

Death Benefits - For deaths occurring November 1, 2011 through October 31, 2012

Weekly death benefits for beneficiaries are computed as percentages of the deceased's average weekly wage, which shall be taken as not more than the State's Average Weekly Wage (SAWW). The maximum aggregate weekly income benefits payable to all beneficiaries shall not exceed 100% of the deceased employee's average weekly wages or 100% of the SAWW, whichever is less.

The following chart is an **EXAMPLE**. It represents the aggregate weekly income benefits payable to all beneficiaries of a deceased worker whose average weekly wage equals or exceeds the State's Average Weekly Wage of \$735.

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|---|--|----------|--|
| 1. Spouse only: | Surviving spouse: 70% x \$735 | \$514.50 | \$514.50 |
| 2. Spouse and one (1) child: | Surviving spouse: 70% x \$735 | \$514.50 | |
| | Child: 15% x \$735 | \$110.25 | <i>Total Benefits:</i> \$624.75 |
| 3. Spouse and two (2) or more children: | Surviving spouse: 70% x \$735 | \$514.50 | |
| | Child #1: 15% x \$735 | \$110.25 | |
| | Child #2: 15% x \$735 | \$110.25 | <i>Total Benefits:</i> \$735.00 |
| 4. Spouse and three (3) or more children: | Surviving spouse: 70% x \$735 | \$514.50 | |
| | Children: (30% x \$735) ÷ (# of children) = Benefits per child | | <i>Total Benefits:</i> \$735.00 |
| 5. No spouse, one (1) child: (50% x \$735) | | | \$367.50 |
| 6. No spouse, two (2) children: (70% x \$735) ÷ (2) = \$257.25 per child | | | \$514.50 |
| 7. No spouse, three (3) children: (90% x \$735) ÷ (3) = \$220.50 per child | | | \$661.50 |
| 8. No spouse, four (4) or more children: (\$735 ÷ # of children) = Benefits per child | | | \$735.00 |
| 9. No spouse or children, Mother OR Father dependent: 25% x \$735 | | | \$183.75 |
| 10. No spouse or children, Mother AND Father dependent: 50% x \$735 | | | \$367.50 |
| 11. No spouse or children, Brothers, Sisters, Grandparents and Grandchildren, if dependent: 25% of deceased worker's average weekly wage (if more than one dependent, divided equally, subject to the maximum of \$735). | | | |

Lump Sum Death Benefits, less attorney fees as applicable, are payable as follows:

- Spouse:** \$100,000, plus up to \$10,000 for funeral expenses.
- Spouse and one (1) child:** Spouse: \$100,000; Child: \$25,000 to be placed in trust; Funeral Expenses: Maximum of \$10,000.
- Spouse and two (2) or more children:** Spouse: \$100,000; Children: Divide \$50,000 equally to be placed in trust for each child; Funeral Expenses: Maximum of \$10,000.
- No spouse, one or more children:** Children: \$25,000 per child, up to a maximum of \$150,000, divided equally, to be placed in trust for each child; Funeral Expenses: Maximum of \$10,000.
- Heirs-at-law suffering a pecuniary loss:** An aggregate maximum of \$5,000.
- No dependents or heirs-at-law:** A maximum of \$8,000 for funeral expenses.
- Spouse, upon remarriage:** Two (2) years' indemnity benefit.