

PENNSYLVANIA COMPENSATION RATING BUREAU  
F CLASS FILING

U. S. Longshore and Harbor Workers' Coverage Factor

In support of a modification to the United States Longshore and Harbor Workers' Compensation Coverage Percentage, which represents a load factor applied to state act coverage rates, the Bureau presents the following exhibits. In these exhibits, we compare benefit levels as prescribed under Pennsylvania law to those given by the Federal law. For brevity, we will use PA and USL when referring to the respective jurisdictions.

Exhibit I outlines the essential features of current USL and PA workers' compensation laws. Note that in footnotes on page 2 are the national and statewide average weekly wages that were used in developing the exhibits that follow.

Exhibit II summarizes the Bureau's findings. The ratios in column 2 are drawn from the subsequent exhibits. The weights representing the distribution of losses by type of injury are the same as those used in the Bureau's estimate of the effect of Act 57. We propose that the USL percentage be increased from 78.7% to 79.3%.

Starting with Exhibit III and proceeding through Exhibit XII, we develop the factors that are used in Exhibit II. For each type of injury, we develop first the benefit level under the state act, then the corresponding benefit under the USL act. The respective ratios of these benefits are carried forward to Exhibit II.

The distribution of dependents in Exhibits III-A and III-B and of cases in Exhibits V-A and V-B are from the Workers Compensation Injury Table. The distribution of widows on Exhibits III-C and III-D were compiled from the Bureau's own data for Pennsylvania for 1998. All annuity values are derived from the 1989-91 United States Life Tables.

Please note that the USL&H loading factor does not include the Federal Assessment, which is shown in the Expense Loading.

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EXHIBIT I

COMPARISON OF U.S.L. AND PENNSYLVANIA BENEFITS

<u>Fatal</u>	<u>U.S.L.</u>	<u>Pennsylvania</u>
% Rate of Compensation		
Widow Alone	50%	51%
Widow and Children	66 2/3%	60% w/1 child, 66 2/3% for 2 or more
One Orphan	50%	32%
Two or more Orphans	66 2/3%	42% for 2, 52% for 3, 62% for 4 64% for 5, 66 2/3% for 6 or more
One Parent	25%	52%
Two Parents	50%	52%
Brother / Sister / Other dependent	20% for each	22% + 5% for each additional up to 32%
Maximum % Rate of Compensation	66 2/3%	66 2/3%
Wage for Minimum Weekly Benefit	NAWW (a)	50% SAWW (b)
Maximum Weekly Benefit	200% NAWW (a)	SAWW (b)
Duration	Life or Remarriage; Age 18 for Child, or 23 if student	Life or Remarriage; Age 18 for Child, or 23 if student
Burial Expense	\$3,000	\$3,000
Remarriage Award	2 years lump sum	2 years lump sum
Special Fund (Non-dependency cases)	\$5,000	None
Escalation (e)	4.0%	None
<u>Permanent Total Disability</u>		
% Rate of Compensation	66 2/3%	66 2/3%
Minimum Weekly Benefit	Minimum of AWW (c) or 50% NAWW (a)	Minimum of 90% of AWW (c) or 50% SAWW (b)
Maximum Weekly Benefit	200% NAWW (a)	100% SAWW (b)
Duration	Length of Disability	Length of Disability
Escalation (e)	4.0%	None

EXHIBIT I (CONTINUED)

COMPARISON OF U.S.L. AND PENNSYLVANIA BENEFITS

<u>Temporary Total Disability</u>	<u>U.S.L.</u>	<u>Pennsylvania</u>
% Rate of Compensation	66 2/3 %	66 2/3 %
Minimum Weekly Benefit	Minimum of AWW (c) or 50% NAWW (a)	Minimum of 90% of AWW (c) or 50% SAWW (b)
Maximum Weekly Benefit	200% NAWW (a)	100% SAWW (b)
Duration	Length of Disability	Length of Disability
Waiting Period/ Retroactive after, days	3 / 14	7 / 13
 <u>Permanent Partial Disability</u>		
<u>Scheduled Injuries :</u>		
% Rate of Compensation	66 2/3 %	66 2/3 %
Minimum / Maximum Weekly Benefit	- / 200% NAWW (a)	50% SAWW (b) / 100% SAWW (b)
Duration	As per Schedule	As per Schedule
<u>Non-Scheduled Injuries :</u>		
% Rate of Compensation	66 2/3 % LOEC (d)	66 2/3 % LOEC (d)
Minimum / Maximum Weekly Benefit	- / 200% NAWW (a)	- / 100% SAWW (b)
Duration	Length of Disability	Length of Disability, with maximum of 500 weeks in addition to healing period

(a) NAWW, Effective 10/1/01 \$ 483.04  
 50% NAWW \$ 241.52  
 200% NAWW \$ 966.08

(b) SAWW, Effective 1/1/02 \$ 662.00

(c) AWW = Average Workers' Wage

(d) LOEC = Loss of Earning Capacity,  
 Assumed to be equal to Wage Loss

(e) Adjusted annually each October 1 by increase in NAWW,  
 limited to 5%.

