In 1,201 such cases the Commission expended the sum of $25,949 for medical attention, or an average of $21.61 per case. While the report of the Commission shows no compensation paid in these 39,118 cases, the cost to the Government on account of the wages paid to enrollees while disabled for work probably amounts to at least $40 per case or more than $1 per day for each day of disability. This cost is exclusive of medical care. The cost of medical care on account of these injuries is not known to the Commission, as this service is furnished almost wholly through the facilities of the Corps, and no report of the cost thereof is filed with the Commission. Compensation in the amount of $206,108 and medical treatment for which the Commission expended $45,377 was awarded in 3,959 cases involving temporary total disability closed prior to October 1, 1941. The duration of disability in these cases is 361,695 days, or an average of 91.4 days per case. The average compensation award in these cases is $52.06 per case. The compensation award in these cases does not take into account 111,480 days of disability during which the enrollee received full pay as a member of the Corps. If the wage paid to enrollees during periods of disability in these 3,959 cases is added to the compensation benefit paid by the Commission for the loss in time without pay, the average compensation cost per case would be increased approximately 54

percent. Using an average wage of $1 per day for this purpose, the total added cost would amount to $111,480 or an average of $28.16 per case, making a total average cost of $80.22 per case for compensation for disability.

Permanent partial disability.—In 3,823 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 1,833,722 days, or an average of 480 days per case. The duration of disability is computed as the period for which compensation is paid under the administrative schedule of awards applicable to cases within the purview of the act of February 15, 1934. The total compensation award in these cases is $1,376,219 or an average of $360 per case. The compensation award does not take into account the wages received by the injured enrollees from the corps for 261,849 days of disability covered by enlistment. If the amount paid as wages is added to the compensation paid by the commission in these 3,823 cases, the total cost to the Government for permanent partial disability would be increased in the amount of $261,849 and the average compensation cost per case would be increased about 20 percent. This estimated increase has been computed on the basis of $1 per day. The medical expense paid by the Commission in these cases amounts to $97,198. This, however, represents only a negligible part of the medical cost, nearly all of which is assumed by the Corps.

Fatal cases.—In 178 fatal cases approved by the Commission no dependents were found who were entitled to compensation and no expense was incurred in these cases for benefits under the compensation law except $1,465 as compensation before death. The expense of medical care in these cases prior to the death of the enrollee and for the transportation and burial of the remains was paid by the corps. The Commission is not informed as to the amounts expended for this purpose.

In 95 cases the awards to dependents have terminated and such cases have been closed. In 32 cases the awards terminated because of the death of the beneficiary and in 8 cases because of marriage. The total compensation paid by the Commission in these 95 cases is $45,265 or an average of $476 per case. In 12 cases the net damages recovered from a third party responsible for the death exceeded the value of compensation benefits payable by the Commission and under the provisions of sections 26 and 27 of the Compensation Act no further installments of compensation may be paid in such cases. The amount previously paid has been refunded to the Commission and the record in these cases has been closed. The estimated value of the award in such cases is $11,717 or an average of $976 per case.

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 Civilain Conservation Corps. Recoveries from a third party were made during the calendar year 1940 in 23 cases. In 4 fatal cases the gross value of the recovery is $7,046 and the net value after deducting attorney's fees and other costs of collection is $4,412 of which $639 represents the estimated net saving in compensation costs. In 19 nonfatal cases the gross

value of the recovery is $23,450 and the net value, $15,255 of which $8,297 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 these 23 cases is $8,936. In addition to these 23 cases in which recoveries were made, 53 cases are still pending in the hands of attorneys and in the process of settlement.

Cause of injury.—A survey of 9,080 nonfatal injuries reported during the calendar year 1940 indicates that 1,966 injuries or 22 percent of the total number reported were sustained from handling objects. Of this number, over half resulted in alleged hernias. Vehicles account for 1,307 injuries, or 14 percent; falls of persons caused 1,182 injuries, or 13 percent; and hand tools, 875 injuries, or 10 percent of the total number reported.

Of the 322 fatal injuries reported, 177, or 55 percent of such injuries, were sustained in vehicular accidents. Many of these accidents occurred while enrollees were away from camp on leave of absence and therefore did not come within the purview of the compensation law.

A more complete list and discussion of the causes of such injuries may be found in the Safety Bulletin published monthly by the Commission.

Special fund.—The sum of $5,550,000 was set aside in the Treasury from funds provided in the Emergency Appropriation Act, fiscal year 1935, to cover administrative expenses and the payment of compensation in respect to this employment. This special fund is administered by the Commission for the purpose indicated and it is available for expenditure annually in such amounts as may be specified in the annual appropriation acts. The status of this fund as of June 30, 1941, is as follows:

Total allocation	$5, 550, 000
Expenditures to June 30, 1941	3, 336, 573
Unexpended balance on June 30, 1941	2, 213, 427

TABLE 24.—CLASSIFICATION OF EXPENDITURES FROM CIVILIAN CONSERVATION CORPS EMPLOYEES' COMPENSATION FUND

Items	Fiscal year					
	1934, 1935, and 1936	1937	1938	1939	1940	1941
Compensation benefits:						
Disability compensation	$447, 098	$272, 727	$298, 919	$302, 085	$327, 800	$275, 465
Medical treatment	48, 145	18, 731	22, 325	21, 696	21, 508	20, 657
Transportation of beneficiaries	12, 692	6, 333	6, 286	7, 468	7, 365	6, 767
Death compensation	155, 982	121, 075	156, 106	174, 765	191, 572	199, 027
Burial expense	608	260	651	140		76
Miscellaneous	10		62			
Total compensation benefits	664, 535	419, 126	484, 349	506, 154	548, 245	501, 992
Administrative expenses:						
Personal services	53, 022	28, 690	27, 607	31, 810	28, 390	31, 300
Supplies and materials	2, 278	99	21	596	517	951
Communication services	216		1		1	
Travel expenses	259	13				
Printing and binding	2, 977	848	243	251	90	66
Equipment	1, 380					344
Miscellaneous	167	4	24			7
Total administrative expenses	60, 299	29, 654	27, 896	32, 657	28, 998	32, 668
Total compensation benefits and administrative expenses	724, 834	448, 780	512, 245	538, 811	577, 243	534, 660

3. RELIEF EMPLOYEES—EMERGENCY RELIEF APPROPRIATION ACTS OF 1935 TO 1941, INCLUSIVE

Under the provisions of section 2 of the Emergency Relief Appropriation Act of 1935 (Public Res. No. 11, 74th Cong.) the provisions of the act of February 15, 1934, relating to disability or death compensation and benefits were 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 available for these purposes annually in such amounts as may be specified therefor in the annual appropriation act.

The Emergency Relief Appropriation Acts contain substantially the same provisions in respect to compensation for the disability and death of workers on unemployment relief projects financed with funds provided by such acts. However, the Relief Appropriation Acts of 1938 and subsequent years differ in one important respect from prior acts, in that they do not provide for setting aside funds to cover the total cost of compensation benefits arising out of the work programs for the respective years. The appropriations for compensation benefits carried in such acts represented only the cost of such benefits for the initial year. In view of this the deferred costs which in some instances may extend over a period of years will have to be met by additional appropriations.

In the interest of economy and simplicity the special funds created by the 1935, 1936, and 1937 acts were consolidated and given the status of a permanent appropriation. In furtherance of the same purpose it is desirable to subject this special fund to the same accounting procedure and limitation relating to the expenditure of funds made available to the Commission through annual appropriations. The administration of workmen's compensation benefits extended to relief employees is only incidental to the relief program and should be distinguished from that program. It involves merely an extension of the regular functions of the Commission, and the accounting and fiscal procedure should be in accordance with the practices relating to the regular funds of the Commission.

REPORTS OF INJURIES

The records of the Commission as of July 1, 1941, indicate that 1,325,900 cases of alleged injury had been reported from employment created by the Emergency Relief Appropriation Acts. Of this number 6,827, or approximately one-half of 1 percent are fatal injuries. These cases have been handled currently as they were received in the office of the Commission and more than 95 percent of the cases received to July 1, 1941, have been examined and acted upon.

TABLE 25.—NUMBER OF INJURY REPORTS[1] RECEIVED JULY 1, 1935–JUNE 30, 1941, INCLUSIVE

Calendar year	Nonfatal	Fatal	Total	Calendar year	Nonfatal	Fatal	Total
1935 (half year)	18,183	106	18,289	1940	214,450	1,050	215,500
1936	274,666	1,445	276,111	1941 (half year)	92,039	561	92,600
1937	189,037	1,137	190,174				
1938	269,763	1,313	271,076	Total	1,319,073	6,827	1,325,900
1939	260,935	1,215	262,150				

[1] Includes all, irrespective of trauma or disease.

The above figures cover reports of injury to security employees of the Work Projects Administration, and other Federal establishments, including the National Youth Administration, but excluding the Civilian Conservation Corps.

INJURIES OCCURRING IN CALENDAR YEAR 1939

Injuries occurring prior to the calendar year 1939 are summarized in the Twenty-third and Twenty-fourth Annual Reports.

A recently completed review of the 244,996 case files representing injuries and alleged injuries occurring in the calendar year 1939, reported through April 30, 1940, yields the following injury balance sheet:

TABLE 26.—SUMMARIZATION[1] OF INJURIES OCCURRING IN CALENDAR YEAR 1939

Class of injury case	Number of cases	Percent of total number of cases	U. S. E. C. C. calendar days duration[2]	Direct compensation cost	Direct medical cost	Total direct cost
"No lost time" beyond day of injury	170,076	69.4	None	None	$1,235,854	$1,235,854
Disability 1–3 days, inclusive	15,784	6.4	31,397	None	128,051	128,051
Temporary total 4 days and over	42,952	17.5	1,681,137	$1,729,957	1,808,685	3,538,642
Permanent partial awards	2,960	1.2	1,194,805	1,326,840	448,507	1,775,347
Permanent total awards	15	(3)	53,788	59,015	26,027	85,042
Third party complete recovery	[4] 1,368	.6	(5)	None	None	None
Approved fatals with dependents	418	.2	2,508,000	1,281,530	[6] 94,396	1,375,926
Approved fatals without dependents	[7] 78	(8)	468,000	779	[9] 15,739	16,518
Disapproved nonfatals	10,694	4.4	(5)	None	105,367	105,367
Disapproved fatals	[10] 651	.3	(11)	None	3,811	3,811
Total	244,996	100.0	5,937,127	4,398,121	3,866,437	8,264,558

[1] Includes estimated future costs and duration on open cases.
[2] Actual calendar days of disability on temporary injuries; healing period plus award days on permanent nonfatal injuries; approved fatals each charged 6,000 days.
[3] Less than one hundredth of 1 percent.
[4] 6 of which are fatals.
[5] Not recorded.
[6] $63,721 of which is burial cost.
[7] Includes 14 cases pending question of legal dependency.
[8] 0.03 percent.
[9] $11,289 of which is burial cost.
[10] 7 cases pending question of compensability have been included in the "Disapproved Fatal" classification.
[11] Not charged.

From the above table are obtainable the following average direct costs to the Commission. It is important to recall that these average costs do not, except in cases active after June 30, 1939, take into account the value of medical treatment provided through Government facilities. Administrative cost and similar indirect costs are not included in any case. The averages do include estimated future costs on active cases. They cover reports of injury alleged to have been sustained in the calendar year 1939 by security workers receiving employment under the Emergency Relief Appropriation Acts.

