

ferred to in text, is section 18 of act June 26, 1884, ch. 121, 23 Stat. 57, which was classified to section 189 of the former Appendix to Title 46, Shipping, and was repealed and restated in section 30505 of Title 46, Shipping, by Pub. L. 109-304, §§6(c), 19, Oct. 6, 2006, 120 Stat. 1509, 1710.

§ 948a. Discrimination against employees who bring proceedings; penalties; deposit of payments in special fund; civil actions; entitlement to restoration of employment and compensation, qualifications requirement; liability of employer for penalties and payments; insurance policy exemption from liability

It shall be unlawful for any employer or his duly authorized agent to discharge or in any other manner discriminate against an employee as to his employment because such employee has claimed or attempted to claim compensation from such employer, or because he has testified or is about to testify in a proceeding under this chapter. The discharge or refusal to employ a person who has been adjudicated to have filed a fraudulent claim for compensation is not a violation of this section. Any employer who violates this section shall be liable to a penalty of not less than \$1,000 or more than \$5,000, as may be determined by the deputy commissioner. All such penalties shall be paid to the deputy commissioner for deposit in the special fund as described in section 944 of this title, and if not paid may be recovered in a civil action brought in the appropriate United States district court. Any employee so discriminated against shall be restored to his employment and shall be compensated by his employer for any loss of wages arising out of such discrimination: *Provided*, That if such employee shall cease to be qualified to perform the duties of his employment, he shall not be entitled to such restoration and compensation. The employer alone and not his carrier shall be liable for such penalties and payments. Any provision in an insurance policy undertaking to relieve the employer from the liability for such penalties and payments shall be void.

(Mar. 4, 1927, ch. 509, § 49, as added Pub. L. 92-576, § 19, Oct. 27, 1972, 86 Stat. 1263; amended Pub. L. 98-426, § 26, Sept. 28, 1984, 98 Stat. 1654.)

Editorial Notes

AMENDMENTS

1984—Pub. L. 98-426 inserted after first sentence “The discharge or refusal to employ a person who has been adjudicated to have filed a fraudulent claim for compensation is not a violation of this section.”, substituted “\$1,000” for “\$100”, and substituted “\$5,000” for “\$1,000”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-426 effective Sept. 28, 1984, see section 28(e)(1) of Pub. L. 98-426, set out as a note under section 901 of this title.

EFFECTIVE DATE

Section effective 30 days after Oct. 27, 1972, see section 22 of Pub. L. 92-576, set out as an Effective Date of 1972 Amendment note under section 902 of this title.

§ 949. Effect of unconstitutionality

If any part of this chapter is adjudged unconstitutional by the courts, and such adjudication has the effect of invalidating any payment of compensation under this chapter, the period intervening between the time the injury was sustained and the time of such adjudication shall not be computed as a part of the time prescribed by law for the commencement of any action against the employer in respect of such injury; but the amount of any compensation paid under this chapter on account of such injury shall be deducted from the amount of damages awarded in such action in respect of such injury.

(Mar. 4, 1927, ch. 509, § 50 formerly § 49, 44 Stat. 1446; renumbered § 50, Pub. L. 92-576, § 19, Oct. 27, 1972, 86 Stat. 1263.)

§ 950. Separability

If any provision of this chapter is declared unconstitutional or the applicability thereof to any person or circumstances is held invalid, the validity of the remainder of the chapter and the applicability of such provision to other persons and circumstances shall not be affected thereby.

(Mar. 4, 1927, ch. 509, § 51 formerly § 50, 44 Stat. 1446; renumbered § 51, Pub. L. 92-576, § 19, Oct. 27, 1972, 86 Stat. 1263.)

CHAPTER 19—SAINT LAWRENCE SEAWAY

Sec.

981.	Creation of Corporation.
982.	Management of Corporation; appointment of Administrator; terms; vacancy; Advisory Board; establishment; membership; meetings; duties; compensation and expenses
983.	Functions of Corporation.
984.	General powers of Corporation.
984a.	Repealed.
985.	Bonds; issuance; maturity; redemption; interest; purchase of obligations by Secretary of the Treasury.
985a.	Cancellation of bonds issued under section 985.
986.	Payments to States and local governments in lieu of taxes; tax exemption of Corporation. Services and facilities of other agencies.
987.	Rates of charges or tolls.
988.	Waiver of collection of charges or tolls.
988a.	Special reports.
989.	Offenses and penalties.
990.	

§ 981. Creation of Corporation

There is hereby created, subject to the direction and supervision of the Secretary of Transportation, a body corporate to be known as the Great Lakes St. Lawrence Seaway Development Corporation (hereinafter referred to as the “Corporation”).

(May 13, 1954, ch. 201, § 1, 68 Stat. 93; Pub. L. 89-670, § 8(g)(1), Oct. 15, 1966, 80 Stat. 943; Pub. L. 116-260, div. AA, title V, § 512(a)(1), Dec. 27, 2020, 134 Stat. 2756.)

Editorial Notes

AMENDMENTS

2020—Pub. L. 116-260 substituted “Great Lakes St. Lawrence Seaway Development Corporation” for “Saint Lawrence Seaway Development Corporation”.

1966—Pub. L. 89-670 substituted “Secretary of Transportation” for “President, or the head of such agency as he may designate”.