EXHIBIT II

OVERALL DIFFERENCE IN BENEFITS

<u>Type of Injury</u>	(1) Weight State Act Benefit Level Pre-Act 57	(2) Ratio	(3) (1) * (2) Benefit Level Reflecting Federal Act	(4) Act 57 Factors	(5) (1) * (4) State Act Benefit Level Post Act 57
Death	0.0200	1.889	0.0378	0.9383	0.0188
Permanent Total	0.1170	1.927	0.2255	0.4310	0.0504
Major Permanent Partial	0.2220	1.971	0.4376	0.9383	0.2083
Minor Permanent Partial	0.0568	2.549	0.1448	0.9382	0.0533
Temporary Total	0.1264	1.061	0.1341	0.9383	0.1186
Medical	0.4578	1.412 *	0.6464	1.0000	0.4578
Total Effect	1.0000		1.6262		0.9072
OVERALL BENEFIT CHANGE (3 Total) / (5 Total)				1.7925	

\* 1.412 = 1/0.7082; reflects savings due to Act 44 Medical Fee Schedule.

EXHIBIT III

CALCULATION OF DIFFERENCE IN BENEFITS FOR FATAL CASES

	Pennsylvania	U.S.L.
1. Cost of Dependency (Exhibits III-A, III-B)	256,767,050	488,604,803
2. Remarriage Award	3,705,250 (a)	5,334,347 (a)
3. Burial Cost (Allowance * 1,000 Cases)	3,000,000	3,000,000
4. Second Injury Fund (147 Cases * \$5,000)	-	735,000
5. Total Cost { (1)+(2)+(3)+(4) }	263,472,300	497,674,150
6. Ratio U.S.L. to Pennsylvania		1.889

(a) Calculation of Remarriage Award	Pennsylvania	U.S.L.
1. Number of Cases, Widow Alone	356	356
2. Remarriage Value (Exhibit III-C, III-D)	0.0788	0.1087
3. Number of Cases, Widow w/ children	427	427
4. Remarriage Value (Exhibit III-C, III-D)	0.1833	0.2546
5. Average Weekly Benefit (Exhibit VII, VIII)	335.09	347.95
6. Award: ((#1 * #2) + (#3 * #4)) * #5 * 104 weeks	3,705,250	5,334,347

EXHIBIT III-A

VALUATION OF PENNSYLVANIA FATAL BENEFITS LAW

(1) # Of Cases	(2) Person Receiving Compensation	(3) # Of Dependents	(4) Average Pension Age	(5) Annuity Symbol	(6) Annuity Value	(7) Average Weekly Benefit (b)	(8) Monetary Cost (1)x(6)x(7)
147	None	None	xxx	xxx	xxx	xxx	xxx
356	Widow alone	1	52	$\bar{a}'_{52:\overline{\text{life}}}$	884.05	335.09	105,460,128
136	Widow	1	39	$10.5   \bar{a}'_{39:\overline{\text{life}}}$	442.78	335.09	20,178,476
	with child	1	9	$a \overline{546}$	458.41	385.80	24,052,223
129	Widow	1	39	$10.5   \bar{a}'_{39:\overline{\text{life}}}$	442.78	335.09	19,139,878
	with children	2	9	$a \overline{546}$	458.41	419.49	24,806,495
82	Widow	1	39	$10.5   \bar{a}'_{39:\overline{\text{life}}}$	442.78	335.09	12,166,434
	with children	3	9	$a \overline{546}$	458.41	419.49	15,768,470
42	Widow	1	39	$10.5   \bar{a}'_{39:\overline{\text{life}}}$	442.78	335.09	6,231,588
	with children	4	9	$a \overline{546}$	458.41	419.49	8,076,533
22	Widow	1	39	$10.5   \bar{a}'_{39:\overline{\text{life}}}$	442.78	335.09	3,264,165
	with children	5	9	$a \overline{546}$	458.41	419.49	4,230,565
16	Widow	1	39	$10.5   \bar{a}'_{39:\overline{\text{life}}}$	442.78	335.09	2,373,938
	with children (>5)	7 (a)	9	$a \overline{546}$	458.41	419.49	3,076,775
16	Orphan	1	11	$a \overline{494}$	421.54	213.83	1,442,206
10	Orphans	2	11	$a \overline{494}$	421.54	279.26	1,177,193
7	Orphans	3	11	$a \overline{494}$	421.54	340.97	1,006,127
3	Orphans	4	11	$a \overline{494}$	421.54	396.28	501,144
1	Orphans (more than 4)	5 (a)	11	$a \overline{494}$	421.54	406.44	171,331
13	Parent	1	58	$\bar{a} \overline{58:400}$	335.82	340.97	1,488,559
17	Parents	2	48	$\bar{a} \overline{48:400}$	344.92	340.97	1,999,325
1	Brother or Sister	1	23	$\bar{a} \overline{23:400}$	349.80	148.16	51,826
2	Other Dependents	1 (a)	21	$\bar{a} \overline{21:400}$	349.86	148.16	103,671
1000	Total						256,767,050