TABLE 27.—AVERAGE DIRECT COSTS TO THE COMMISSION OF INJURIES OCCURRING IN CALENDAR YEAR 1939

All nonfatal injuries:	
Net total direct cost per reported injury	$28. 17
Net direct medical cost per reported injury	$15. 39
Percent medical to total cost	54. 6
All approved lost time injuries (includes temporary and permanent injuries):	
Average direct cost per injury	$87. 63
Average direct medical cost per injury	$38. 23
Average direct compensation cost per injury	$49. 40
Compensable temporary injuries (approved disability more than 3 calendar days):	
Average direct cost per injury	$82. 39
Average direct medical cost per injury	$42. 11
Average direct compensation cost per injury	$40. 28
Average number of calendar days duration per injury	39
Compensable nonfatal permanent injuries:	
Average direct cost per injury	$625. 34
Average direct medical cost per injury	$159. 51
Average direct compensation cost per injury	$465. 83
Average direct cost per "no lost time" injury	$7. 27
Average direct cost per disapproved nonfatal injury	$9. 85
Fatal injuries:	
Net total direct cost per reported fatality	$1, 210. 98
Average direct cost per approved fatal case with dependents	$3, 291. 69
Nonfatal and fatal injuries:	
Net total direct cost per reported injury	$33. 73

INJURY RATES JULY 1, 1935—DECEMBER 31, 1939

Similar measurements reduced to frequency rates, severity rates, and rates per $100 W. P. A. pay roll follow, limited to regular W. P. A. project employees working in the continental United States:

TABLE 28.—INJURY RATES OF REGULAR W. P. A. PROJECT EMPLOYEES 1935-39, INCLUSIVE

Calendar year of injury	Number of approved lost time injuries per million man-hours worked	U. S. E. C. C. days duration per thousand man-hours worked [1]	Total direct cost of all cases, per $100 W. P. A. pay roll
1935			
Third quarter	24. 7	2. 24	$0. 54
Fourth quarter	26. 6	2. 15	. 64
Year	26. 4	2. 16	. 63
1936			
First quarter	18. 2	1. 86	. 51
Second quarter	15. 4	1. 81	. 49
Third quarter	15. 7	2. 14	. 44
Fourth quarter	13. 4	1. 90	. 43
Year	15. 8	1. 92	. 47
1937			
First quarter	13. 5	2. 01	. 44
Second quarter	13. 0	1. 69	. 39
Third quarter	14. 7	2. 07	. 44
Fourth quarter	14. 6	2. 18	. 46
Year	13. 8	1. 97	. 43
1938			
First quarter	17. 5	2. 08	. 51
Second quarter	15. 7	1. 46	. 41
Third quarter	17. 5	1. 78	. 48
Fourth quarter	15. 5	1. 70	. 46
Year	16. 5	1. 73	. 46
1939			
First quarter	16. 8	1. 77	. 48
Second quarter	15. 8	1. 41	. 41
Third quarter	18. 5	1. 67	. 55
Fourth quarter	17. 0	1. 89	. 61
Year	17. 0	1. 68	. 50

[1] Actual calendar days disability on temporary injuries; healing period plus U. S. E. C. C. award period on permanents; 6,000 days charged per approved fatal injury.

TABLE 29.—DIRECT COSTS AND RATES, BY STATES, OF INJURIES OCCURRING IN CALENDAR YEAR 1939

State in which injury occurred	Total number of injury cases			Injury rates			Injury costs [4]		
	Non-fatal	Fatal	Total	Approved lost time cases		All cases, cost [3]	Medical	Compensation	Total in thousands of dollars
				Frequency[1]	Severity [2]				
Alabama	3,332	26	3,358	14.9	1.67	$0.55	$52,341	$73,487	125.8
Arizona	708	6	714	25.6	2.64	.96	23,053	23,994	47.0
Arkansas	2,384	15	2,399	17.7	1.06	.45	43,366	42,671	86.0
California less Los Angeles County	6,321	18	6,339	32.0	1.78	.50	114,190	120,719	234.9
Los Angeles County, Calif	5,179	26	5,205	35.5	2.78	.75	95,993	86,681	182.7
Colorado	1,606	5	1,611	16.7	2.01	.54	33,389	46,184	79.6
Connecticut	3,646	9	3,655	17.6	2.54	.78	78,919	54,391	133.3
Delaware	248	1	249	10.4	3.24	.89	5,871	9,609	15.5
District of Columbia	652	2	654	16.1	1.17	.33	9,413	13,716	23.1
Florida	3,060	23	3,083	16.2	1.60	.51	53,460	55,727	109.2
Georgia	4,062	18	4,080	15.7	1.21	.52	60,199	62,601	122.8
Idaho	924	-------	924	23.3	.69	.40	14,250	8,066	22.3
Illinois	20,622	116	20,738	15.5	1.59	.43	264,354	272,035	536.4
Indiana	4,990	27	5,017	10.9	1.62	.43	79,745	115,889	195.6
Iowa	2,921	6	2,927	26.8	1.51	.58	44,733	45,921	90.7
Kansas	1,879	10	1,889	17.1	1.77	.52	32,795	44,713	77.5
Kentucky	2,514	16	2,530	12.5	1.60	.45	41,712	74,051	115.8
Louisiana	2,040	12	2,052	13.9	1.49	.42	37,666	48,326	86.0
Maine	1,016	9	1,025	24.8	4.13	1.03	17,088	30,164	47.3
Maryland	1,361	2	1,363	16.4	1.55	.49	17,031	22,039	39.1
Massachusetts	18,046	57	18,103	16.9	1.53	.58	255,143	184,416	439.6
Michigan	11,081	69	11,150	18.6	1.49	.40	136,154	173,854	310.0
Minnesota	4,504	16	4,520	20.5	1.97	.58	98,492	112,602	211.1
Mississippi	1,980	18	1,998	15.2	1.70	.53	38,885	48,125	87.0
Missouri	6,639	21	6,660	18.7	1.47	.47	108,941	118,677	227.6
Montana	960	7	967	21.9	3.57	.78	31,307	42,799	74.1
Nebraska	2,337	12	2,349	20.0	1.15	.50	42,232	35,564	77.8
Nevada	192	1	193	27.4	3.93	1.15	6,949	6,230	13.2
New Hampshire	1,369	3	1,372	36.2	2.90	1.22	31,185	31,198	62.4
New Jersey	7,067	31	7,098	10.9	1.91	.47	123,516	150,267	273.8
New Mexico	646	6	652	15.1	3.05	.60	11,367	27,101	38.5
New York City	15,007	31	15,038	12.8	1.58	.39	189,233	300,125	489.4
New York less New York City	9,209	20	9,229	23.0	1.95	.78	144,288	138,548	282.8
North Carolina	2,975	9	2,984	14.1	1.65	.59	48,373	58,176	106.5
North Dakota	813	7	820	13.5	1.46	.58	16,047	22,521	38.6
Ohio	13,014	121	13,135	15.1	1.37	.34	191,905	252,730	444.6
Oklahoma	5,178	11	5,189	24.6	1.72	.69	84,865	87,871	172.7
Oregon	1,796	6	1,802	39.8	2.87	.86	38,317	53,720	92.0
Pennsylvania	17,259	105	17,364	11.1	1.50	.42	255,210	301,776	557.0
Rhode Island	2,304	5	2,309	13.1	1.69	.69	39,276	26,332	65.6
South Carolina	3,187	25	3,212	14.7	1.80	.65	55,595	58,216	113.8
South Dakota	997	10	1,007	18.7	3.49	.79	21,364	39,944	61.3
Tennessee	3,438	25	3,463	16.6	2.50	.85	61,859	89,645	151.5
Texas	5,130	42	5,172	12.9	1.38	.50	94,221	107,485	201.7
Utah	943	5	948	28.3	2.59	.76	24,500	27,739	52.2
Vermont	757	-------	757	31.5	1.47	.84	13,747	10,271	24.0
Virginia	1,836	7	1,843	15.8	2.16	.68	29,479	46,091	75.6
Washington	3,374	13	3,387	27.3	1.61	.54	61,278	65,984	127.3
West Virginia	2,512	9	2,521	11.9	1.63	.49	49,157	55,455	104.6
Wisconsin	6,636	36	6,672	24.5	1.79	.49	94,783	107,967	202.7
Wyoming	330	-------	330	26.5	1.44	.68	7,420	6,156	13.6
Total Work Projects Administration [5]	220,981	1,075	222,056	17.0	1.68	.50	3,524,656	4,038,569	7,563.2
Territories	2,273	7	2,280	--------	--------	--------	44,184	39,081	83.3
Other Federal establishments	20,589	71	20,660	--------	--------	--------	297,597	320,471	618.1
Grand total	243,843	1,153	244,996	--------	--------	--------	3,866,437	4,398,121	8,264.6

[1] Per million man-hours worked by W. P. A. project workers.
[2] Per thousand man-hours worked. Actual calendar days of disability used in temporary injuries; healing period plus U. S. E. C. C. award days in permanents; approved fatals charged at 6,000 days per case.
[3] Per $100 W. P. A. pay roll.
[4] Direct costs only, including local payments.
[5] Continental United States.

The cost rates do not take into account the value of medical treatment provided through Government facilities, administrative cost, and similar indirect costs. In injury cases active beyond June 30, 1939, however, costs of any services rendered or estimated to be rendered by Government medical facilities are included.

NONFATAL INJURIES

Number; total direct cost; anatomical locations: According to reports received by the Commission through April 30, 1940, there occurred 243,843 nonfatal injuries alleged to have been sustained in the performance of duty in the period January 1, 1939, to December 31, 1939, inclusive. Of this number 63,073, or 25.9 percent, are approved lost-time injuries, distributed as follows:

	Percent
Duration less than four days	6.5
Temporary injuries over three days	17.6
Awards for permanent injury	1.2
Complete recoveries from third parties	.6
Total	25.9

The total direct cost to the Commission of all reported nonfatal injuries for this surveyed period is estimated to be $6,868,303, or a net direct cost of $28 per reported nonfatal injury.

A survey of 221,919 of these injury reports indicates the following percentage distribution as to part of body affected and direct cost thereof:

TABLE 30.—PART OF BODY AFFECTED AND AVERAGE DIRECT COST OF 221,919 W. P. A. NONFATAL INJURY REPORTS [1]

Part of body affected	Percent of total number of cases	Percent of total direct cost	Net direct cost per reported case
Head, other than eye	8.7	7.7	$25
Eye	13.0	11.0	24
Arm	9.0	11.1	35
Trunk	22.0	22.6	29
Hand or finger	22.6	15.5	20
Leg or foot	23.3	30.8	38
Miscellaneous	1.4	1.3	27
Total	100.0	100.0	$29

[1] Exclusive of reports of injury to security employees of N. Y. A. and those of other Federal establishments.

The above relationships are presented irrespective of the existence of lost time or other factors affecting compensability in the injury reports surveyed. Table 32 indicates similar information for 40,834 compensable nonfatal injury cases occurring in the calendar year 1939.

No lost time.—From January 1, 1939, to December 31, 1939, inclusive, there occurred 170,076 injuries reported to the Commission through April 30, 1940, in which there apparently was no loss of time beyond the day or work shift when the injury occurred. These injuries account for 69.4 percent of the total number of nonfatal and fatal reported injuries, and entail a total direct medical cost to the Commission of $1,235,854, or $7.27 per injury case. The total direct cost of this class of case amounts to 15 percent of the total direct cost to the Commission of all reported nonfatal and fatal injuries for the period surveyed.

Approved temporary injuries.—Such injuries number 58,736 for the period surveyed, account for a total direct cost of $3,666,693, or $62.43 per case; and a total duration of 1,712,534 calendar days of disability, or 29 days per injury case. This class of injury represents 24 percent of the total number of nonfatal and fatal reported injuries, and 44.4 percent of the total direct cost thereof.

The 58,736 approved temporary injuries include 15,784 injuries where duration of disability lasted less than 4 calendar days per case, accounting for a total duration of 31,397 calendar days, or 2 days per case: and a total direct cost of $128,051, or $8.11 per case.

Also included in the total number of 58,736 approved temporary injuries are 629 injury cases each lasting more than 3 days of disability but involving no claim for compensation. Total duration in such cases is recorded as 5,433 calendar days, or 8.6 days per case. In 473 of such cases the Commission expended $7,301 for medical benefits, an average of $15.44 per case with direct medical cost.

Approved permanent injuries.—Permanent injuries awarded compensation benefits number 2,975 for the period surveyed and account for a total direct cost of $1,860,389, of which $1,385,855, or 74 percent is for direct compensation benefits, and $474,534, or 26 percent, is for direct medical cost payments by the Commission. This class of case represents 1.2 percent of the total number of cases surveyed, and 22.5 percent of the total direct cost thereof.

TABLE 31.—ANATOMICAL MEMBER AFFECTED IN 2,596 AWARDS FOR PERMANENT INJURIES SUSTAINED BY W. P. A. PROJECT EMPLOYEES[1] IN CALENDAR YEAR 1939

Award member	Awards for dismemberment				Awards for functional loss				Total number of all awards surveyed	Average direct medical	Average direct compensation	Average direct cost per case
	100 percent	Less than 100 percent		Total number of awards	100 percent	Less than 100 percent		Total number of awards				
		Number of awards	Average percent			Number of awards	Average percent					
Eye	80	1	50	81	117	243	29	360	441	$168	$874	$1,042
Ear (loss of hearing)	------	------	------	------	4	8	27	12	12	115	282	397
Arm	3	------	------	3	1	177	21	178	181	267	757	1,024
Hand, other than fingers	3	3	15	6	1	370	21	371	377	153	538	691
Thumb	10	53	50	63	1	93	27	94	157	84	215	299
Index finger	53	80	50	133	4	145	32	149	282	56	151	207
Middle finger	31	67	49	98	1	93	30	94	192	56	102	158
Ring finger	25	53	50	78	2	79	32	81	159	54	103	157
Little finger	31	38	50	69	5	85	34	90	159	46	56	102
Leg	3	------	------	3	4	160	20	164	167	454	833	1,287
Foot, other than toes	3	2	18	5	------	266	18	266	271	247	508	755
Great toe	------	14	50	14	1	30	24	31	45	70	145	215
Lesser toe	20	10	50	30	------	4	50	4	34	61	84	145
Permanent total	------	------	------	------	6	113	15	119	119	409	1,131	1,540
Total	262	321	------	583	147	1,866	------	2,013	2,596	167	490	657

[1] Other than security workers of other Federal establishments.

