

### Appendix IV:—Benefits for temporary total disability provided by workers' compensation statutes, January 1, 1996

| Jurisdiction         | Percentage of worker's wages                           | Payments per week   |  | Percentage of State average weekly wage (SAWW) | Maximum period  |
|----------------------|--|---|--|--|---|
|                      |  | Minimum   | Maximum  |  |   |
| Alabama              | 66-2/3   | \$122—27-1/2% of SAWW of worker's average wage if less  | \$443.00   | 100  | Duration of disability                                      |
| Alaska               | 80% of worker's spendable earnings                     | \$110 or \$154 if employee shows proof of wages, or worker's spendable weekly wage if less    | <sup>1</sup> \$700.00                            | ...  | Duration of disability until date of medical stability      |
| Arizona              | 66-2/3   | Payable, but not statutorily prescribed   | <sup>2</sup> \$323.10                            | ...  | Duration of disability                                      |
| Arkansas             | 66-2/3   | \$20  | \$337.00   | 85   | 450 weeks   |
| California           | 66-2/3   | \$126   | \$448.00   | ...  | Duration of disability                                      |
| Colorado             | 66-2/3   | ...   | <sup>3</sup> \$451.22                            | 91   | Duration of disability                                      |
| Connecticut          | 75% of worker's spendable earnings                     | \$131.20—20% of SAWW, or an amount not to exceed 80% of worker's average wage if less         | <sup>1</sup> \$656.00                            | 100  | Duration of disability                                      |
| Delaware             | 66-2/3   | \$119.07—22-2/9% of SAWW, or actual wage if less  | \$357.19   | 66-2/3   | Duration of disability                                      |
| District of Columbia | 66-2/3 or 80% of spendable earnings, whichever is less | \$180.84—25% of SAWW  | \$723.34   | 100  | Duration of disability                                      |
| Florida              | 66-2/3   | \$20 or actual wage if less   | <sup>4</sup> \$465.00                            | 100  | 104 weeks   |
| Georgia              | 66-2/3   | \$25 or average wage if less  | \$275.00   | ...  | 400 weeks <sup>5</sup>                                      |
| Hawaii               | 66-2/3   | \$124—25% of SAWW, or worker's average wage if less, but not less than \$38                   | \$496.00   | 100  | Duration of disability                                      |
| Idaho                | 67   | \$186.75—45% of SAWW  | \$373.50 for first 52 weeks; thereafter \$220.55 | 90   | 52 weeks, thereafter 67% of SAWW for duration of disability |
| Illinois             | 66-2/3   | \$100.90 to \$124.30, or worker's average wage if less, according to the number of dependents | \$760.51   | 133-1/3  | Duration of disability                                      |
| Indiana              | 66-2/3   | \$50 or worker's average wage if less   | \$428.00   | ...  | 500 weeks or \$214,000                                      |

See footnotes at end of table.

Appendix IV:—Benefits for temporary total disability provided by workers' compensation statutes, January 1, 1996—Continued

| Jurisdiction  | Percentage of worker's wages       | Payments per week  |                        | Percentage of State average weekly wage (SAWW) | Maximum period  |
|---------------|------------------------------------|--|------------------------|--|---|
|               |                                    | Minimum  | Maximum                |  |   |
| Iowa          | 80% of worker's spendable earnings | \$148—35% of SAWW, or actual wage if less                        | \$846.00               | 200  | Duration of disability  |
| Kansas        | 66-2/3                             | \$25   | \$326.00               | 75   | Duration of disability  |
| Kentucky      | 66-2/3                             | \$83.19—20% of SAWW  | <sup>7</sup> \$415.94  | 100  | Duration of disability  |
| Louisiana     | 66-2/3                             | \$88—20% of SAWW, or actual wage if less                         | <sup>8</sup> \$330.00  | 75   | Duration of disability  |
| Maine         | 80% of worker's after tax earnings | . . .  | <sup>9</sup> \$441.00  | 90   | Duration of disability  |
| Maryland      | 66-2/3                             | \$50 or actual wage if less                                      | \$540.00               | 100  | Duration of disability  |
| Massachusetts | 60                                 | \$120.81—20% of SAWW, or worker's average wage if less           | <sup>10</sup> \$604.03 | 100  | 156 weeks   |
| Michigan      | 80% of worker's spendable earnings | . . .  | <sup>3</sup> \$524.00  | 90   | Duration of disability  |
| Minnesota     | 66-2/3                             | \$104 or actual wage if less                                     | \$615.60               | . . .  | 104 weeks, or 90 days after maximum medical improvement <sup>11</sup> |
| Mississippi   | 66-2/3                             | \$25   | \$264.55               | 66 2/3   | 450 weeks or \$119,047  |
| Missouri      | 66-2/3                             | \$40   | \$491.19               | 105  | 400 weeks   |
| Montana       | 66-2/3                             | Payable, but not statutorily prescribed                          | <sup>1</sup> \$380.00  | 100  | Duration of disability  |
| Nebraska      | 66-2/3                             | \$49 or actual wage if less                                      | \$409.00               | 100  | Duration of disability  |
| Nevada        | 66-2/3                             | . . .  | \$473.69               | 100  | Duration of disability  |
| New Hampshire | 60                                 | \$146.10—30% of SAWW not to exceed employee's after tax earnings | \$730.50               | 150  | Duration of disability  |
| New Jersey    | 70                                 | \$128—20% of SAWW  | \$480.00               | 75   | 400 weeks   |
| New Mexico    | 66-2/3                             | \$36 or actual wage if less                                      | \$353.33               | 85   | Duration of disability  |
| New York      | 66-2/3                             | \$40 or actual wage if less                                      | \$400.00               | . . .  | Duration of disability  |

See footnotes at end of table.