(a) Average  
(b) Exhibit VII

EXHIBIT III-B

VALUATION OF U.S.L. FATAL BENEFITS LAW

(1) # Of Cases	(2) Person Receiving Compensation	(3) # Of Dependents	(4) Average Pension Age	(5) Annuity Symbol	(6) Annuity Value (b)	(7) Average Weekly Benefit (c)	(8) Monetary Cost (1)x(6)x(7)
147	None	None	xxx	xxx	xxx	xxx	xxx
356	Widow alone	1	52	$\bar{a}'52:\overline{\text{life}}$	1,593.54	347.95	197,392,119
136	Widow	1	39	$10.5   \bar{a}'39:\overline{\text{life}}$	1,076.87	347.95	50,958,781
	with child	1	9	$a \overline{546}$	560.02	455.68	34,705,828
129	Widow	1	39	$10.5   \bar{a}'39:\overline{\text{life}}$	1,076.87	347.95	48,335,902
	with children	2	9	$a \overline{546}$	560.02	455.68	32,919,499
82	Widow	1	39	$10.5   \bar{a}'39:\overline{\text{life}}$	1,076.87	347.95	30,725,147
	with children	3	9	$a \overline{546}$	560.02	455.68	20,925,573
42	Widow	1	39	$10.5   \bar{a}'39:\overline{\text{life}}$	1,076.87	347.95	15,737,270
	with children	4	9	$a \overline{546}$	560.02	455.68	10,717,976
22	Widow	1	39	$10.5   \bar{a}'39:\overline{\text{life}}$	1,076.87	347.95	8,243,332
	with children	5	9	$a \overline{546}$	560.02	455.68	5,614,178
16	Widow	1	39	$10.5   \bar{a}'39:\overline{\text{life}}$	1,076.87	347.95	5,995,151
	with children (>5)	7 (a)	9	$a \overline{546}$	560.02	455.68	4,083,039
16	Orphan	1	11	$a \overline{494}$	505.46	347.95	2,813,997
10	Orphans	2	11	$a \overline{494}$	505.46	455.68	2,303,280
7	Orphans	3	11	$a \overline{494}$	505.46	455.68	1,612,296
3	Orphans	4	11	$a \overline{494}$	505.46	455.68	690,984
1	Orphans (more than 4)	5 (a)	11	$a \overline{494}$	505.46	455.68	230,328
13	Parent	1	58	$\bar{a} 58:\overline{\text{life}}$	1,246.67	176.95	2,867,777
17	Parents	2	48	$\bar{a} 48:\overline{\text{life}}$	1,745.48	347.95	10,324,776
1	Brother or Sister	1	23	$\bar{a} 23:\overline{\text{life}}$	3,228.33	141.58	457,067
2	Other Dependents	1 (a)	21	$\bar{a} 21:\overline{\text{life}}$	3,356.77	141.58	950,503
1000	Total						488,604,803

(a) Average

(b) Includes 4.0% escalation

(c) Exhibit VIII



EXHIBIT III-C

CALCULATION OF REMARRIAGE VALUES - PENNSYLVANIA

(1) Average Age x	(2) # of Cases Widow Alone		(3) Widow w/ children	(4) $\frac{R[x]}{D[x]}$	(5) (2)x(4)	(6) (3)x(4)
17	-	-	-	0.69264	-	-
22	2	3	3	0.52652	1.05304	1.57956
27	4	21	21	0.38684	1.54736	8.12364
32	8	24	24	0.27051	2.16408	6.49224
37	13	43	43	0.18217	2.36821	7.83331
42	19	31	31	0.11948	2.27012	3.70388
47	34	22	22	0.07691	2.61494	1.69202
52	35	14	14	0.04854	1.69890	0.67956
57	27	3	3	0.02981	0.80487	0.08943
62	24	2	2	0.01762	0.42288	0.03524
67	16	2	2	0.00983	0.15728	0.01966
72	5	-	-	0.00509	0.02545	-
77	4	-	-	0.00245	0.00980	-
82	1	-	-	0.00108	0.00108	-
87	-	-	-	0.00044	-	-
Total	192	165	165	2.36993	15.13801	30.24854