Compensable injuries, by part of body affected.—The following table represents a survey of 40,834 compensable nonfatal injury cases sustained in the period surveyed by regular project employees of the Work Projects Administration, excluding security workers of other Federal establishments.

TABLE 32.—PART OF BODY AFFECTED AND AVERAGE DIRECT COST OF 40,834 COMPENSABLE NONFATAL INJURY CASES OCCURRING IN CALENDAR YEAR 1939

Part of body injured	Number of injury cases	Total direct cost	Average direct cost per injury case	Percent of total number of nonfatal compensable cases	Percent of direct cost of nonfatal compensable cases
Head, other than eye	2,535	$350,494	$138	6.2	7.1
Eye	2,084	551,482	265	5.1	11.1
Arm	3,762	566,285	151	9.2	11.4
Trunk	10,344	1,168,884	113	25.3	23.5
Hand or finger	6,437	598,792	93	15.8	12.1
Leg or foot	14,706	1,662,798	113	36.0	33.4
Miscellaneous	966	70,043	73	2.4	1.4
Total	40,834	4,968,778	122	100.0	100.0

Disapproved nonfatal injuries.—Of the 56,621 nonfatal injuries in each of which disability of 4 days or more was sustained, 10,694 such injuries, or 18.9 percent, were disapproved, but entailed a direct expenditure by the Commission of $105,367, or $9.85 per case, for medical examinations or treatments pending decision as to compensability of the injury. This class of case represents 4.4 percent of the total number of reported injuries, including fatals, but only 1.3 percent of the total direct cost of all such injuries.

Third-party recoveries.—Of the injuries occurring in the calendar year 1939, recovery was made from a legally liable third party in 1,714 such injury cases. Of this number 1,670 are nonfatals and 44 are fatals. Recovery sufficient to cover the estimated entire evaluation of the injury case was made in 1,362 nonfatal cases; and in 308 nonfatal cases recovery covered partially the benefits due the injured. On a case study basis it is estimated that these 308 nonfatal partial recovery cases will ultimately entail a direct expenditure by the Commission of $23,980, or $78 per case. Of the 44 fatals, complete recovery was made in 6 cases. Ultimate direct expenditure by the Commission in the 38 fatals where recovery covered benefits only partially is calculated at $80,675, or $2,123 per case.

The following table indicates the disposition of cases examined for third-party liability from January 1, 1940, to December 31, 1940.

TABLE 33.—DISPOSITION OF W. P. A. CASES[1] EXAMINED FOR POSSIBLE THIRD PARTY LIABILITY FROM AN. 1, 1940, TO DEC. 31, 1940

Extent of injury	Cases pending Jan. 1, 1940	New cases received in 1940	Disposition during calendar year 1940			Cases pending Dec. 31, 1940
			Closed—no liability	Closed—other reasons	Completed cases where recovery was made	
Fatal	169	185	11	90	76	177
Nonfatal	2,406	4,713	62	1,740	2,376	2,941
Total	2,575	4,898	73	1,830	2,452	3,118

[1] Includes regular W. P. A. project injury cases, other establishment W. P. A., and N. Y. A. cases.

Gross recoveries in cases where recovery was effected in 1940 amount to $1,216,941, of which amount $353,030 covers attorneys' fees and court costs, leaving a net recovery of $863,911. Of this amount the Commission received $169,551 in direct refunds; an additional $54,458 was used to cover certain injury expenses outstanding;

and the injured or his beneficiaries received $639,902, charged on the records of the Commission against contingent liability of further compensation benefits due on account of the same injuries.

Cause of injury.—According to a recent survey of the causes of compensable nonfatal injuries, "improper handling of objects" accounts for 24 percent of the cases; "falls of persons," mostly on the level, 17 percent; "hand tools," 15 percent; "striking against or stepping on objects" and "vehicles," each 10 percent; "falling objects," 9 percent; "machinery," 4 percent; and "struck by objects," 3 percent. The remaining causes are of a miscellaneous and diversified nature.

Inquiry into fatal injuries recently reported indicates that vehicles account for 47 percent of such injuries; "falls of persons," 8 percent; "falling objects," 5 percent; "railroads," 8 percent; "cave-ins," 5 percent; "handling objects," 2 percent; "machinery," 3 percent; "weather exposure," 3 percent; and "explosives," 2 percent. The remaining cases are of a miscellaneous and diversified nature.

The technical and psychological factors involved in the causes of the accidents resulting in many such injuries are analyzed on a case history basis each month in the Commission's Safety Bulletin.

FATAL INJURIES

Number of injuries occurring and total cost.—According to reports received by the Commission through June 30, 1940, there occurred 1,153 W. P. A. fatal injuries alleged to have been sustained by security workers of the Work Projects Administration, National Youth Administration, and other Federal establishments, in the period January 1, 1939, to December 31, 1939, inclusive.

Approved fatals.—The total number of such injuries approved by the Commission is 496, or 43 percent of the number reported. Of the number of approved fatals, 418, or 84 percent of such cases, were found to have 1,120 dependents entitled to compensation, 64 cases show no evidence of legal dependents, and at the time the survey was made 14 cases were approved but pending decision of the Commission concerning the question of dependency.

It is estimated on a case study basis that the 496 approved cases will ultimately cost the Commission approximately $1,390,000. The average direct cost per approved fatal injury with dependents is $3,292; that for the cases without dependents is only $206.

The 1,120 legal dependents entitled to compensation benefits are distributed as follows:

TABLE 34.—AWARDS TO DEPENDENTS IN 418 W. P. A. FATAL INJURY CASES[1]

Kind of dependent	Number of dependents	Percent of total number of dependents	Average			Estimated total value of award
			Age	Monthly award	Amount of award	
Widows	343	30.6	44.0	$19.20	$2,793	$957,954
Widowers	4	.4	67.8	16.88	1,616	6,464
Children	636	56.8	9.7	4.36	390	248,075
Parents	62	5.5	56.7	8.48	623	38,644
Brothers and sisters	56	5.0	13.8	4.25	299	16,718
Grandchildren	19	1.7	7.6	5.04	551	10,461
Total	1,120	100.0				1,278,316

[1] Includes regular W. P. A., other establishment W. P. A., and N. Y. A.

The dependency patterns existing at the time of the injury of the 418 cases surveyed distribute themselves as follows: Widow and no children, 28 percent; widow and 1 child, 14 percent; widow and 2 children, 15 percent; widow and 3 children, 10 percent; widow and 4 children, 5 percent; widow and 5 children, 3 percent; widow and 6 children, 3 percent; widow and more than 6 children (average 8 children), 2 percent; average pattern of 2 children only, 6 percent; 1 parent only, 3 percent; and other dependency patterns, 11 percent.

Fatal injury rates.—The rate of occurrence of approved fatal injuries to regular W. P. A. employees in the continental United States in the calendar year 1939 appears from the record to be approximately 0.16 per million man-hours worked; and the direct cost rate is approximately nine cents per $100 W. P. A. pay roll.

Disapproved fatals.—The 644 disapproved fatal cases entailed a direct expenditure of $3,811, or $5.92 per case. It is estimated that 7 additional cases will probably be disapproved. The expenditures in connection with disapproved cases represent medical benefits extended prior to the death.

In explanation of the proportionately large number of fatal cases disapproved, it should be stated that it has been the policy of the Commission to encourage the submission of reports of all deaths to workmen occurring on a work project or which might in any way be connected with such employment. This results in the submission of reports in many fatal cases which clearly are not within the purview of the compensation law; but safeguards the statutory rights of all dependents whose claims are worthy of consideration.

Expenditures for compensation benefits and administration.—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 Work Projects Administration are reported through the office of the respective State administrators of that Administration. The compensation officer on the staff of each State administrator is authorized to arrange for the local payment of initial installments of compensation in cases in which there is no doubt concerning the right of the injured person to receive such benefits. All cases in which there may be any question regarding the validity of the claim and cases of certain types specified by the Commission must be submitted to the Commission for decision. The amount that may be paid locally is limited to $50 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 from April 8, 1935, to June 30, 1941, inclusive, amounts to $3,021,961. Compensation and other benefits paid directly by the Commission during the same period amount to $32,556,144. Payments by the Commission include 504,605 installments of compensation to injured employees, 167,879 installments of death compensation to beneficiaries, and 1,484,214 payments to individual physicians, nurses, hospitals, and others for services rendered in connection with the medical treatment of injured employees.

Special fund, Relief Appropriation Acts.—Transactions involving the special funds set aside in the Treasury from the Emergency Relief Appropriation Acts of 1935–41, inclusive, for compensation costs are as follows:

Net allotment 1935 Relief Act	$13, 800, 000
Net allotment 1936 Relief Act	6, 200, 000
Net allotment 1937 Relief Act	13, 925, 000
Appropriation 1938 Relief Act	5, 500, 000
Appropriation 1939 Relief Act	5, 250, 000
Appropriation 1941 Relief Act	800, 000
Total	45, 475, 000
Transferred from 1939 Appropriation Relief Act	75, 000
Transferred from 1941 Appropriation Relief Act	75, 000
Total funds available	45, 325, 000
Expenditures to June 30, 1941	35, 532, 642
States expenditures for local payments to June 30, 1941	3, 021, 961
State offices unexpended balances for local payments, June 30, 1941	199, 199
Total obligated to June 30, 1941	38, 753, 802
Total available as of July 1, 1941	6, 571, 198

Analysis of expenditures for compensation and those for administrative expenses is possible by reference to table 35.

TABLE 35.—CLASSIFICATION OF EXPENDITURES[1] FROM EMPLOYEES' COMPENSATION FUND, EMERGENCY RELIEF

Items	Fiscal year					
	1935 and 1936	1937	1938	1939	1940	1941
Compensation benefits:						
Disability compensation	$309, 385	$1, 003, 404	$1, 449, 573	$2, 393, 911	$2, 793, 513	$2, 598, 757
Medical treatment	1, 741, 445	3, 555, 493	2, 231, 817	3, 987, 730	4, 335, 089	3, 483, 245
Transportation of beneficiaries	1, 845	22, 751	34, 106	60, 818	113, 669	84, 221
Death compensation	22, 164	150, 358	266, 243	423, 054	513, 274	600, 187
Burial expense	25, 149	75, 750	63, 947	65, 780	66, 387	75, 713
Miscellaneous	50	399	1, 101	1, 854	2, 245	1, 717
Total compensation benefits	2, 100, 038	4, 808, 155	4, 046, 787	6, 933, 147	7, 824, 177	6, 843, 840
Administrative expenses:						
Personal services	85, 469	350, 888	391, 389	583, 102	498, 207	483, 889
Supplies and materials	2, 160	6, 118	7, 129	7, 801	11, 317	8, 182
Communication services	1, 404	2, 039	2, 808	6, 213	5, 029	3, 493
Travel expenses	243	1, 059	3, 953	3, 794	5, 226	4, 600
Rent	1, 500	12, 518	10, 257	40, 383	43, 056	38, 406
Equipment	15, 302	11, 943	7, 342	25, 933	9, 935	6, 170
Printing and binding	41, 688	21, 863	20, 394	26, 617	20, 249	13, 766
Miscellaneous	4, 367	16, 056	26, 507	33, 871	27, 858	25, 005
Total administrative expenses	152, 133	422, 484	469, 779	727, 714	620, 877	583, 511
Total compensation benefits and administrative expenses	2, 252, 171	5, 230, 639	4, 516, 566	7, 660, 861	8, 445, 054	7, 427, 351

[1] Does not include $3,221,160 allotted to State offices for local payments.

