

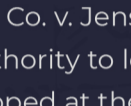
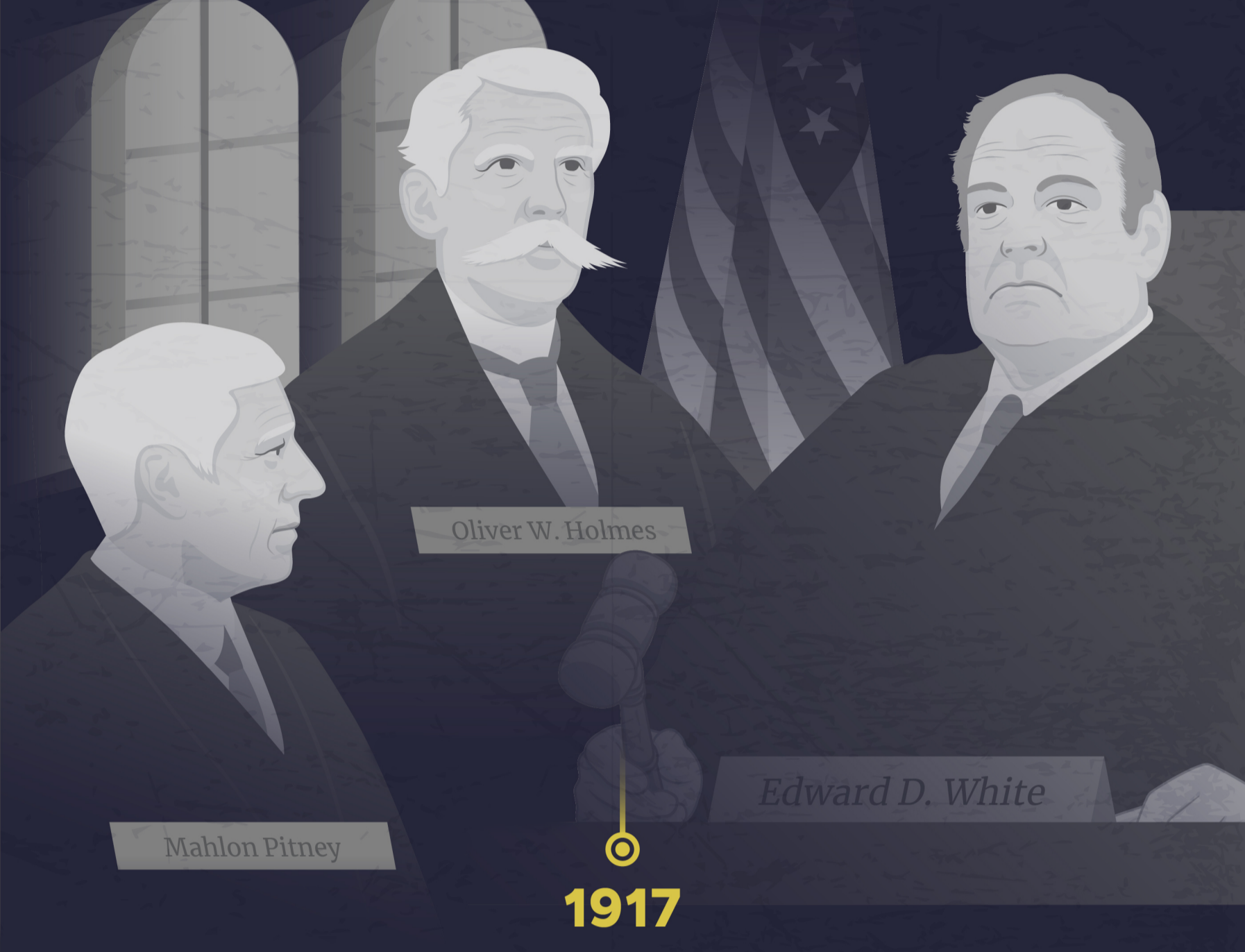
# THE HISTORY OF

## THE LONGSHORE AND HARBOR WORKERS' COMPENSATION ACT



### 1890 - 1920

The abuses of the Industrial Revolution from 1890 to 1920 result in the Progressive Era's sweeping social legislation. The first workers' compensation laws are passed in 1910.



### 1917

In the case of *Southern Pacific Ry. Co. v. Jensen*, 244 U.S. 205, the U.S. Supreme Court holds that the states' authority to legislate workers' compensation remedies stopped at the water's edge.



### 1927

The Longshoremen's and Harbor Workers' Compensation Act (LHWCA) is passed by 69th US Congress. Jurisdictional and coverage uncertainties ensue.



### 1972

Significant amendments to the LHWCA are enacted. Coverage is extended landward to "other adjoining areas" and certain enumerated sites. The concept of maritime "status" is created. Coverage is no longer limited to injuries occurring over the water but extends to any worker who meets "situs" and "status".



### 1984

The LHWCA is once again significantly amended. Insurability concerns are addressed, and specific coverage exclusions are added.



### 2009

The LHWCA is amended again in an attempt to expand the exclusion for workers who repair "recreational vessels".



### 2020

Three issues that continue to raise debate are situs, status, and dealing with the coverage overlap in the "uncertainty zone" between the LHWCA (which covers maritime workers but excludes crewmembers of vessels), the Jones Act, and General Maritime Law (which only covers crewmembers of vessels).