## **Three-Day ''Waiting Period'' for Indemnity Payments**<sup>1</sup>

The day the employee left work as a resul of the injury (Last Day Worked)	e k lt	worl af M	k-day ter tl =Mo =2 <sup>nd</sup> N	ys wi he la nday Mone	ith s st d y, R day	ome ay wo =Thu	elow a lost ti orked ursday the la	me • y	Generala workGeneralIndemRule:Saturdperiodthey and4th callafter thThe ladisabilwaitin(the data)SundaSundaSundasunda	is a work-related injury that causes an employee to leave work during a shift that started on a Monday (M) or Thursday (R) (see chart). nity is computed and paid on a 6-day per week basis, Monday through lay. Saturdays are counted as one of the 3 days in the 3-day waiting and are paid during the healing period, regardless of whether or not re normally scheduled or worked. Indemnity is due starting with the lendar day, not counting Sundays (unless Sunday is normally worked), ne last day worked is not counted as one of the waiting period days. If the lity exists beyond the 7 <sup>th</sup> day after the last day worked, there is no g period and indemnity is paid for all lost time. The last day of work ay the employee left work as a result of the injury) is never paid. ys are not paid regardless of whether or not they are normally worked. y is not counted as one of the 3 days in the 3-day waiting period the employee works on Sunday. Sunday is always counted in the 7 or determining if a disability exists beyond the 7 <sup>th</sup> day after the last by after the last by a for the start of the injury by after the last by a for determining if a disability exists beyond the 7 <sup>th</sup> day after the last by a for determining if a disability exists beyond the 7 <sup>th</sup> day after the last by a for determining if a disability exists beyond the 7 <sup>th</sup> day after the last by a for determining if a disability exists beyond the 7 <sup>th</sup> day after the last by a for determining if a disability exists beyond the 7 <sup>th</sup> day after the last by a for determining if a disability exists beyond the 7 <sup>th</sup> day after the last by a for determining if a disability exists beyond the 7 <sup>th</sup> day after the last by a for determining if a disability exists beyond the 7 <sup>th</sup> day after the last by a for determining if a disability exists beyond the 7 <sup>th</sup> day after the last by a for the for
	1	2	3	4	5	6	7	8	Indemnity Due	Rationale
М									None	Indemnity is never paid for the last day worked.
М	Т	W	R						None	Indemnity is due starting the 4th calendar day after the last day worked. T, W and R are part of 3-day waiting period.
М	Т	W	R	F	S	Su	<b>M</b> <sub>2</sub>		Only F, S, and M <sub>2</sub>	F, S and $M_2$ are beyond the 3-day waiting period, but are not more than 7 calendar days after the last day worked. Since no disability exists <i>after</i> the 7th calendar day from the date the employee leaves

<sup>&</sup>lt;sup>1</sup> Section 102.43(intro) of the Wisconsin Statutes reads in part: If the injury causes disability, an indemnity shall be due as wages commencing the 4th calendar day from the commencement of the day the scheduled work shift began, exclusive of Sundays only, excepting where the employee works on Sunday, after the employee leaves work as a result of the injury, and shall be payable weekly thereafter during such disability. If the disability exists after 7 calendar days from the date the employee leaves work as a result of the injury and only if it so exists, indemnity shall also be due and payable for the first 3 calendar days, exclusive of Sundays only, excepting where the employee works on Sunday. [Note: if an injury causes *permanent* disability (e.g., a finger tip amputation) indemnity is paid for any lost time during the first 3 calendar days even if that is the only time lost. That's because the "disability exists after 7 calendar days."]