TABLE 36.—NATIONAL YOUTH ADMINISTRATION

[Expenditures, fiscal year 1941—covering cost in 1941 of injuries occurring in 1941]

Compensation benefits:	
Disability compensation	$30, 252
Medical treatment	127, 642
Transportation of beneficiaries	578
Death compensation	786
Burial expense	2, 528
Total	161, 786

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

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 term "member of a crew" as used in the exception in section 3 (a) (1) of the Longshoremen's Act, which is referred to above, has been before the courts on numerous occasions. This term does not have an absolutely unvarying legal significance and this factor has probably been responsible for much of the litigation which has arisen under the Longshoremen's Act, in which this exception has been applied, or sought to be applied. In the opinion of the Circuit Court of Appeals in the case of *South Chicago Coal and Dock Company et al.* v. *H. W. Bassett, Deputy Commissioner*, 104 Fed. (2d) 522, most of the cases arising under the Longshoremen's Act in which the term has been construed are collected. This case went to the Supreme Court of the United States and was decided February 26, 1940, the opinion of the court being reported in 309 U. S. 251; 60 S. Ct. 544. The decision and opinion of the Supreme Court in this case apparently will go a long way in the direction of clarifying the meaning of the term "member of a crew" as used in the Longshoremen's Act. In substance, the Supreme Court held that the term "crew" was used by Congress in the Longshoremen's Act designedly to distinguish certain employees on vessels from "seamen," the latter term being broader in scope, as defined in court decisions, than the term "crew." It was pointed out by the Supreme Court that the legislative history of the exception referred to discloses that it was the intention of Congress to include as entitled to the benefits of the Longshoremen's Act "all those various sorts of longshoremen and harbor workers who were performing labor on a vessel and to whom state compensation statutes were inapplicable." It would appear that under the reasoning in the opinion persons employed on board a vessel to perform services as

laborers, of the kind performed by longshoremen and harbor workers, and who sleep at home and board off the vessel, being called to perform service by the day, may not be regarded as members of the crew of the vessel within the exception in section 3 (a) (1), notwithstanding the fact that they may be called "deckhands" or "seamen" or that incidental to their principal duties aboard a vessel they may be called upon to perform services for the vessel of the same character as those performed by persons aboard primarily engaged in her navigation. The inference is strong in the opinion that in order to be classed as a "member of a crew" the employee must be shown to have been primarily on board the vessel for the purpose of aiding in her navigation.

In the same case the circuit court of appeals for the seventh circuit, when the case was before it, had to consider the question whether the district court properly granted a trial *de novo* upon the issue whether or not the deceased employee was a member of the crew of the vessel on which he was employed at the time of injury. It was asserted by the employer that this issue was jurisdictional in character and that under the decision of the Supreme Court in the case of *Crowell* v. *Benson*, 285 U. S. 22, the district court of the United States hearing the case had authority to receive and consider evidence *de novo* relating to the status of the employee in relation to the vessel. The circuit court of appeals, however, construed the effect of the Supreme Court's decision in the case of *Crowell* v. *Benson* as limiting the jurisdictional questions, with respect to which the district court may hear evidence *de novo*, to two; namely, (1) whether the injury was sustained on the navigable waters of the United States, and (2) whether the master and servant relationship existed. The opinion of the Supreme Court in the case of *South Chicago Coal & Dock Company* v. *Bassett, Deputy Commissioner*, was delivered by the Chief Justice, and the Chief Justice also delivered the opinion of the court in the case of *Crowell* v. *Benson*. The question of the authority of the lower court to grant a trial *de novo* was essentially part of the case before the Supreme Court; however, at no place in the opinion does the court advert to its decision or opinion in that case. The opinion merely states that the determination of the status of an employee as or as not a member of a crew is essentially a determination of a question of fact, and that the authority to determine such a question has been confided by Congress to the deputy commissioner.

The District of Columbia Workmen's Compensation Act, approved May 17, 1928, as amended (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; and (5) any secretary, stenographer, or other person performing any services in the office of any Member of Congress or under the direction, employment, or at the request of any Member of Congress, within the scope of the duties performed by secretaries, stenographers, or such employees of Members of Congress. It is administered by the Commission through a deputy commissioner.

Under the provisions of section 14 (m) of the Longshoremen's Act, "the total compensation payable under this Act for injury or death shall in no event exceed the sum of $7,500." The meaning of this limitation; that is, whether the limitation applies to all compensation payable on account of injury *and* death growing out of the same injury, or whether it applies to compensation for disability and to compensation for death, severally, has been considered by two Federal circuit courts of appeals. The first case decided involving the question is that of *International Mercantile Marine Company* v. *Lowe*, 93 Fed. (2d) 663, which arose in the second circuit. The other case is that of *Augustus P. Norton, Deputy Commissioner*, v. *Travelers Insurance Company*, 105 Fed. (2d) 122, which arose in the third circuit. Both decisions hold that the limitation applies severally. By reason of these two authoritative decisions the maximum possible compensation that might be paid in any one case for disability and on account of death benefits growing out of the same injury is the sum of $15,000.

In the case of *Cardillo, Deputy Commissioner* v. *Liberty Mutual Insurance Company*, 101 Fed. (2d) 254, which arose under the District of Columbia workmen's compensation law, it was held in an injury case, not involving death, that the maximum limitation in section 14 (m) of $7,500 in case of injury does not apply with respect to the cost of medical benefits payable by an employer under section 7 of the Longshoremen's Act, referred to in the next paragraph. Under this decision the cost of such benefits shall not be taken into account in computing the maximum sum of $7,500 payable as compensation for disability.

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. The provision relating to medical services and supplies requires the employer to "furnish such medical, surgical, and other attendance or treatment, nurse and hospital service, medicine, crutches, and apparatus for such period as the nature of the injury or the process of recovery may require." The obligation to furnish medical treatment, etc., is unlimited either as to time or amount. Where the employer has not provided necessary medical care, the employee, after request therefor of the employer, may secure such treatment or care at the expense of the employer; but no claim for medical or surgical treatment so obtained is valid and enforceable as against the employer unless the physician or surgeon giving such treatment furnishes to the employer and the deputy commissioner, within 20 days following the first treatment, a report thereof on a form prescribed by the Commission. This provision of law is frequently overlooked by both physicians and employees. Under an amendment the deputy commissioner may excuse the failure to furnish such report within such time when he finds it to be in the interest of justice to do so. Any employee who unreasonably refuses to submit to medical examination or to medical or surgical treatment may have his compensation suspended by the deputy commissioner during the period of such refusal. 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 66⅔ percent; children under 18 years of age where there is no widow, 15 percent, but not to exceed 66⅔ percent for all; dependent grandchildren, brothers, and sisters under 18 years, 15 percent; and dependent parents or dependent grandparents, 25 percent. An amendment permits payment of compensation to a child, grandchild, brother, or sister over the age of 18 years who is wholly dependent upon the deceased employee and incapable of self-support by reason of mental or physical disability. 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; or if compensation has been paid, within 1 year after the date of last payment of compensation. Where an employer fails to file with the deputy commissioner a report of injury or death of his employee of which he has knowledge, the year limitation does not begin to run against a claim for disability compensation or death benefits until such report shall have been furnished. Claims 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. Within certain limitations; that is, on the ground of a change in conditions or on the ground of a mistake in a determination of fact, 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. Condensed statistical information is given separately herein for each act.

REGULATIONS PROMULGATED BY THE COMMISSION EFFECTIVE AS OF MAY, 31, 1938

The Commission promulgated its revised and amended regulations, effective as of May 31, 1938, relating to the administration of the Longshoremen's Act and the District of Columbia workmen's compensation law, respectively. These regulations, revised and promulgated in accordance with the Federal Register Act, approved July 26, 1935 (49 Stat. 500), as amended, are in the form prescribed by the Codification Board, Division of the Federal Register, The National Archives, and were filed with the said division of The National Archives. These

regulations have now appeared in the Code of Federal Regulations published by The National Archives in accordance with the requirement of the Federal Register Act. The codification of regulations of various agencies of the United States has proceeded to final conclusion and the Code of Federal Regulations is now available for general use. The regulations of the Commission under all of the acts which it administers will be found in title 20, chapter I, of the Code as follows: Subchapter A, covering regulations under the United States Employees' Compensation Act; subchapter B, covering regulations under acts extending the United States Employees' Compensation Act to Emergency Relief Employees, and others; subchapter C, covering regulations under the Longshoremen's Act; and subchapter D, covering regulations under the District of Columbia workmen's compensation law. These regulations as so published are given effect, *prima facie*, as the Commission's regulations and may be cited in the official form prescribed; viz, 20 CFR 31.1.

These regulations implement the two laws above referred to and provide detailed administrative procedures relating to the handling of claims. They cover also the administrative procedures incident to the authorization of insurance carriers seeking to write insurance under either law and employers seeking the privilege of self-insurance thereunder.

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 misdemenaor, 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 1941, 16 insurance carriers were granted authority to write insurance under the Longshoremen's Act, the authority of 5 carriers previously so authorized was terminated, and at the end of the fiscal year there were 207 [1] carriers with authority to write such insurance.

During the year 2 insurance carriers were granted authorization to write insurance under the District of Columbia workmen's compensation law, the authorization of 1 carrier was terminated, and at the end of the fiscal year there were 66 carriers with authority to write such insurance.

During the year 21 employers were granted authority to act as self-insurers under the Longshoremen's Act, 26 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 341 authorized self-insurers under this act.

During the year 3 employers were granted authority to act as self-insurers under the District of Columbia workmen's compensation law, 2 such privileges were terminated during the year, and at the end

[1] In its twenty-fourth annual report the Commission reported 197 carriers as having authority to write such insurance on June 30, 1940. Upon further check of the records it was found that 196 carriers should have been reported as authorized upon said date.

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, participate in a "voluntary plan for granting coverage to uninsured risks." Cooperation along somewhat similar lines by authorized insurance carriers under the Longshoremen's Act, in most of the States, has been brought about 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 cancelation by either party, but under the law and regulations as well as by the terms of the Commission's prescribed endorsement, such cancelation 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 cancelation 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 cancelation 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 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 cancelation required by the law and regulations must be given.

The Commission's regulations relating to authorization of insurance carriers under the Longshoremen's Act will be found in title 20, Code of Federal Regulations, chapter I, subchapter C, in part 32, and the regulations affecting insurance carriers under the District of Columbia workmen's compensation law will be found in title 20 of the same Code, chapter I, subchapter D, in part 42.

Security required of self-insurers.—The rules and regulations of the Commission 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 payroll 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. These regulations, applicable to the Longshoremen's Act, will be found in title 20, Code of Federal Regulations, chapter I, subchapter C, in part 33, and the regulations on the same subject applicable to self-insurers under the District of Columbia workmen's compensation law will be found in the same title, but in chapter I, subchapter D, part 43.

EXTENSION OF THE LONGSHOREMEN'S ACT TO MILITARY AND NAVAL BASES

On August 16, 1941, the bill, S. 1642, "To provide compensation for disability or death resulting from injury to persons employed at military, air, and naval bases acquired by the United States from foreign countries, and on lands occupied or used by the United States for military or naval purposes outside the continental limits of the United States, including Alaska, Guantanamo, and the Philippine Islands, but excluding the Canal Zone, and for other purposes," was approved and became law. This bill was enacted by Congress for the principal purpose of providing a workmen's compensation law for the protection of employees of contractors engaged by the United

States to construct defense bases in areas outside continental United States, where the employees otherwise would be without adequate protection in case of injury or death due to industrial causes. This new law extends to such bases and areas the Longshoremen's and Harbor Workers' Compensation Act, with minor necessary changes, much in the same manner as the Longshoremen's Act was extended to apply as the workmen's compensation law for the District of Columbia, as above set forth.

The Commission is presently engaged in perfecting the necessary arrangements to facilitate administration of this law. Toward this end there have been established five new compensation districts, two such districts being newly created; namely, the Caribbean district, comprising the West Indies and British Guiana, with headquarters at San Juan, P. R., and the Pacific district, comprising all land areas in the Pacific Ocean south of 45° north latitude, with headquarters at Honolulu, T. H. The other three districts are former districts Nos. 1, 2, and 14 as established under the Longshoremen's Act and as extended to include areas coming within the purview of the act of August 16, 1941. District No. 1 is extended to include Newfoundland and Greenland, with headquarters at Boston, Mass.; district No. 2 is extended to include Bermuda, with headquarters at New York, N. Y.; and district No. 14 is extended to include all land areas in the Pacific Ocean north of 45° north latitude, and Alaska, with headquarters at Seattle, Wash.

On September 12, 1941, the Commission issued regulations which were published in the Federal Register on September 16, 1941, and are designed to implement the provisions of the act of August 16, 1941, where necessary in the administration of that act. These regulations, which will be found in the next yearly supplement of the Code of Federal Regulations, under subchapter E, chapter I of title 20 of that code, consist largely of an extension of existing regulations for the administration of the Longshoremen's Act, as published in said code in subchapter C of the same chapter and title, with such modification as have been deemed necessary.

The Commission's regulations provide for the establishment of suboffices and for the filing of reports, notices, claims and other papers at such suboffices, whenever administrative exigencies require the establishment of such offices. It is contemplated that by administrative order, duly published, the Commission will establish such offices at such places as its surveys, now being undertaken, will show to be necessary to facilitate administration of that act.

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 for review are not instituted before the expiration of the thirtieth day after the compensation order is filed by a deputy

commissioner, 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 654 cases filed under section 21 (b) of the Longshoremen's Act; and under the District of Columbia workmen's compensation law (which became effective July 1, 1928), there have been 254 such cases.

