

Explanation of Worker's Compensation Wage Information

How is my worker's compensation rate determined?

In general, your rate is two-thirds of your average weekly wage up to the maximum rate for the year in which you were injured. Your average weekly wage is the higher of: 1) your gross wages from the employer during the 52-week period prior to the injury divided by the weeks you worked for the employer or 2) your hourly rate multiplied by the hours you were regularly scheduled to work at the time of injury.

For certain types of employment with no hourly rate, your average weekly wage may be based only on your gross earnings.

Some employers may wish to continue paying salary instead of paying a specific Worker's Compensation payment. This is permissible if the payment equals or exceeds what you would receive in worker's compensation. Workers should carefully consider the impacts of State and Federal taxes and other benefits when accepting salary continuation as their Worker's Compensation payment.

Part-time workers may also receive more than 2/3rds of their average weekly wage because of rules that allow for "expanding" the number of hours scheduled to work. A higher rate may also be paid when a worker restricts the number of hours he or she can work for the employer in a week.

If you worked for the employer less than 6 weeks prior to your injury, your rate will be based only on your hourly rate and scheduled hours of work.

Rates for seasonal workers are based on a pre-set number of weeks and hours for that type of work and will show N/A on the reverse side for hours and weeks worked.

How much do I get if I continue to work part-time or at lower pay while I am healing?

While you are healing and still working either part-time or at lower pay, you may still be eligible for some worker's compensation depending on how much you earn compared to your earnings prior to your injury. Your insurer will compute your "wage loss" and generally you will receive partial disability payments if your wage loss is more than 2/3rds of your average weekly wage. Your TPD wage shown on the front of this form is used to compute your wage loss while you are working part-time or at lower pay. Your TPD wage is typically the same as your average weekly wage except that for part-time employees it is the actual average weekly wage before it was "expanded" as explained above.

What is included in my average weekly wage?

All of your gross earnings during the 52-week period prior to your injury from the employer where you were injured are included. Earnings from other employers are not included. Your wage will include consideration of piece work earnings, overtime pay, tips, premium pay, shift differentials and other types of incentive pay and bonuses. The value of room, meals and utilities and other types of compensation you received will also be part of your wages but only if you do not continue to receive them during your healing period. Wages do not include employer-paid premiums for any type of health insurance, contributions to 401-K investment plans or profit sharing plans or similar "fringe benefits".

Who should I contact if I have questions or disagreements about my wage or weekly payments?

Questions about your worker's compensation rate are answered by whoever handles your Worker's Compensation benefits for your employer. Most employers have insurance through an insurance carrier. Other employers are self-insured. Your claims-handling contact address and phone number are on the front of this form. It is helpful if you have your personal wage records and information close at hand when you call.