The day the employee left work as a result of the injury (Last Day Worked)	W	vork aft M:	k-day ter tl =Mo 2 <sup>nd</sup> N	ys wi ne la ndaj Mon	ith s st d y, R day	ome   ay wo =Thu	elow a lost ti orked ursday the la	me • y	General Rule:a wor InderGeneral Rule:Inder Satur perio they a 4th ca afterThe I disab waiti (the cSund Sund unles days	e is a work-related injury that causes an employee to leave work during rk shift that started on a Monday (M) or Thursday (R) (see chart). nnity is computed and paid on a 6-day per week basis, Monday through day. Saturdays are counted as one of the 3 days in the 3-day waiting d and are paid during the healing period, regardless of whether or not are normally scheduled or worked. Indemnity is due starting with the alendar day, not counting Sundays (unless Sunday is normally worked), the last day worked. ast day worked is not counted as one of the waiting period days. If the ility exists beyond the 7 <sup>th</sup> day after the last day worked, there is no ng period and indemnity is paid for all lost time. The last day of work lay the employee left work as a result of the injury) is never paid. ays are not paid regardless of whether or not they are normally worked. ay is not counted as one of the 3 days in the 3-day waiting period s the employee works on Sunday. Sunday is always counted in the 7 for determining if a disability exists beyond the 7 <sup>th</sup> day after the last worked.
	1 2 3 4 5 6 7 8				7	8	Indemnity Due			
										work as a result of the injury, indemnity is not due for T, W and R.
M	Т	W	R	F	S		<b>M</b> <sub>2</sub>	T <sub>2</sub>	All (7 days)	There is disability on $T_2$ which is the 8th calendar day starting with the first day after the last day worked. Since the disability exists <i>after</i> 7 calendar days from the date the employee leaves work as a result of the injury, indemnity is also due and payable for the first 3 calendar days.
М	Т			F	S			T <sub>2</sub>	All (4 days)	There is disability on $T_2$ which is 8 calendar days after the last day worked.
М	Т				S			T <sub>2</sub>	All (3 days)	There is disability on $T_2$ which is 8 calendar days after the last day worked.
М				F	S			T <sub>2</sub>	All (3 days)	There is disability on $T_2$ which is 8 calendar days after the last day worked.
М	T F S		Only F and Sat (2 days)	T is within the 3-day waiting period and there is no disability beyond the 7th day after the last day worked.; F and S are days of disability on or after the 4th calendar day after the last day worked						

The day the employee left work as a result of the injury (Last Day Worked)	W	vork aft M:	k-day ter th =Mor 2 <sup>nd</sup> N	vs wi ne la nday Aono	ith s st d y, R day	ome ay wo =Thu	elow a lost ti orked ursday the la	me • y	<i>General</i> <i>Rule:</i> S p th 4 a T d w w (t S S S u d	here is a work-related injury that causes an employee to leave work during work shift that started on a Monday (M) or Thursday (R) (see chart). idemnity is computed and paid on a 6-day per week basis, Monday through aturday. Saturdays are counted as one of the 3 days in the 3-day waiting eriod and are paid during the healing period, regardless of whether or not hey are normally scheduled or worked. Indemnity is due starting with the th calendar day, not counting Sundays (unless Sunday is normally worked), fiter the last day worked is not counted as one of the waiting period days. If the isability exists beyond the 7 <sup>th</sup> day after the last day worked, there is no raiting period and indemnity is paid for all lost time. The last day of work he day the employee left work as a result of the injury) is never paid. undays are not paid regardless of whether or not they are normally worked. unday is not counted as one of the 3 days in the 3-day waiting period nless the employee works on Sunday. Sunday is always counted in the 7 ays for determining if a disability exists beyond the 7 <sup>th</sup> day after the last ay worked.
	1	1 2 3 4 5 6 7 8					7	8	Indemnity I	Due Rationale
М	Т	W		F	S		M <sub>2</sub>		Only F, S and M <sub>2</sub> (3 days)	T and W are within the 3-day waiting period and there is no disability beyond the 7th day after the last day worked; F, S and $M_2$ are disability days on or after the 4th calendar day after the last day worked.
М				F	S		M <sub>2</sub>		All (3 days)	F. S and $M_2$ are disability days on or after the 4th calendar day after the last day worked. It is irrelevant that they are the first two days of disability.
R	F	S		М	Т				Only T	This assumes that the claimant does not normally work on Sunday. Tuesday is the 4 <sup>th</sup> calendar day after the injury that occurred on R T is payable regardless of whether or not the claimant worked F, S and M or was not scheduled to work Su.
R		S		М			W		Only W	This assumes the claimant does not work on Su. M is the 3 <sup>rd</sup> day after the injury and is not payable unless there is further disability after the R
R			Su	Μ					Only M	This assumes that the claimant is normally scheduled for work on