On July 1, 1940, there were pending 23 cases in which review of compensation orders was sought in United States district court under the Longshoremen's Act. During the fiscal year 35 new cases were filed and 31 cases disposed of. On June 30, 1941, 27 cases were pending and undecided in the district courts.

During the fiscal year five cases were appealed to the United States Circuit Courts of Appeals, five cases were disposed of and six cases remained undecided on June 30, 1941. Of the five cases disposed of during the fiscal year one was appealed during that year and four were carried over from the prior fiscal year.

On July 1, 1940, 13 [2] cases were pending in the District Court of the United States for the District of Columbia. During the fiscal year 14 new cases were filed and 12 disposed of, leaving 15 cases pending on June 30, 1941.

On July 1, 1940, four [3] cases were pending in the United States Court of Appeals for the District of Columbia. During the fiscal year five cases were appealed and five disposed of, leaving four cases pending on June 30, 1941.

SUMMARY OF COURT DECISIONS

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:

[2] In its twenty-fourth annual report the Commission reported 12 cases pending on June 30, 1940. One additional case is here shown as pending on that date, there having been included a case reversed by the appellate court and sent to the district court for further hearing.

[3] In its twenty-fourth annual report the Commission reported five cases as pending on June 30, 1940. Upon further check of the records it was found that four cases should have been reported as pending.

In the case of *George Trudenich* v. *Marshall*, 34 F. Supp. 486 (W. D. Wash. 1940), the court arffimed a compensation order, rejection of claim, where the deputy commissioner had found that coronary thrombosis which disabled an employee did not result from an "accidental injury." The court pointed out that when a preexisting disease is accelerated, aggravated or manifests itself as a result of the exertion incidental to the work in which the worker is employed, a compensable injury may result. In such cases the injury is related causally to the employment, the law merely disregarding the preexisting disease, without the presence of which the injury would not have occurred. But when the employment and the injury are not related causally, the unrelated manifestation of a preexisting condition at the time the work is being performed is not a compensable injury. The appearance or manifestation of a preexisting condition under such circumstances is deemed to be coincidental and not causal.

In the case of *Dunham Towing and Wrecking Company* v. *Bassett* (the *Aksel Monson* case), 36 F. Supp. 527 (N. D. Ill. 1940), the court held that an employee whose principal duty was to keep a furnace under a boiler on a tugboat properly fired in order to take care of the steam which furnished the power for the navigation of such vessel and who carried first-class seaman's papers, but did not sign articles or sleep aboard the vessel, was nevertheless a member of the crew and therefore not entitled to compensation under the Longshoremen's Act.

In the case of *Charles M. Thomson, Trustee, Etc.* v. *Norton* (the *Odilla Courteau* case), 36 F. Supp. 956 (W. D. Mich. 1940), a railroad employee while walking along a fender of a dock was injured when a cable attached to a vessel caused the employee to be pulled from the fender and drawn against the side of the vessel. The court held that the deputy commissioner had jurisdiction under the Longshoremen's Act as the cause of action and the injury were completed upon the navigable waters of the United States. This case is now pending on appeal before the circuit court for the sixth circuit.

In the case of *McWilliams Dredging Company* v. *Henderson* (the *Bryant Williams* case), 36 F. Supp. 561 (N. D. Ala. 1941) the decedent, a dredging company's employee, was drowned when he fell from a scow while crossing from the shore over the scow to the company's dredge on which he was furnished quarters and subsistence by the employer. The employee had been absent from the dredge from Saturday to Sunday evening on his own personal business, as there had been no work shift on Sunday. The regular and permissible route of crossing from the shore to the dredge was over the scow owned by the dredging company. The court in holding that the employee's death was compensable as arising out of and in the course of employment pointed out that the term "arising out of employment" refers to a causal factor, while the term "in the course of employment" refers to the factors of time, place, and circumstances. The court in effect held that as the employer had furnished living quarters to the employee, injury going to or upon the premises (vessel or adjacent vessel used as a means of ingress) was compensable, following the rule in so-called "bunk-house" cases.

In the case of *Maryland Dry Dock Company* v. *Parker* (the *Fred Schackert* case), 37 F. Supp. 717 (D. C. Md. 1941), the sole question was whether minor children are required under the Longshoremen's Act to establish dependency upon the deceased. On behalf of the deputy

commissioner it was contended that the dependency in fact was not a prerequisite, but was presumed by the statute. The deceased employee in this case had three children under 18 years of age. He had deserted his family and later his wife, the mother, obtained an absolute divorce with custody of the children, the father having been charged with their maintenance and support. The mother remarried and the father contributed nothing toward the support of the children. At the time of the employee's death the children lived with and were entirely dependent upon their stepfather. The court held that notwithstanding these facts the children were entitled to compensation on the statutory presumption of dependency.

In the case of *Coos Bay Lumber Company* v. *Pillsbury* (the *C. A. Swanson* case,) 37 F. Supp. 914 (N. D. Calif. 1941), the court held that a "traveling stevedore or winchman" who was required as a part of his employment to go from port to port with a vessel and whose death occurred while he was engaged as a winchman in a loading operation, and who was carried on the ship's pay roll, doing general work while at sea, such as repairing steering gears, shrouds, winches, etc., having previously been hired from a sailors' hiring hall, was a "member of the crew" of the vessel. In this case a certificate as able-bodied seaman had been required before employment of the deceased.

In the case of *Bassett* v. *Massman Construction Company* (the *Myrtle Boling* case), 120 F. (2d) 230 (C. C. A. 8, 1941), the court held that the district court for the eastern district of Missouri was without jurisdiction of proceeding to review an award under the Longshoremen's Act for injuries sustained in another judicial district and that proceedings for review of a compensation order must be instituted in the Federal district court for the judicial district *in which the injury* occurred, this requirement being not merely one of venue, but jurisdictional, in view of careful discrimination in the act in the designation of courts and specific prohibition against the institution of proceedings, otherwise than as provided in the act (sec. 21 (d)).

In the case of *Winfred Whalen* v. *Lowe*, 38 F. Supp. 248 (D. C. N. J. 1941), the decedent met his death as the result of falling through the hatch in the 'tween-decks area of a vessel at a place where he had no duties to perform and there was no occasion for him to go. The court held in effect that the presumption in section 20 (a) of the act would not prevail as against the positive evidence which was found to support the finding of fact of the deputy commissioner upon which rejection of the claim was based.

In the case of *London Guarantee & Accident Co.* v. *Henderson* (the *Arrenner Rhoades* case), —— Fed. Supp. —— (W. D. La. 1941), the court held that a proceeding under the Federal Declaratory Judgment Act could not be maintained to interfere with the administrative actions of the deputy commissioner, and that jurisdiction of the courts in a case under the Longshoremen's Act cannot be invoked until after the deputy commissioner has acted.

In the case of *Fireman's Fund Insurance Company* v. *Marshall* (the *A. M. Peterson* case), 120 F. (2d) 547 (C. C. A. 9, 1941), the court held that as section 10 (c) of the Longshoremen's Act requires the deputy commissioner, in determining the average annual earnings of an employee, to consider "the previous earnings of the injured employee and of other employees of the same or most similar class," and findings which show failure to consider such "previous earnings" may be set

aside. To the same effect, but holding that the deputy commissioner is not required under section 10 (c) to consider earnings of other employees where such earnings did not "reasonably represent the annual earning capacity of the injured employee"; see *Fireman's Fund Insurance Co.* v. *Marshall* (the *John Van Steene* case), 120 F. (2d) 548 (C. C. A. 9, 1941).

In *Wood Preserving Corporation* v. *McManigal* (the *Robt. Youngblood* case), 39 F. Supp. 177 (W. D. Ky., 1941), the court held that where an employee's preexisting disease was accelerated by the conditions of his employment, all disability resulting therefrom was compensable by the employer, and that the provisions of section 8 (f) of the Longshoremen's Act applicable to so-called "second injury" cases had no application.

In the case of *Reading Company* v. *Norton* (the *Viney Lester* case), 1941 A. M. C. 1254 (E. D. Pa. 1941), it was held that an uncorroborated statement of an employee to his wife that he had "fainted on the job" and thereby sustained injury was insufficient to support award of death benefits even though a coroner's report disclosed evidence of an injury to the head.

In *A. L. Mechling Barge Line* v. *Bassett* (the *Herman Lockas* case), 119 F. (2d) 995 (C. C. A. 7, 1941), the court held that an employee employed as a cook aboard a tugboat, who prepared meals for the crew of the vessel, eating and sleeping on board the vessel except on his off time, was a member of the crew of a vessel within the meaning of section 3 (a) (1) of the Longshoremen's Act.

In the case of *Motor Boat Sales, Inc.* v. *Parker* (the *Jessie B. Armistead* case), 116 F. (2d) 789 (C. C. A. 4, 1941), the court reversed the decision of the district court (as reported in the Commission's twenty-fourth annual report) which had held that an employee employed to assist in testing a motor boat engine was not engaged in an employment within the purview of the Longshoremen's Act. In this case the United States Supreme Court on May 12, 1941 (61 S. Ct. Rept. 1087), granted a petition for writ of certiorari, and the matter is now pending before that court.

In the case of *Arthur F. Granholm* v. *Cardillo*, 116 F. (2d) 948 (App. D. C. 1940), the claimant alleged that he sustained an injury to his heart while assisting three or four other men in loading a box weighing about 500 pounds into a motortruck in the performance of his duties as a baggage checker. The deputy commissioner found as a fact that the lifting did not precipitate an attack of coronary thrombosis suffered by the claimant and rejected his claim. The court refused to disturb the findings of the deputy commissioner notwithstanding that there was evidence in the record which would have supported a finding favorable to the employee had the deputy commissioner so found.

In the case of *Harold J. Groom* v. *Cardillo*, 119 F. (2d) 697 (App. D. C. 1941), the appellant in 1939 was a teller employed in a Washington, D. C., bank when he suffered a recurrence of an old tubercular condition. He claimed that standing at the bank, talking to customers and the constant use of his arm in stamping stubs had caused an exacerbation of arrested tuberculosis. The deputy commissioner's findings of fact in the compensation order rejecting the claim, that the employee did not sustain an "accidental injury" were found by the court to be supported by the evidence.

In the case of *Penker Construction Company* v. *Cardillo* (the *Hildren Wilder* case), 118 F. (2d) 14 (App. D. C. 1941), the decedent Wilder was assaulted by a fellow employee while at work in an altercation arising from decedent's refusal to pay a sum of money allegedly due his assailant for procuring his employment. The court in holding the injury and death arose out of and in the course of the employment of the deceased stated that an injury arises out of the employment if it is caused by the environment, whether inanimate, animal, or human, to which the employment exposes the employee; that an assault by a stranger, and a fortiori by a fellow employee, clearly arises out of the employment where, as here, the employment provides the motive for the assault; that the deceased was killed because he had employment for which he refused to pay a fee; and that he was under no obligation to pay is immaterial. The award was also sustained on another ground. The court held further that the finding that "the employment * * * was responsible for the assault" was equivalent to a finding that the injury was "caused by the willful act of a third person directed against an employee because of his employment." (See section 2 (2) of the act.)

In the case of *Avignone Freres, Inc.* v. *Cardillo* (the *Margaret Cook* case), 117 F. (2d) 385 (App. D. C. 1940), the facts were that a diabetic employee accidentally bruised his toe in the course of his employment, followed by infection, gangrene, and death. The court held that there was substantial evidence of a causal relationship between the slight injury suffered by the employee and his subsequent death as found by the deputy commissioner.

In the case of *Macon L. Moyer* v. *Cardillo*, 119 F. (2d) 785 (App. D. C. 1941), the court held that the uncontradicted and undisputed testimony showed that the employee, injured while employed in a garage in the State of Maryland temporarily occupied by his employer for storage of trucks, sustained his injury within the purview of the District of Columbia workmen's compensation law on the ground that the employer, although about to cease operations in the District of Columbia, had on the date of injury not in fact ceased to be a person carrying on employment in the District of Columbia.

AMENDMENTS TO THE LAW

There were no amendments to the Longshoremen's Act or the District of Columbia workmen's compensation law during the fiscal year. The Longshoremen's Act, which was passed March 4, 1927 (ch. 509, 44 Stat. 1424), was amended May 26, 1934 (Public, No. 257, 73d Cong., ch. 354, 48 Stat. 806), and June 25, 1938 (Public, No. 727, 75th Cong., ch. 685, 52 Stat. 1164). The act will also be found in 33 U. S. C. 901 et seq.

For further reference to the history and substance of the several amendments to the Longshoremen's Act, attention is directed to the Commission's eighteenth annual report, pages 33 to 39, inclusive; to its nineteenth annual report, pages 47 to 51, inclusive; to its twenty-first annual report, pages 60 to 66, inclusive; and to its twenty-second annual report, pages 54 to 58, inclusive.

