



COMPENSATION BENEFITS BY SECTION

See also Separate Reports: A & B: Weeks per Body Part Tables
&

See also Separate Reports: C & D: Minimum & Maximum Weekly Rate Tables

TEMPORARY BENEFITS

§ 8(a)

Maintenance

66.66% of the employee's AWW, subject to the statutory minimum and maximum rates. AWW and rates are as of the accident date.

Duration: From date of MMI to date vocational rehabilitation is completed, including the costs of & incidental to rehabilitation. See Act & case law for specifics of what qualifies as vocational rehabilitation, as it is not restricted to formal programs.

Temporary Partial

66.66% of the difference between the average earnings in the full performance of the usual occupation on accident date and amount earned at light duty, subject to statutory minimum and maximum rates.

Duration: To MMI, unless light duty is no longer available then may be eligible for TTD.

§ 8(b)1

Temporary Total

§ 8(b)4

66.66% of the employee's AWW, subject to the statutory minimum and maximum rates. AWW and rates are as of the accident date.

Per Sec. 8(b), TTD starts on 4th day of lost time to MMI. If TTD extends more than 14 days, 1st 3 days are also paid.

Duration: To date condition of maximum medical improvement (MMI) [with a few exceptions, including but not limited to injurious practices or the failure to accept appropriate restricted work which may allow termination of TTD prior to MMI].

PERMANENCY BENEFITS

§ 8(c)

Disfigurement

§ 8(b)2.1

60% of the AWW multiplied by weeks awarded, subject to the statutory minimum and maximum rates. AWW, rates and weeks as of accident date. [prior to 7-1-1984 it was 66.66% of the AWW]

§ 8(d)1

Wage Differential

§ 8(b)1

66.66% of the difference between prior AWW & current earning capacity, subject to statutory minimum and maximum rates.

Differential based on date of arbitration [What they would be earning in prior occupation & what they are able to earn now].

However, statutory minimums & maximums rates are based on the accident date.

Duration: Accident prior to 9/1/2011: duration of disability (work-relate disability, not earning capacity per case law).
 Accident on or after 9/1/2011: 5 years from the date of the final award or until 67 years of age, whichever is later.



Permanency Benefits, continued

§ 8(d)2 & § 8(e)
§ 8(b)2.1

Permanent Partial Disability (*Without* amputation or eye enucleation)

60% of the AWW multiplied by weeks awarded, subject to the statutory minimum and maximum rates. The AWW and rates are as of the accident date.
[prior to 7/1/1984 it was 66.66% of the AWW]

Permanent Partial Disability (*With* amputation or eye enucleation)

60% of the AWW multiplied by weeks awarded, subject to a minimum of 50% of the SAWW and a maximum of 133.33% of the SAWW.
AWW, SAWW and rates are as of the accident date.

§ 8(f), § 8(e)18
§ 8(b)2

Total & Permanent

66.66% of the AWW subject to a minimum weekly rate of 50% of the SAWW and a maximum weekly rate of 133.33% of the SAWW.
AWW & SAWW are as of the accident date.

Duration: Sec. 8(e)18: For life, even if able to return to work.

Sec. 8(f): For life, unless total disability ends & able to return to work. May be entitled to wage differential or PPD thereafter.

Sec. 8(f) & (g):

Rate Adjustment Fund: T & P recipients may be entitled to rate increases through Rate Adjustment Fund based on percentage increase in the SAWW.

§ 7
§ 8(b)2

Death

66.66 % of the AWW, subject to the statutory minimum of not less than 50% of the SAWW and the statutory maximum of 133.33% of the SAWW.
Death benefit minimums & maximums and applicable statute are as of the date of death.

Duration: Prior to 2/1/2006: To \$250,000 or 20 years, whichever is greater.

As of 2/1/2006: To \$500,000 or 25 years, whichever is greater.

If a surviving spouse remarries, they receive a lump sum equal to 2 years of benefits and further rights are extinguished. Benefits are due to a surviving child until the age of 18 (or 25 if enrolled full time in an accredited institution), even if parent remarries. See §7(a) as to incapacitated child & other dependents entitled to benefits.

Death Benefit Formula:

Accident Up To 1/31/2006: $365 \text{ days} \times 20 \text{ years} = 7300 \text{ days} + 5 \text{ leap year days} = 7305 \text{ days} \div 7 = 1043.5714 \text{ weeks} \times \text{applicable TTD rate.}$

Accident On/After 2/01/2006: $365 \text{ days} \times 25 \text{ years} = 9125 \text{ days} + 6 \text{ leap year days} = 9131 \text{ days} \div 7 = 1304.4285 \text{ weeks} \times \text{applicable TTD rate.}$

Burial expenses: as of 7/1/1992: \$4,200
as of 2/1/2006: \$8,000

Sec. 8(f) & (g):

Rate Adjustment Fund: Death benefit recipients may be entitled to rate increases through Rate Adjustment Fund.