**Appendix IV:—Benefits for temporary total disability provided by workers' compensation statutes, January 1, 1996—Continued**

| Jurisdiction   | Percentage of worker's wages                                      | Payments per week   |                        | Percentage of State average weekly wage (SAWW) | Maximum period   |
|----------------|---|---|------------------------|--|--|
|                |   | Minimum   | Maximum                |  |  |
| New York       | 66-2/3  | \$40 or actual wage if less                               | \$400.00               | . . .  | Duration of disability   |
| North Carolina | 66-2/3  | \$30  | \$492.00               | 110  | Duration of disability   |
| North Dakota   | 66-2/3  | \$226—60% of SAWW, or employee's actual wage if less      | <sup>12</sup> \$376.00 | 100  | Duration of disability, or until claimant is age 65 and eligible for Social Security retirement benefits |
| Ohio           | 72% for first 12 weeks; thereafter 66-2/3                         | \$170.33—33-1/3% of SAWW or actual wage if less           | <sup>13</sup> \$511.00 | 100  | Duration of disability   |
| Oklahoma       | 70  | \$30 or actual wage if less                               | \$307.00               | 75   | 300 weeks  |
| Oregon         | 66-2/3  | \$50 or 90% of actual wage if less                        | \$494.44               | 100  | Duration of disability   |
| Pennsylvania   | 66-2/3  | \$292.78 or 90% of employee's average weekly wage if less | \$527.00               | 100  | Duration of disability   |
| Puerto Rico    | 66-2/3  | \$20  | \$65.00                | . . .  | 312 weeks  |
| Rhode Island   | 75% of workers spendable earnings                                 | . . .   | <sup>14</sup> \$485.00 | 100  | Duration of disability   |
| South Carolina | 66-2/3  | \$75 or average wage if less                              | \$437.79               | 100  | 500 weeks  |
| South Dakota   | 66-2/3  | \$181—50% of SAWW, or worker's average wage if less       | \$362.00               | 100  | Duration of disability   |
| Tennessee      | 66-2/3  | \$68.40   | \$415.87               | . . .  | 400 weeks or \$166,348   |
| Texas          | 70% of worker's earnings over \$8.50 per hour; 75% for all others | \$72—15% of SAWW  | \$480.00               | 100  | 104 weeks, or upon reaching maximum medical improvement, whichever is sooner                             |
| Utah           | 66-2/3  | \$45  | <sup>15</sup> \$429.00 | 100  | 312 weeks  |
| Vermont        | 66-2/3  | \$219—50% of SAWW or worker's average wage if less        | \$655.00               | 150  | Duration of disability   |
| Virgin Islands | 66-2/3  | \$60 or actual wage if less                               | \$287.00               | 66-2/3   | Duration of disability   |

See footnotes at end of table.

## Appendix IV footnotes

- <sup>1</sup> Workers' compensation benefits subject to Social Security benefit offsets.
  - <sup>2</sup> Additional \$25 monthly added to benefits of dependents residing in the United States.
  - <sup>3</sup> Workers' compensation benefits subject to Social Security benefit offsets and to reduction by benefits under an employer pension or disability plan.
  - <sup>4</sup> Workers' compensation benefits subject to Social Security and unemployment insurance benefit offsets.
  - <sup>5</sup> Maximum weekly benefit in catastrophic cases shall be paid until such time as employee undergoes a change in condition for the better.
  - <sup>6</sup> Total amount payable is \$100,000. Workers' compensation benefits subject to unemployment insurance and Social Security benefit offsets.
  - <sup>7</sup> Benefit payment frozen until 1997.
  - <sup>8</sup> Workers' compensation benefits subject to unemployment insurance benefit offsets.
  - <sup>9</sup> Workers' compensation benefits subject to unemployment insurance benefit offsets, except if benefits started prior to date of injury, or if benefits are a spouse's entitlement.
  - <sup>10</sup> Additional \$6 will be added per dependent if weekly benefits are below \$150.
  - <sup>11</sup> Compensation stops if employee withdraws from labor market, is released to work without any physical restrictions, or refuses offer to work that is consistent with a rehabilitation plan.
  - <sup>12</sup> Additional \$10 per week for each dependent child, not to exceed worker's net wage. Benefits are reduced by 50% of Social Security disability benefits.
  - <sup>13</sup> Workers' compensation benefits subject to Social Security benefit offsets and if concurrent and/or duplicate, with those under employer nonoccupational benefit plan.
  - <sup>14</sup> Additional \$9 for each dependent, including a nonworking spouse; aggregate not to exceed 80% of worker's average weekly wage.
  - <sup>15</sup> Additional \$5 for dependent spouse and each dependent child up to four under age 18, but not to exceed 100% of State's average weekly wage.
  - <sup>16</sup> Additional \$10 will be paid for each dependent under age 21.
  - <sup>17</sup> Minimum benefits may not exceed the level of benefits determined by use of the applicable Federal minimum hourly wage.
  - <sup>18</sup> Federal Employee's Compensation Act.
  - <sup>19</sup> Maximum weekly benefit is based on the pay of a specific grade level in the Federal civil service; benefits calculated are at 75% of worker's wage where there are one or more dependents.
  - <sup>20</sup> Longshore and Harbor Workers' Compensation Act.
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