There was introduced in Congress on June 6, 1941, a bill "To amend the Longshoremen's and Harbor Workers' Compensation Act." This bill, H. R. 4986, is now pending for consideration in the Committee on the Judiciary, House of Representatives. The bill proposes

modifications of the Longshoremen's Act in a number of respects, among which may be mentioned (1) a new statutory definition of the term "injury"; (2) an extension of the coverage of the act to include within the term "employee" the masters and members of crews of vessels upon the inland navigable waters of the United States (except upon the Great Lakes) and certain land employees employed on docks, wharves, and places immediately adjacent to navigable waters, where engaged in interstate or foreign commerce; (3) new features relating to medical benefits designed to give employees the right of selection as to physicians, and to provide for establishment of panels of physicians and fixed schedules of fees; (4) increases in the benefits provided for loss or loss of use of members of the body; (5) increases in the percentages of the average weekly wage of an employee payable to beneficiaries as death benefits; (6) an increase in the statutory maximum weekly wage for the purpose of computing compensation for disability or death; (7) a broadening of the provisions relating to vocational rehabilitation of beneficiaries; (8) new provisions affecting the bar of limitations applicable to claims (in section 13) and to applications for review of a compensation case (under section 22), and enlargement of the deputy commissioner's jurisdiction with respect to such review; (9) changes in the section of the act under which an employee's average weekly wage is determined; (10) removal of the limitation (of $7,500) upon total aggregate maximum compensation payable for injury or death; (11) entirely new provisions relating to so-called "third party" cases; and (12) inclusion in the act of a comprehensive safety law.

On August 19, 1941, there was introduced in Congress a bill to amend section 44 of the Longshoremen's Act, the purpose of which is to authorize enlargement of the uses of the special fund established pursuant to that section so as to enable the Commission to provide therefrom payments of compensation to beneficiaries in those cases where an uninsured employer, or an insured employer and his carrier, because of insolvency, defaults in the payment of compensation or other benefits. This measure (S. 1862) is now pending for consideration in the Committee on the Judiciary, House of Representatives.

The Commission renews its recommendation in previous annual reports that it be authorized to consider upon administrative review decisions of the deputy commissioner under the District of Columbia workmen's compensation law. Under the Longshoremen's Act claims are handled by deputy commissioners throughout the country 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 a compensation order by the United States district court in the judicial district in which the injury occurred, upon 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 the Commission, before the case is reviewed by the courts. No doubt similar procedure in the District of Columbia would be in the interest

of proper administration of the law and probably would save much expense and litigation both to the interested parties and to the United States. Such review should be of both facts and law, and the judicial review should, as at present, extend merely to questions of law.

The Commission also recommends an amendment to the District of Columbia workmen's compensation law so as to relieve patriotic, religious, fraternal, and similar organizations from the necessity of carrying workmen's compensation insurance for the protection of such members thereof as are employed only part time in connection with any of the activities of such organizations which do not involve the seeking of profit or gain.

1. LONGSHOREMEN'S AND HARBOR WORKERS' COMPENSATION ACT

Injuries reported.—The 80,476 nonfatal injuries reported under this law in the 12 compensation districts during the year ended June 30, 1941, reflect the largest number in the history of the law, and represent a 94 percent increase over the average number of 41,518 nonfatal cases reported during the preceding 5 fiscal years. Increases are noted in all but three districts.

Fatal injuries reported number 21 more for the fiscal year 1941 than were reported during the preceding like period. The 183 fatal injuries reported are about 10 percent above the average number of fatalities reported during the preceding 5 fiscal years. The number of nonfatal and fatal injuries reported each fiscal year from July 1, 1927, to June 30, 1941, is shown according to fiscal years for each compensation district in table 37.

TABLE 37.—CASES REPORTED BY FISCAL YEARS 1928–41

District	Nonfatal													
	1941	1940	1939	1938	1937	1936	1935	1934	1933	1932	1931	1930	1929	1928
1. Boston	3,652	2,156	2,060	2,535	2,399	2,168	1,519	1,300	1,358	1,586	2,432	4,024	3,176	2,681
2. New York	26,512	13,563	10,716	11,821	12,370	7,397	5,457	6,012	5,007	6,584	9,307	13,574	13,370	10,789
3. Philadelphia	1,484	1,502	1,138	1,306	1,301	1,114	1,118	1,423	1,093	1,386	1,583	1,926	1,781	1,302
4. Baltimore	11,911	7,840	5,570	5,202	2,083	1,150	881	2,897	662	805	1,240	1,910	2,271	1,805
5. Norfolk	3,560	2,161	1,764	2,174	1,685	1,572	1,923	2,268	1,217	1,313	1,419	1,491	1,396	1,341
6. Jacksonville	1,587	[1] 1,589	1,481	1,632	2,188	2,003	1,747	1,828	1,188	1,173	1,199	1,508	1,240	1,115
7. New Orleans	14,093	8,191	6,069	6,892	8,062	4,975	4,839	6,149	3,340	4,908	3,356	4,278	3,416	2,427
8. Galveston	3,117	3,262	2,316	2,952	2,652	3,548	2,074	2,116	1,763	2,457	1,779	2,331	2,763	2,576
9. Cleveland	1,309	1,168	877	1,008	1,096	912	629	771	484	637	789	1,034	1,009	688
10. Chicago	1,977	1,799	1,126	694	533	401	329	385	316	391	455	435	521	401
13. San Francisco	5,808	4,331	3,884	4,252	3,421	3,169	2,897	2,325	1,496	1,892	2,406	3,432	3,241	3,156
14. Seattle	5,466	3,648	3,160	3,451	3,056	3,044	2,775	2,231	1,627	2,074	2,742	3,697	3,685	3,529
Total	80,476	51,210	40,161	43,919	40,846	31,453	26,188	29,705	19,551	25,206	28,707	39,640	37,869	[1] 31,810

District	Fatal														Total		Grand total
	1941	1940	1939	1938	1937	1936	1935	1934	1933	1932	1931	1930	1929	1928	Nonfatal	Fatal	
1. Boston	8	10	7	5	12	11	8	12	7	6	3	12	15	12	33,046	128	33,174
2. New York	50	56	60	69	67	46	37	36	24	28	46	65	50	46	152,479	680	153,159
3. Philadelphia	9	7	10	11	13	9	5	14	7	10	13	16	10	8	19,457	142	19,599
4. Baltimore	17	8	4	11	6	2	8	4	6	8	6	14	13	14	46,227	121	46,348
5. Norfolk	8	7	6	6	5	8	7	8	5	3	8	6	7	6	25,284	90	25,374
6. Jacksonville	10	9	4	7	6	10	12	7	5	10	10	13	11	10	21,478	124	21,602
7. New Orleans	22	18	12	17	22	11	12	14	10	16	20	16	23	18	80,995	231	81,226
8. Galveston	8	5	10	7	7	15	4	9	8	5	6	4	5	6	35,706	99	35,805
9. Cleveland	14	14	8	8	12	6	9	11	4	19	11	19	9	16	12,411	160	12,571
10. Chicago	10	11	3	8	3	6	7	10	3	6	8	8	10	3	9,763	96	9,859
13. San Francisco	12	10	13	20	16	13	13	8	7	14	12	18	11	16	45,710	183	45,893
14. Seattle	15	7	18	11	18	15	18	9	9	6	13	19	19	23	44,185	200	44,385
Total	183	162	155	180	187	152	140	142	95	131	156	210	183	[1] 178	526,741	2,254	528,995

[1] Includes reopened cases.

Open cases.—On June 30, 1941, 5,309 nonfatal and 850 fatal cases were open in the offices of the 12 compensation districts. In 2,437 nonfatal and 693 fatal cases, compensation was being paid on account of injury and death, respectively. The remaining cases were in various stages of adjudication. In the nonfatal cases which were open, the compensation paid to beneficiaries to June 30, 1941, amounted to $3,173,778. The future compensation payable in such cases is $2,958,102, thus indicating an estimated total cost of $6,131,880 for these cases or an average of $1,157 per case.

The 693 fatal cases in which payments were being made on June 30, 1941, include 91 new cases in which compensation payments were started during the fiscal year 1941. The total compensation paid and estimated to be paid in these 693 cases is $4,959,400. The estimated cost of benefits in the 91 new fatal cases in which payments commenced in 1941 is $618,743. This amount includes $586,633 estimated as the compensation to be paid to 201 dependents of the deceased employees, $16,813 burial expenses, and $15,297 disability compensation. The average cost per case for the new fatal injuries in compensated cases is $6,799. The classes of dependents in these cases and the number of each, the weekly compensation award, and other information regarding such cases are shown in table 38.

TABLE 38.—COST OF COMPENSATION TO DEPENDENTS IN 91 FATAL CASES APPROVED DURING THE FISCAL YEAR 1941

[Longshoremen]

Kind of dependent	Number	Weekly award	Estimated valuation	Average		
				Age	Weekly award	Value of award
Widows	73	$702.92	$441,984	41.7	$9.63	$6,055
Children under 18	100	252.31	81,574	10.0	2.52	816
Brothers and sisters	4	3.68	1,381	10.5	.92	345
Over 18, incapable of self-support	2	3.60	2,879	60.5	1.80	1,440
Fathers	5	26.81	13,791	64.6	5.36	2,758
Mothers	11	65.33	41,113	60.6	5.94	3,738
Grandparents	1	3.00	685	80.0	3.00	685
Grandchildren	5	12.75	3,226	12.2	2.55	645
Total	201	1,070.40	586,633			

Cases disposed of.—During the fiscal year ended June 30, 1941, action was taken under which 82,082 cases were closed in the records of the Commission. Approximately 16 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, 77 and 6 percent of the total nonfatal cases closed during the year. During the same period 153 fatal cases were closed. In 82 such cases it was found that death did not occur under the circumstances bringing it within the scope of the law, in 42 cases compensation was completed, and in 29 cases there were no dependents entitled to compensation for death. Cases closed during the year and the reasons therefor are shown for each compensation district in table 39.

TABLE 39.—CASES CLOSED[1] DURING THE FISCAL YEAR ENDING JUNE 30, 1941, AND TOTALS FOR PREVIOUS YEARS

District	Nonfatal				Fatal			
	No time lost	7 days and under	No jurisdiction, etc.	Compensation paid	No jurisdiction, etc.	$1,000 paid	Lump sum	Compensation paid
1. Boston	2,944	167	24	535	3	2		1
2. New York	20,083	1,474	263	4,747	21	10	1	10
3. Philadelphia	839	126	29	555	5	1		1
4. Baltimore	10,910	241	23	888	12			2
5. Norfolk	2,871	310	13	402	2	1		2
6. Jacksonville	550	316	32	798	7			2
7. New Orleans	12,214	665	119	1,286	3	6		4
8. Galveston	2,043	229	32	884	4			2
9. Cleveland	842	133	22	330	11	4		5
10. Chicago	1,555	217	10	193	1	1		3
13. San Francisco	4,172	646	67	1,244	9	2	1	3
14. Seattle	4,084	544	68	1,190	4	2		5
Total for 1941	63,107	5,068	702	13,052	28	29	2	40
1940	36,277	3,985	645	10,691	74	16	4	28
1939	27,542	3,606	696	9,570	79	14	4	43
1938	29,386	4,115	800	11,704	85	26	12	48
1937	25,100	4,391	807	10,822	62	18	10	35
1936	17,099	3,946	905	10,021	60	17	6	25
1935	13,916	3,119	840	9,110	55	21	2	20
1934	16,955	3,200	949	8,805	61	12	6	18
1933	9,916	2,321	765	7,397	38	5	10	11
1932	12,751	3,128	1,103	9,731	53	28	5	12
1931	13,261	4,067	1,279	11,776	67	22	10	4
1930	18,729	6,358	1,528	14,382	60	29	11	2
1929	16,498	6,449	1,412	14,556	80	20	6	4
1928	11,034	4,958	1,279	11,212	39	6	1	0
Total, 1928–41, inclusive	311,571	58,711	13,710	152,829	895	263	89	290

[1] Includes some cases reopened and subsequently reclosed.

Nonfatal cases.—The total compensation paid in nonfatal cases closed during the fiscal year 1941 is $2,693,397. This amount does not include $29,460 paid for serious facial disfigurement in 219 cases. The amount reported as paid does not represent payments made during the fiscal year 1941 but includes all payments in this and prior years in the cases closed during the year.

In compensated temporary disability cases involving longshoremen, the average duration of disability is 50.8 days for cases closed in 1938, 56.7 in 1939, 52.1 in 1940, and 54.4 in 1941. The average compensation award for the same cases is $104.34 for 1938, $122.75 for 1939, $115.03 for 1940, and $123.60 for 1941. The average amount paid as compensation for each day of disability is $2.06 for 1938, $2.17 for 1939, $2.21 for 1940, and $2.27 for 1941.