Remarriage Values (a)

Widow alone = (5 Total) / (2 Total) =	0.0788
Widow with children = (6 Total) / (3 Total) =	0.1833

(a) Present value of percent of distribution remarrying

EXHIBIT III-D

CALCULATION OF REMARRIAGE VALUES - U.S.L. LAW

(1) Average Age x	(2) # of Cases Widow Alone		(3) Widow w/ children	(4) $\frac{R[x]}{D[x]}$	(5) (2)x(4)	(6) (3)x(4)
17	-	-	-	0.87309	-	-
22	2	3	3	0.70403	1.40806	2.11209
27	4	21	21	0.53211	2.12844	11.17431
32	8	24	24	0.37788	3.02304	9.06912
37	13	43	43	0.25596	3.32748	11.00628
42	19	31	31	0.16746	3.18174	5.19126
47	34	22	22	0.10667	3.62678	2.34674
52	35	14	14	0.06617	2.31595	0.92638
57	27	3	3	0.03975	1.07325	0.11925
62	24	2	2	0.02289	0.54936	0.04578
67	16	2	2	0.01243	0.19888	0.02486
72	5	-	-	0.00627	0.03135	-
77	4	-	-	0.00294	0.01176	-
82	1	-	-	0.00126	0.00126	-
87	-	-	-	0.00050	-	-
Total	192	165	165	3.16941	20.87735	42.01607

Remarriage Values (a)

Widow alone = (5 Total) / (2 Total) =	0.1087
Widow with children = (6 Total) / (3 Total) =	0.2546

(a) Present value of percent of distribution remarrying, includes 4.0% escalation

EXHIBIT IV

CALCULATION OF DIFFERENCE IN BENEFITS  
PERMANENT TOTAL DISABILITY CASES

	Pennsylvania	U.S.L.	
1. Annuity Symbol	$\bar{a} 47:\overline{\text{life}}  $	$\bar{a} 47:\overline{\text{life}}  $	(a)
2. Annuity Value	954.73	1,799.28	
3. Average Weekly Benefit (Exhibits IX, X)	431.32	441.08	
4. Cost of 1,000 Cases { (2)x(3)x1,000 }	411,794,144	793,626,422	
5. Ratio U.S.L. to Pennsylvania		1.927	

(a) Includes 4.0% escalation per annum

EXHIBIT V

COMPARISON OF PENNSYLVANIA & U.S.L. BENEFITS  
MAJOR & MINOR PERMANENT PARTIAL

Type	(1) Number (a)	(2) Duration (a)	(3) (1)*(2)	(4) Average Weekly Benefit	(5) Total Cost (3)*(4)
<u>A. Major Permanent</u>					
Pennsylvania Benefit Level:					
Dismemberment	27	352.22	9,510	447.17 (b)	4,252,587
Healing Period	146	21.32	3,113	431.32 (c)	1,342,699
Other (Loss of Use)	119	352.87	41,992	447.17	18,777,563
Non-Schedule	497 (d)	500.00	248,500	175.41 (f)	43,589,385
Total Cost					67,962,234
U.S.L. Benefit Level:					
Dismemberment	27	245.85	6,638	433.99 (b)	2,880,826
Healing Period	503	25.76	12,957	441.08 (e)	5,715,074
Other (Loss of Use)	476	141.87	67,530	433.99	29,307,345
Non-Schedule	497 (d)	1,094.94 (g)	544,185	176.56 (f)	96,081,304
Total Cost					133,984,549
Ratio U.S.L. to Pennsylvania					1.971

B. Minor Permanent

Pennsylvania Benefit Level:					
Dismemberment	204	32.02	6,532	447.17	2,920,914
Healing Period	204	6.83	1,393	431.32	600,829
Non-Schedule	1,120 (d)	500.00	560,000	110.36 (f)	61,801,600
Total Cost					65,323,343
U.S.L. Benefit Level:					
Dismemberment	194	24.69	4,790	433.99	2,078,812
Healing Period	2,196	7.30	16,031	441.08	7,070,953
Other (Loss of Use)	2,002	25.38	50,811	433.99	22,051,466
Non-Schedule	1,120 (d)	1,094.94 (g)	1,226,333	110.36 (f)	135,338,110
Total Cost					166,539,341
Ratio U.S.L. to Pennsylvania					2.549

(a) Exhibits V-A, V-B

(b) Exhibit XI

(c) Exhibit IX

(d) "Workers' Compensation Injury Table" published by the National Council on Compensation Insurance, Inc.