The day the employee left work as a result of the injury (Last Day Worked)	W	ork aft M:	k-day ter tl =Mo 2 <sup>nd</sup> N	ys wi ne la ndaj Mon	ith s st d y, R day	ome   ay wo =Thu	elow a lost ti orked ursda the l	me y	a General In Rule: Sa pe th 4t af Th di w (t) Su Su un da	here is a work-related injury that causes an employee to leave work during work shift that started on a Monday (M) or Thursday (R) (see chart). demnity is computed and paid on a 6-day per week basis, Monday through aturday. Saturdays are counted as one of the 3 days in the 3-day waiting eriod and are paid during the healing period, regardless of whether or not ey are normally scheduled or worked. Indemnity is due starting with the h calendar day, not counting Sundays (unless Sunday is normally worked), ther the last day worked is not counted as one of the waiting period days. If the sability exists beyond the 7 <sup>th</sup> day after the last day worked, there is no aiting period and indemnity is paid for all lost time. The last day of work the day the employee left work as a result of the injury) is never paid. undays are not paid regardless of whether or not they are normally worked. unday is not counted as one of the 3 days in the 3-day waiting period hless the employee works on Sunday. Sunday is always counted in the 7 ays for determining if a disability exists beyond the 7 <sup>th</sup> day after the last ay worked.
	1 2 3 4 5 6 7 8						7	8	Indemnity D	Due Rationale
		~								Su. whereby M becomes the 4 <sup>th</sup> day after the disability
R		S		М				F <sub>2</sub>	S M and F <sub>2</sub> (3 days)	Regardless of whether or not Su. is normally worked, since $F_2$ is beyond the 7 <sup>th</sup> day after the date of injury, M, $F_2$ and Saturday are payable. Sunday is never paid regardless of whether or not it is usually worked.
R (some lost time)								F <sub>2</sub>	F <sub>2</sub>	The assumption is that the employee left work and lost time on Thursday, the day of injury, and may or may not have returned to work that same day, but worked until the following Friday.
R (Worked entire day in spite of								F <sub>2</sub>	None	Since the employee did not leave the work shift and lose any time from work due to the injury on the date of injury, the last day worked is the following Thursday, $R_2$ and the waiting period starts on $F_2$ .

The day the employee left work as a result of the injury (Last Day Worked)	M <sub>2</sub> =2 <sup>nd</sup> Monday after the last day worked.								Assume:There is a work-related injury that causes an employee to leave work during a work shift that started on a Monday (M) or Thursday (R) (see chart).GeneralIndemnity is computed and paid on a 6-day per week basis, Monday through Saturday. Saturdays are counted as one of the 3 days in the 3-day waiting period and are paid during the healing period, regardless of whether or not they are normally scheduled or worked. Indemnity is due starting with the 4th calendar day, not counting Sundays (unless Sunday is normally worked), after the last day worked.				
									The last day worked is not counted as one of the waiting period days. If the disability exists beyond the 7 <sup>th</sup> day after the last day worked, there is no waiting period and indemnity is paid for all lost time. The last day of work (the day the employee left work as a result of the injury) is never paid.				
									Sunda unless	ys are not paid regardless of whether or not they are normally worked. y is not counted as one of the 3 days in the 3-day waiting period the employee works on Sunday. Sunday is always counted in the 7 or determining if a disability exists beyond the 7 <sup>th</sup> day after the last orked.			
	1	2	3	4	5	6	7	8	Indemnity Due	Rationale			
injury)													