The average duration of disability in permanent partial disability in cases involving injuries to the same class of workmen is 322 days for cases closed in 1938, 338 for 1939, 378 for 1940, and 303 for 1941. Duration in such cases includes calendar days of temporary disability preceding the awards for permanent injury plus the calendar days covered by the schedule awards. The average award in these cases is $734.94 for 1938, $819.10 for 1939, $951.63 for 1940, and $778.64 for 1941.

Table 40 shows the extent and duration of disability and compensation costs in all lost-time cases closed during the fiscal year 1941, and the totals for each fiscal year from 1928 to 1941, inclusive.

TABLE 40.—NUMBER OF LOST-TIME CASES CLOSED AND FATAL CASES APPROVED, SHOWING DURATION, EXTENT OF DISABILITY, AND COMPENSATION COSTS, FISCAL YEARS 1928–41, INCLUSIVE

Fiscal year and occupation	All cases, number	Nonfatal cases									Fatal cases			
		Total number of nonfatal cases	Total compensation	Number of cases 7 days or less	Temporary disabilities			Permanent disabilities			Total number of cases	Number with dependents	Weekly award	Estimated total cost
					Number of cases	Days' duration	Compensation	Number of cases	Days' duration	Compensation				
1940:														
Foremen	119	116	$27,598	33	70	4,659	$13,324	13	4,229	$14,274	3	3	$38.06	$20,912
Longshoremen	12,121	12,061	2,042,132	2,818	7,856	426,316	966,313	1,387	419,748	1,075,819	60	45	524.40	316,865
Total	12,240	12,177	2,069,730	2,851	7,926	430,975	979,637	1,400	423,977	1,090,093	63	48	562.46	337,777
Repairmen	3,904	3,875	450,892	1,812	1,805	95,699	222,842	258	87,963	228,050	29	26	289.79	182,299
Others	1,161	1,133	172,775	385	622	32,213	72,442	126	43,477	100,333	28	17	218.15	131,869
Total for 1941	17,305	17,185	2,693,397	5,048	10,353	558,887	1,274,921	1,784	555,417	1,418,476	120	91	1,070.40	651,945
1940	13,912	13,824	2,202,935	3,922	8,645	456,158	1,006,732	1,257	475,046	1,196,203	88	72	829.86	481,898
1939	12,782	12,688	2,016,714	3,544	7,957	447,181	976,661	1,187	427,313	1,040,053	95	81	897.06	553,052
1938	15,023	14,898	2,081,283	3,942	9,590	492,102	1,025,330	1,366	460,678	1,055,953	125	99	1,159.53	675,709
1937	14,816	14,706	1,867,467	4,332	9,270	465,285	913,306	1,104	421,307	954,161	110	92	983,64	603,209
1936	13,671	13,578	1,575,811	3,877	8,805	452,267	859,419	896	329,595	716,392	93	73	681.47	458,130
1935	11,928	11,863	1,453,787	3,114	7,830	398,236	729,832	919	326,536	723,955	65	50	478,75	323.384
1934	11,374	11,287	1,475,150	2,996	7,442	369,840	665,460	849	354,427	809,690	87	75	665.89	457,835
1933	9,423	9,331	1,777,794	2,202	6,186	352,277	716,120	943	408,615	1,061,674	92	72	670.59	428,926
1932	12,167	12,073	2,319,750	2,859	8,140	461,848	1,068,248	1,074	453,709	1,251,502	94	67	730.81	424.893
1931	15,105	15,026	2,365,433	3,777	10,166	540,621	1,289,860	1,083	382,559	1,075,573	79	71	869.09	479,761
1930	19,610	19,478	2,202,568	5,773	12,649	579,980	1,366,107	1,056	301,681	836,461	132	109	1,421.54	721,396
1929	19,505	19,384	1,644,363	5,966	12,799	533,035	1,244,846	619	141,356	399,517	121	91	1,112.45	545,434
1928	14,919	14,857	870,421	4,508	10,071	336,467	751,540	278	41,463	118,881	62	56	770.97	367,907
Totals, 1928–41, incl.	201,540	200,178	26,546,973	55,860	129,903	6,444,184	13,888,382	14,415	5,079,702	12,658,491	1,362	1,099	12,342.05	7,173,479

Compensation in the sum of $29,460 was awarded for serious facial or head disfigurement in 219 cases closed during this year. In 112 cases in which the injury did not cause a loss of time $11,005 was awarded for disfigurement and in 8 other cases in which the time loss was under 8 days $875 was awarded for the same reason. In 80 compensated temporary disability cases in which $18,618 was paid as compensation for disability, additional compensation amounting to $13,420 was awarded for disfigurement. In 19 permanent disability cases in which $32,054 was paid as compensation for disability, awards for disfigurement were approved in the sum of $4,160.

Fatal cases.—In 29 of the 153 fatal cases closed during the year there were no dependents entitled to compensation for death and each such case was closed by the payment of $1,000 into the special fund created by section 44 of the Compensation Act. Burial expenses incurred in these 29 cases amounts to $4,169, and the total cost of such cases including $33 disability compensation, is $33,202. This results in an average cost of $1,145 per case.

Final payment of compensation was made in 42 other fatal cases during the year. In 17 such cases the accured payments to beneficiaries reached the maximum $7,500 payment authorized by law, in 23 cases final payment was made because of a change in the status of the beneficiary, and in 2 cases the future installments of compensation were commuted and paid in a lump sum. In the 40 cases in which the installments were paid out, the total payments amount to $184,217. This includes $172,523 paid to beneficiaries of the deceased employee, $6,738 for burial expense, and $4,956 as compensation prior to death. The average compensation to dependents in these fatal cases is $4,313 per case.

In 1 fatal case closed by payment of a lump sum the beneficiaries were aliens residing outside the United States. Application for commutation of the award in this case was made by the employer or insurance carrier in accordance with the provisions of section 9 (g) of the Compensation Act. The net compensation paid to dependents, including accured installments prior to the commutation, amounts to $3,336.

Accident prevention.—The Commission has continued its studies and investigations with respect to the causes of injury and means for preventing accidents in all employments within the purview of the Longshoremen's and Harbor Workers' Compensation Act. During the fiscal year covered by this report, the safety engineer of the Commission has made surveys of operations in maritime employments in the larger ports to determine the causes of injury to workmen in such employments and the accident prevention measures now employed in this industry. Special studies have been made in respect to injuries occuring in employments within the District of Columbia and investigations have been made in connection with the more serious injuries in private employment in the District.

The monthly Safety Bulletin issued by the Commission is utilized so far as practicable for the promotion of safety in all employments under the Federal workmen's compensation law. Each issue of the bulletin carries a report of the number and causes of injuries caused by industrial accidents in public and private employment. Through this medium and by personal contact, the Commission has endeavored to direct the attention of employers and employeees to the needless

waste of life and the large increase in operating costs resulting from the failure to use reasonable and proper means for the prevention of accidents. The Commission believes such efforts have been fruitful and that much progress has been made in the development of safer working conditions.

Cause of injury.—An analysis of the cause of injury in all cases reported under this law is published monthly in the Safety Bulletin and in the interest of economy the statistical tables which previously appeared in annual reports are omitted from this report. The results of these analyses are summarized in the paragraphs below. Injuries to longshoremen are analyzed apart from other harbor workers.

Longshoremen.—A total of 26,565 nonfatal injuries to longshoremen was reported during the calendar year 1940. Fatal injuries numbered 110 for this period.

As heretofore, four main causes account for the greater part of all nonfatal injuries reported during this period and comprise 74 percent of the total.

The greatest hazard, "handling objects," accounted for 8,237, or 31 percent, of the nonfatal injuries reported for this period.

"Falling objects" ranks second as a major cause and caused 4,911, or 18 percent of all nonfatal injuries. Cargo falling from pile, materials falling from sling loads, and the falling of hatch beams and hatch covers are the main individual causes of injury under this heading.

Being struck by moving objects causes 3,616 nonfatal injuries, or 14 percent of the total. Sling loads in motion is the largest individual cause of injury under this heading. Struck by or caught while steadying or landing sling loads and miscellaneous objects rank in the order named.

Falls of persons caused 2,933 nonfatal injuries, or 11 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.

Longshoremen reported a total of 110 fatal injuries during the calendar year 1940. Four major causes of accidents were responsible for approximately 75 percent of the total. "Falls of persons" lead the list of causes with 45 fatal injuries, or 41 percent of all fatalities reported during this period. These fatal injuries were sustained by falls into open hatches and manholes, and falls from craft to water or dock. "Falling objects" caused 12 fatal injuries, or 11 percent. Twelve fatalities, or 11 percent, were due to drowning. "Moving objects" caused 15 fatal injuries, or 14 percent of the total number of fatal injuries reported for this employment during the calendar year 1940.

Repairmen.—A total of 34,150 nonfatal injuries to repairmen were reported during the calendar year 1940. Fatal injuries during this period numbered 60.

An analysis of the causes of nonfatal injuries to repairmen shows seven main causes accounted for 28,436 injuries, or 83 percent of the total nonfatal injuries reported during 1940. "Flying objects" constituted the greatest hazard to repairmen. Nonfatal injuries reported, due to this cause, numbered 11,032, or 32 percent of the total nonfatal injuries reported during this period. Under this heading,

chipping and caulking and splinters were responsible for the greatest portion of these injuries.

"Handling objects" ranked second as a major cause and accounted for 5,196, or 15 percent of the nonfatal injuries. The principal contributory causes under this heading were strain or sprain from handling heavy objects and being caught between objects handled.

"Conflagration and flames" accounted for 2,776, or 8 percent of the total. "Hot substances" caused 2,478 nonfatal injuries, or 7 percent; "Hand tools" caused 2,539, or 7 percent; "Striking against objects" caused 2,274, or 7 percent; and "Falls of persons," caused 2,141, or 6 percent.

Approximately 48 percent, or 29 fatalities, resu'ted from "falls of persons" during the calendar year 1940.

Trust-fund account.—The status, as of June 30, 1941, of the special fund created by section 44 of this law, and receipts and expenditures during the year ended that date are as follows:

Balance July 1, 1940		$215, 529. 96
Cash	$19, 577. 46	
Investments	195, 952. 50	
Receipts during fiscal year 1941		33, 114. 27
Payments under sec. 44 (c) (1)	27, 000. 00	
Interest	6, 114. 27	
Total		248, 644. 23
Expenditures		5, 349. 84
Compensation sec. 8 (f)	1, 303. 56	
Compensation sec. 8 (g)	2, 220. 10	
Prosthetic appliances	1, 741. 18	
Tuition and supplies	85. 00	
Balance June 30, 1941		243, 294. 39
Cash	12, 321. 51	
Investments	230, 972. 88	

Expense of administration.—The appropriation for administrative expenses of the Commission covers the cost of administration of three laws, and therefore, the cost 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 1941 was $262,787. 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 $213,656 having been charged to this purpose. Other large expenditures charged to the administration of this law are $8,134 for medical examinations ordered by deputy commissioners, $18,343 for contract-reporting service for reporting hearings, $11,265 for traveling expenses of personnel, $2,919 for rents, and $2,522 for communication service.

2. DISTRICT OF COLUMBIA WORKMEN'S COMPENSATION ACT

Injuries reported.—During the fiscal year which ended June 30, 1941, 32,228 nonfatal injuries and 77 fatal injuries were reported to the office of the deputy commissioner. This is an increase of 2,879 cases over the total number reported in 1940.

The number of nonfatal injuries reported during 1941 represents an increase of 9.8 percent over the number reported in 1940 and approximately 28 percent over the number reported in 1939.

A total of 298,303 injuries have been reported to the Commission under this law during the 13 years it has been in operation. Table 41 shows by months the number of injuries reported for the 13 years, 1929 to 1941, inclusive.