(e) Exhibit X

(f) Exhibit XII

(g)  $(\bar{N}_{37} / D_{37}) * 52$

EXHIBIT V-A

SCHEDULE BENEFIT PROVISIONS - PENNSYLVANIA LAW  
MAJOR & MINOR PERMANENT DISABILITY

Type of Benefit	(1) # of Cases (a)	(2) Avg. % Loss	(3) Schedule at 100%	(4) (2) * (3) Duration	(5) Healing Period
<b>I. Major Permanent</b>					
<b>A. Dismemberment Cases</b>					
Arm (at or above elbow)	4	100	410	410	20
Arm (below elbow)	3	100	370	370	20
Hand	5	100	335	335	20
Leg (at or above knee)	6	100	410	410	25
Leg (below knee)	3	100	350	350	25
Foot	3	100	250	250	25
Eye (enucleation)	3	100	275	275	10
Total or Average (c)	27			352.22	21.11
<b>B. Other Than Dismemberment (b)</b>					
Arm (loss of use)	20.25	100	410	410	20
Hand (loss of use)	34.75	100	335	335	20
Leg (loss of use)	36.25	100	410	410	25
Foot (loss of use)	17.25	100	250	250	25
Eye (loss of use)	9.5	100	275	275	10
Hearing (loss of hearing)	1	100	260	260	10
Total or Average (c)	119			352.87	21.37
Average Healing Period (c)					21.32
<b>II. Minor Permanent</b>					
Thumb - 1st phalange	23	100	50	50	10
Thumb - 2nd phalange	5	100	100	100	10
Index Finger - 1st phalange	48	100	25	25	6
Index Finger - 2nd phalange	18	100	50	50	6
Middle Finger - 1st phalange	32	100	20	20	6
Middle Finger - 2nd phalange	11	100	40	40	6
Ring Finger - 1st phalange	19	100	15	15	6
Ring Finger - 2nd phalange	8	100	30	30	6
Little Finger - 1st phalange	15	100	14	14	6
Little Finger - 2nd phalange	8	100	28	28	6
Great Toe - 1st phalange	2	100	20	20	12
Great Toe - 2nd phalange	1	100	40	40	12
Other Toes	4	100	16	16	6
Hearing - One ear	10	100	60	60	10
Total or Average (c)	204			32.02	6.83

(a) From the "Workers' Compensation Injury Table," published by National Council on Compensation Insurance, Inc.

(b) Assumed 25% of loss of use cases are considered 100% loss of use.

(c) Total for column (1), Average for columns (4) and (5) using column (1) as weights.

EXHIBIT V-B

SCHEDULE BENEFIT PROVISIONS - U.S.L. LAW  
MAJOR & MINOR PERMANENT DISABILITY

Type of Benefit	(1) # of Cases (a)	(2) Avg. % Loss	(3) Schedule at 100%	(4) (2) * (3) Duration	(5) Healing Period
<b>I. Major Permanent</b>					
<b>A. Dismemberment Cases</b>					
Arm (at or above elbow)	4	100	312	312	33
Arm (below elbow)	3	100	244	244	18
Hand	5	100	244	244	29
Leg (at or above knee)	6	100	288	288	34
Leg (below knee)	3	100	205	205	39
Foot	3	100	205	205	26
Eye (enucleation)	3	100	160	160	20
Total or Average (b)	27			245.85	29.26
<b>B. Other Than Dismemberment</b>					
Arm (loss of use)	81	53	312	165	27
Hand (loss of use)	139	56	244	137	20
Leg (loss of use)	145	53	288	153	34
Foot (loss of use)	69	51	205	105	25
Eye (loss of use)	38	88	160	141	14
Hearing (loss of hearing)	4	56	200	112	3
Total or Average (b)	476			141.87	25.56
Average Major Member Healing Period (b)					25.76
<b>II. Minor Permanent</b>					
<b>A. Dismemberment Cases</b>					
Thumb - 1st phalange	23	100	37.50	37.50	6
Thumb - 2nd phalange	5	100	75.00	75.00	6
Index Finger - 1st phalange	48	100	23.00	23.00	5
Index Finger - 2nd phalange	18	100	46.00	46.00	8
Middle Finger - 1st phalange	32	100	15.00	15.00	3
Middle Finger - 2nd phalange	11	100	30.00	30.00	7
Ring Finger - 1st phalange	19	100	12.50	12.50	4
Ring Finger - 2nd phalange	8	100	25.00	25.00	4
Little Finger - 1st phalange	15	100	7.50	7.50	2
Little Finger - 2nd phalange	8	100	15.00	15.00	5
Great Toe - 1st phalange	2	100	19.00	19.00	6
Great Toe - 2nd phalange	1	100	38.00	38.00	12
Other Toes	4	100	16.00	16.00	9
Total or Average (b)	194			24.69	4.96
<b>B. Other Than Dismemberment Cases</b>					
Hearing - One ear	10	37	52	19.24	3
Thumb (loss of use)	164	25	75	18.75	4
Index Finger (loss of use)	216	32	46	14.72	4
Middle Finger (loss of use)	152	29	30	8.70	3
Ring Finger (loss of use)	98	31	25	7.75	3
Little Finger (loss of use)	95	36	15	5.40	3
Great Toe (loss of use)	50	26	38	9.88	4
Other Toes (loss of use)	21	29	16	4.64	2
Other Major Members (loss of use)	1,196			34.43	10.24
Total or Average (b)	2,002			25.38	7.53
Average Major Member Healing Period (b)					7.30

(a) From the "Workers' Compensation Injury Table" published by the National Council on Compensation Insurance, Inc.  
(b) Total for column (1), Average for columns (4) and (5) using column (1) as weights.

EXHIBIT VI

CALCULATION OF DIFFERENCE IN BENEFITS  
TEMPORARY TOTAL DISABILITY CASES

	Pennsylvania	U.S.L.
1. Waiting Period	7	3
2. Retroactive After	13	14
3. Total Days Disability Based on #1 (a)	2,495,765	2,776,360
4. Additional Days Disability Based on #2 (a)	294,735 (b)	117,735 (b)
5. Cost in Units of Weeks Wages $[(\#3+\#4)/7]$	398,643	413,442
6. Average Weekly Benefit (Exhibits IX,X)	431.32	441.08
7. Total Monetary Cost ( $\#5*\#6$ )	171,942,699	182,360,997
8. Ratio U.S.L. to Pennsylvania		1.061

(a) Exhibit VI-A

(b) #1 \* Value from Exhibit VI-A based on #2

EXHIBIT VI-A

WORKERS COMPENSATION INJURY TABLE  
TEMPORARY TOTAL DISABILITY

(1) Duration (Days)	(2) # of Cases	(3) Summa. of (2) Upward	(4) Total Disability (Days)	(1) Duration (Days)	(2) # of Cases	(3) Summa. of (2) Upward	(4) Total Disability (Days)
1	8,973	103,371	3,060,329	22	854	28,879	1,909,602
2	8,198	94,398	2,956,958	23	910	28,025	1,880,723
3	6,236	86,200	2,862,560	24	961	27,115	1,852,698
4	7,077	79,964	2,776,360	25	762	26,154	1,825,583
5	6,437	72,887	2,696,396	26	590	25,392	1,799,429
6	5,156	66,450	2,623,509	27	467	24,802	1,774,037
7	4,854	61,294	2,557,059	28	1,480	24,335	1,749,235
8	2,351	56,440	2,495,765	29	532	22,855	1,724,900
9	2,407	54,089	2,439,325	30	604	22,323	1,702,045
10	2,865	51,682	2,385,236	31	655	21,719	1,679,722
11	2,665	48,817	2,333,554	32	603	21,064	1,658,003
12	2,156	46,152	2,284,737	33	437	20,461	1,636,939
13	1,891	43,996	2,238,585	34	376	20,024	1,616,478
14	2,860	42,105	2,194,589	35	894	19,648	1,596,454
15	1,563	39,245	2,152,484	36	389	18,754	1,576,806
16	1,621	37,682	2,113,239	37	390	18,365	1,558,052
17	1,703	36,061	2,075,557	38	442	17,975	1,539,687
18	1,486	34,358	2,039,496	39	424	17,533	1,521,712
19	1,096	32,872	2,005,138	40	287	17,109	1,504,179
20	888	31,776	1,972,266	41	274	16,822	1,487,070
21	2,009	30,888	1,940,490	42	1,160	16,548	1,470,248