TABLE 41.—INJURIES REPORTED BY THE MONTH FOR THE 13 FISCAL YEARS 1929–41 UNDER THE DISTRICT OF COLUMBIA WORKMEN'S COMPENSATION ACT

Month of fiscal year	Nonfatal												
	1941	1940	1939	1938	1937	1936	1935	1934	1933	1932	1931	1930	1929
July	2,915	2,450	2,065	2,565	2,292	2,243	1,894	1,887	1,491	2,094	1,735	1,656	731
August	3,143	2,755	2,472	2,543	2,533	2,292	1,988	2,142	1,699	1,892	1,969	1,739	1,222
September	2,759	2,172	2,206	2,302	2,399	1,712	1,765	1,880	1,619	1,870	1,888	1,431	1,169
October	3,129	2,692	2,127	2,394	2,377	2,236	2,039	1,753	1,649	2,028	1,938	1,768	1,288
November	2,687	2,426	2,063	2,251	2,018	1,932	1,875	1,749	1,539	1,655	1,509	1,512	1,215
December	2,419	2,163	1,987	2,130	2,257	1,769	1,505	1,334	1,695	1,627	1,452	1,424	1,183
January	2,462	2,374	1,933	1,821	1,895	1,909	1,728	1,496	1,674	1,694	1,420	1,487	1,081
February	2,124	2,085	1,635	1,637	1,975	1,780	1,498	1,415	1,412	1,361	1,185	1,265	992
March	2,393	2,205	2,006	1,885	2,151	1,806	1,701	1,496	1,622	1,704	1,403	1,409	1,090
April	2,584	2,520	1,922	1,846	2,219	1,942	1,607	1,536	1,535	1,700	1,512	1,500	1,315
May	2,743	2,663	2,345	1,985	2,234	2,167	1,735	1,661	1,719	1,525	1,657	1,521	1,405
June	2,870	2,858	2,406	2,035	2,587	2,406	1,850	1,808	2,088	1,766	1,908	1,727	1,545
Total	32,228	29,363	25,167	25,394	26,937	24,194	21,185	20,157	19,742	20,916	19,576	18,439	14,236

Month of fiscal year	Fatal													Grand total
	1941	1940	1939	1938	1937	1936	1935	1934	1933	1932	1931	1930	1929	
July	7	9	5	6	4	11	3	5	0	5	7	3	0	26,081
August	5	4	5	2	3	8	5	3	4	9	6	8	5	28,456
September	7	7	7	4	4	1	7	5	1	7	3	0	4	25,229
October	11	4	4	4	6	4	6	6	4	5	7	5	7	27,491
November	9	7	2	1	3	5	4	3	6	6	6	3	7	24,493
December	5	2	1	10	10	6	3	2	5	2	5	5	6	23,007
January	11	8	8	2	6	0	5	6	9	5	10	10	3	23,057
February	3	3	2	3	8	5	7	2	5	4	6	1	3	20,416
March	2	6	2	6	4	11	9	3	2	4	6	3	5	22,934
April	3	4	3	2	3	8	4	3	2	5	3	7	7	23,792
May	11	5	9	3	3	5	4	3	5	4	6	5	6	25,429
June	3	6	5	5	3	6	7	2	5	0	6	10	6	27,918
Total	77	63	53	48	57	70	64	43	48	56	71	60	59	298,303

Cases disposed of.—During the fiscal year 1941 there were 33,312 nonfatal and 46 fatal cases closed in the office of the Commission. In a very large percentage of the nonfatal cases closed during the year, the injury did not cause a loss in time from work or the disability did not extend beyond the 7-day waiting period for which no compensation is payable. Moreover, 742 of the nonfatal and 2 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 42.

TABLE 42.—CASES DISPOSED OF[1]

Reason for closing	Fiscal year												
	1940–41	1939–40	1938–39	1937–38	1936–37	1935–36	1934–35	1934	1933	1932	1931	1930	1929
NONFATAL													
No time lost	21,885	20,097	16,952	17,227	18,004	15,790	13,804	13,225	12,628	12,718	11,431	9,653	6,518
7 days or less	5,184	4,585	3,911	3,911	4,410	4,096	3,645	3,278	3,349	4,103	3,982	4,583	3,720
No jurisdiction	742	476	742	467	381	363	384	361	451	547	686	721	476
Compensation paid without award	4,316	4,198	3,518	3,848	3,956	3,718	3,333	3,380	3,468	3,808	3,507	3,902	2,878
Award of compensation	91	78	62	74	127	141	115	182	111	146	125	128	43
Miscellaneous	1,094	966	832	856	843	769	686	645	514	439	255	244	117
Total	33,312	30,400	25,742	26,702	27,721	24,877	21,967	21,071	20,521	21,761	19,986	19,231	13,752
FATAL													
No jurisdiction	2	3	1	4	2	2	10	6	6	18	18	2	7
No dependents ($1,000 paid)	7	4	4	5	4	9	3	7	3	7	10	3	2
Payments completed	12	16	11	13	6	9	5	5	1	2	------	1	------
Miscellaneous	25	27	36	28	27	27	15	21	12	5	19	16	4
Total	46	50	52	50	39	47	33	39	22	32	47	22	13

[1] Includes reopened cases.

On June 30, 1941, there were 2,217 cases open upon which final action had not been taken. Included in this number are 675 nonfatal and 223 fatal cases in which 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.

Nonfatal cases.—An analysis of approved nonfatal cases, in which the injury caused lost time, closed during the year is given in table 43 according to the type of industry. A total of 9,261 such cases involving total compensation costs of $629,490, of which the construction industry is responsible for nearly 29 percent of the number of injuries and 47 percent of the cost. These amounts do not include expenditures by employers or their insurance carriers for medical care furnished injured employees; nor do they include $8,676 paid for 53 cases of serious facial disfigurement.

In 294 closed cases the injured employee sustained some kind of permanent disability and in 8,967 cases temporary disability. Of the 8,967 cases of temporary disability, 3,865 were compensated, while 5,102 had a duration of less than 8 days.

TABLE 43.—NUMBER OF LOST-TIME CASES CLOSED AND FATAL CASES APPROVED, SHOWING DURATION, EXTENT OF DISABILITY, AND COMPENSATION COSTS, FISCAL YEARS 1929–41, INCLUSIVE

Fiscal year and industry	Total number of cases	Nonfatal cases closed									Fatal cases approved			
		Number of nonfatal cases	Total compensation	Temporary disability				Permanent disability			Total number of fatal cases	Number with dependents	Amount of weekly compensation	Total estimated cost
				Number under 8 days	Compensated cases									
					Number	Duration in days	Amount of compensation	Number	Duration in days	Amount of compensation				
1940:														
Clerical and personal service	1,686	1,681	$77,076	948	688	22,611	$37,393	45	18,604	$39,683	5	3	$17.46	$21,067
Construction	2,724	2,711	294,454	1,394	1,206	55,539	138,788	111	51,849	155,666	13	10	161.32	72,777
Manufacturing	1,027	1,022	72,074	569	416	14,286	29,651	37	16,655	42,423	5	5	74.42	37,685
Trade	2,985	2,977	142,096	1,769	1,125	38,541	72,930	83	29,737	69,166	8	6	59.24	44,067
Transportation and public utilities	850	844	41,722	408	420	13,271	26,711	16	6,789	15,011	6	6	96.99	45,000
Organizations	27	26	2,068	14	10	549	1,568	2	167	500	1	1	13.13	7,500
Total for 1941	9,299	9,261	629,490	5,102	3,865	144,797	307,041	294	123,801	322,449	38	31	422.56	228,096
Totals for previous years:														
1940	8,593	8,560	617,819	4,509	3,765	154,089	312,000	286	126,659	305,819	33	28	338.13	191,820
1939	7,300	7,276	577,890	3,887	3,142	132,033	277,270	247	110,273	300,620	24	21	247.47	140,741
1938	8,030	8,002	538,002	4,206	3,516	131,792	259,413	280	106,992	278,589	28	21	213.13	139,424
1937	8,295	8,272	586,779	4,328	3,694	129,693	304,078	250	108,619	282,701	23	19	214.46	125,453
1936	7,789	7,749	418,804	4,016	3,531	121,487	220,283	202	82,083	198,521	40	32	415.32	226,372
1935	6,866	6,837	384,145	3,511	3,166	111,122	203,083	160	71,972	181,062	29	26	340.68	184,718
1934	6,626	6,592	436,043	3,145	3,239	116,088	214,291	208	84,139	221,752	34	25	282.48	184,407
1933	6,717	6,699	435,674	3,230	3,279	115,933	222,732	190	82,444	212,942	18	17	163.63	109,786
1932	7,812	7,775	393,610	3,986	3,623	115,502	227,529	166	65,069	166,081	37	29	371.59	209,804
1931	7,477	7,432	339,871	3,913	3,390	106,000	210,320	129	45,080	129,551	45	35	428.04	227,633
1930	8,461	8,442	298,243	4,532	3,781	112,729	227,199	129	26,990	71,044	19	15	229.14	103,528
1929	6,335	6,312	135,169	3,574	2,696	65,890	121,758	42	5,153	13,411	23	21	269.32	140,373
Total 1929–41, inclusive	99,600	99,209	5,791,539	51,939	44,687	1,557,155	3,106,997	2,583	1,039,274	2,684,542	391	320	3,935.95	2,212,155
Active and pending cases	1,994	1,927	1,525,551	472	1,204	----------	690,236	251	--------	835,315	67	22	----------	164,558

Disfigurement.—Compensation in the sum of $8,676 was awarded for serious facial or head disfigurement in 53 cases closed during the year. In 17 cases involving no loss of time the awards amount to $2,063. In 7 cases having a time loss of less than 8 days, the awards amount to $1,150. In 23 compensated cases in which $3,612 was paid as compensation for temporary disability, additional awards amounting to $4,125 were made for disfigurement. In 6 permanent partial disability cases in which $14,668 was paid as compensation for disability, the additional sum of $1,338 was awarded for disfigurement.

Fatal cases.—Fatal cases approved in the fiscal year 1941 number 38 of which 13 were from the construction industry, and 8 in the industries classified as trade and 6 in transportation. The number of approvals of fatal cases during 1941 is 6 more than the average of 25 per annum during the past 13 years.

Weekly compensation in 31 approved fatal cases with dependents entitled to benefits is $422.56 and the estimated total cost is $228,096. The latter figure includes a total of $7,000 paid into the special fund on 7 cases in which there was no person entitled to compensation, $7,563 paid for burial expenses in the 38 cases, and $11,322 expended as compensation for disability prior to death, leaving $202,211 as the estimated total payment to dependents. The distribution of the weekly cost and the total cost for each class of dependents is shown in table 44.

Total costs to employers of all cases closed and open on the records of the Commission covering the period from the beginning of the act through June 30, 1941, are estimated at $9,703,803. Of this amount, $5,791,539 has already been expended on 47,270 of the 99,209 closed nonfatal cases. Future expenditures for disability compensation on 1,927 incomplete nonfatal cases are estimated to be $501,121 in addition to $1,024,430 already expended. These amounts do not include $54,641 awarded for serious facial disfigurement, nor do they take into account amounts expended by employers or their insurance carriers for medical care furnished injured employees. The total cost of benefits paid and estimated to be paid in 391 fatal cases approved from the beginning of the act through June 30, 1941, is $2,212,155.

TABLE 44.—AVERAGE WEEKLY AWARDS TO DEPENDENTS, AND ESTIMATED TOTAL DEATH COMPENSATION IN 31 FATAL CASES, APPROVED DURING THE FISCAL YEAR, 1941

Kind of dependent	Number	Weekly award	Estimated valuation	Average		
				Age	Weekly award	Value of award
Widows	27	$275.09	$149,986	36.7	$10.19	$5,555
Children under 18	45	123.28	41,187	7.3	2.74	915
Sisters	1	2.23	734	2.0	2.23	7
Mothers	4	21.96	10,304	57.5	5.49	2,576
Total	77	422.56	202,211			

Cause of injury.—An analysis of the causes of injury in cases reported under this law is published monthly in the Safety Bulletin and in the interests of economy the statistical tables pertaining

thereto are omitted from this report. It is of interest to mention, however, that 6 cause classifications account for nearly three-fourths of the 31,265 nonfatal injuries reported during the calendar year 1940. "Handling objects" accounts for 8,261 injuries, or 26 percent of the total number of injuries reported; "falls of persons," 3,975 injuries, or 13 percent; "striking against objects," 2,687 injuries, or 9 percent; "hand tools," 2,906 injuries, or 9 percent; "flying particles," 2,278, or 7 percent; and "stepping in or on objects," 2,496 injuries, or 8 percent. Of the 76 fatal injuries reported, "falls of persons" account for 14 such cases and vehicles for 11.

Trust fund account.—The status, as of June 30, 1941, of the special fund created by section 44 of this law, and receipts and expenditures during the year ended that date are as follows:

District of Columbia trust-fund account for fiscal year 1941

Balance July 1, 1940		$39, 862. 86
Cash	$8, 183. 42	
Investments	31, 679. 44	
Receipts during fiscal year 1941		8, 057. 50
Payments under sec. 44 (c)	7, 000. 00	
Interest on investments	857. 50	
Fines	200. 00	
Total		47, 920. 36
Expenditures		2, 511. 86
Compensation sec. 8 (g)	230. 00	
Prosthetic appliances	2, 281. 86	
Balance June 30, 1941		45, 408. 50
Cash	8, 729. 06	
Investments	36, 679. 44	

Expenses of administration.—The expense of administering this law is paid in part 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 $65,900 was appropriated for the fiscal year 1941 and the estimated cost of administration excluding general overhead during that year is $72,016. The amount expended includes $61,859 for personal services.

JEWELL W. SWOFFORD,
JOHN M. MORIN,
JOHN J. KEEGAN,
Commissioners.