Source: National Council on Compensation Insurance, Inc



EXHIBIT VII

CALCULATION OF AVERAGE WEEKLY BENEFIT - FATAL  
PENNSYLVANIA ACT

1. Effective Date of Comp Law			1/1/02		
2. Rate of Compensation (a)	0.2200	0.3200	0.4200	0.5100	0.5200
3. Minimum Weekly Benefit (SAWW * #2)	72.82	105.92	139.02	168.81	172.12
4. Maximum Weekly Benefit (SAWW)	662.00	662.00	662.00	662.00	662.00
5. Effective Wage for #3 (#3 / #2)	331.00	331.00	331.00	331.00	331.00
6. Effective Wage for #4 (#4 / #2)	3,009.09	2,068.75	1,576.19	1,298.04	1,273.08
7. Average Weekly Wage	662.00	662.00	662.00	662.00	662.00
8. Ratio to Average for #5 (#5 / #7)	0.500	0.500	0.500	0.500	0.500
9. Ratio to Average for #6 (#6 / #7)	4.545	3.125	2.381	1.961	1.923
10. Line #8 Adjusted to Nearest .05	0.50	0.50	0.50	0.50	0.50
11. Line #9 Adjusted to Nearest .05	4.55	3.15	2.40	1.95	1.90
12. B for #10	7.10	7.10	7.10	7.10	7.10
13. B for #11	100.00	98.49	96.21	90.03	88.76
14. #13 - #12	92.90	91.39	89.11	82.93	81.66
15. A for #10	17.66	17.66	17.66	17.66	17.66
16. A for #11	100.00	99.77	98.95	96.18	95.55
17. #8 * #15	8.83	8.83	8.83	8.83	8.83
18. #9 * (100 - #16)	0.00	0.72	2.50	7.49	8.56
19. Limit Factor as % (#14 + #17 + #18)	101.73	100.94	100.44	99.25	99.05
20. Effective Average Weekly Wage (#19 * #7 / 100)	673.45	668.22	664.91	657.04	655.71
21. Average Weekly Benefit (#20 * #2)	148.16	213.83	279.26	335.09	340.97

1. Effective Date of Comp Law			1/1/02	
2. Rate of Compensation (a)	0.6000	0.6200	0.6400	0.6667
3. Minimum Weekly Benefit (SAWW * #2)	198.60	205.22	211.84	220.67
4. Maximum Weekly Benefit (SAWW)	662.00	662.00	662.00	662.00
5. Effective Wage for #3 (#3/#2)	331.00	331.00	331.00	331.00
6. Effective Wage for #4 (#4/#2)	1,103.33	1,067.74	1,034.38	993.00
7. Average Weekly Wage	662.00	662.00	662.00	662.00
8. Ratio to Average for #5 (#5/#7)	0.500	0.500	0.500	0.500
9. Ratio to Average for #6 (#6/#7)	1.667	1.613	1.563	1.500
10. Line #8 Adjusted to Nearest .05	0.50	0.50	0.50	0.50
11. Line #9 Adjusted to Nearest .05	1.65	1.60	1.55	1.50
12. B for #10	7.10	7.10	7.10	7.10
13. B for #11	80.91	78.84	76.49	74.12
14. #13 - #12	73.81	71.74	69.39	67.02
15. A for #10	17.66	17.66	17.66	17.66
16. A for #11	91.31	90.09	88.67	87.20
17. #8 * #15	8.83	8.83	8.83	8.83
18. #9 * (100-#16)	14.49	15.98	17.71	19.20
19. Limit Factor as % (#14+#17+#18)	97.13	96.55	95.93	95.05
20. Effective Average Weekly Wage (#19*#7/100)	643.00	639.16	635.06	629.23
21. Average Weekly Benefit (#20*#2)	385.80	396.28	406.44	419.49

(a) From Fatal Benefit Levels, Exhibit I

EXHIBIT VIII

CALCULATION OF AVERAGE WEEKLY BENEFIT - FATAL  
U.S.L. ACT

1. Effective Date of Comp Law		10/1/01		
2. Rate of Compensation (a)	0.2000	0.2500	0.5000	0.6667
3. Minimum Weekly Benefit	xx	xx	xx	xx
4. Maximum Weekly Benefit (2 * NAWW)	966.08	966.08	966.08	966.08
5. Effective Wage for #3 (NAWW)	483.04	483.04	483.04	483.04
6. Effective Wage for #4 (#4 / #2)	4,830.40	3,864.32	1,932.16	1,449.12
7. Average Weekly Wage	662.00	662.00	662.00	662.00
8. Ratio to Average for #3 (#2 * #5 / #7)	0.146	0.182	0.365	0.486
9. Ratio to Average for #5 (#5 / #7)	0.730	0.730	0.730	0.730
10. Ratio to Average for #6 (#6 / #7)	7.297	5.837	2.919	2.189
11. Line #8 Adjusted to Nearest .05	0.15	0.20	0.35	0.50
12. Line #9 Adjusted to Nearest .05	0.75	0.75	0.75	0.75
13. Line #10 Adjusted to Nearest .05	7.30	5.85	2.90	2.20
14. B for #11	0.06	0.19	1.61	7.10
15. B for #12	24.03	24.03	24.03	24.03
16. B for #13	100.00	100.00	98.08	94.44
17. #16 - #15	75.97	75.97	74.05	70.41
18. #14 / #2	0.30	0.76	3.22	10.65
19. A for #11	0.71	1.36	6.00	17.66
20. A for #12	42.71	42.71	42.71	42.71
21. A for #13	100.00	100.00	99.64	98.22
22. #9 * (#20 - #19)	30.66	30.19	26.80	18.29
23. #10 * (100 - #21)	0.00	0.00	1.05	3.90
24. Limit Factor as % (#17 + #18 + #22 + #23)	106.93	106.92	105.12	103.25
25. Effective Average Weekly Wage (#24 * #7 / 100)	707.88	707.81	695.89	683.52
26. Average Weekly Benefit (#25 * #2)	141.58	176.95	347.95	455.68

(a) From Fatal Benefit Levels, Exhibit I

EXHIBIT IX

CALCULATION OF AVERAGE WEEKLY BENEFIT - TOTAL DISABILITY  
PENNSYLVANIA ACT

(I) Workers at Maximum	
1. Maximum Weekly Compensation	662.00
2. Statewide Average Weekly Wage	662.00
3. Minimum Wage to Receive Maximum Benefits	993.01
4. Ratio #3 / #2	1.500
5. #4 to Nearest 0.05	1.50
6. A for #5	87.20
7. 100 - #6	12.80
8. #1 * #7 / 100	84.7360
(II) Workers at 2/3 Wages	
9. Maximum Wage	993.00
10. Minimum Wage	496.51
11. #9 / #2	1.500
12. #10 / #2	0.750
13. #11 to Nearest 0.05	1.50
14. #12 to Nearest 0.05	0.75
15. B for #13	74.12
16. B for #14	24.03
17. #15 - #16	50.09
18. (2/3 * #17 * #2) / 100	221.0639
(III) Workers at 1/2 Maximum	
19. Maximum Wage	496.50
20. Minimum Wage	367.78
21. #19 / #2	0.750
22. #20 / #2	0.556
23. #21 to Nearest 0.05	0.75
24. #22 to Nearest 0.05	0.55
25. A for #23	42.71
26. A for #24	22.41
27. #25 - #26	20.30
28. #27 * 1/2 * #1 / 100	67.1930
(IV) Workers at 90% of Wages	
29. Maximum Wage	367.77
30. #29 / #2	0.556
31. #30 to Nearest 0.05	0.55
32. B for #31	9.79
33. #32 * #2 * 0.90 / 100	58.3288
34. #8 + #18 + #28 + #33	431.32

EXHIBIT X

CALCULATION OF AVERAGE WEEKLY BENEFIT - TOTAL DISABILITY  
U. S. L. ACT

(I) Workers at Maximum	
1. Maximum Weekly Compensation	966.08
2. Statewide Average Weekly Wage	662.00
3. Minimum Wage to Receive Maximum Benefits	1,449.13
4. Ratio #3 / #2	2.189
5. #4 to Nearest 0.05	2.20
6. A for #5	98.22
7. 100 - #6	1.78
8. #1 * #7 / 100	17.1962
(II) Workers at 2/3 Wages	
9. Maximum Wage	1,449.12
10. Minimum Wage	362.29
11. #9 / #2	2.189
12. #10 / #2	0.547
13. #11 to Nearest 0.05	2.20
14. #12 to Nearest 0.05	0.55
15. B for #13	94.44
16. B for #14	9.79
17. #15 - #16	84.65
18. (2/3 * #17 * #2) / 100	373.5887
(III) Workers at 1/2 NAWW	
19. Maximum Wage	362.28
20. Minimum Wage	241.53
21. #19 / #2	0.547
22. #20 / #2	0.365
23. #21 to Nearest 0.05	0.55
24. #22 to Nearest 0.05	0.35
25. A for #23	22.41
26. A for #24	6.00
27. #25 - #26	16.41
28. #27 * 1/2 NAWW / 100	39.6334
(IV) Workers at 100% of Wages	
29. Maximum Wage	241.52
30. #29 / #2	0.365
31. #30 to Nearest 0.05	0.35
32. B for #31	1.61
33. #32 * #2 / 100	10.6582
34. #8 + #18 + #28 + #33	441.08

EXHIBIT XI

CALCULATION OF AVERAGE WEEKLY BENEFIT - SCHEDULE PERMANENT PARTIAL DISABILITY

Pennsylvania

	(1) <u>Wage Interval</u>		(2) <u>% of Avg. Wage (1) / AWW</u>	(3) <u>% in Wage Bracket Workers</u>	(4) <u>Wages</u>	(5) <u>Avg. Wage AWW*((4)/(3))</u>	(6) <u>Avg. Weekly Benefit</u>	
Under	496.50 (a)		0.00 - 0.75	42.71	24.03	372.46	331.00	(Min)
Between	496.50 and 993.00 (b)		0.75 - 1.50	44.49	50.09	745.33	496.89	[(5)*.6667]
Over	993.00		Over 1.50	12.80	25.88	1338.48	662.00	(Max)
$\frac{\text{SUM OF ((3) * (6))}}{100} = 447.17$								

(a)  $1/2 \text{ AWW} / (.6667) = 331.00 / 0.6667 = 496.50$

(b)  $\text{AWW} / (.6667) = 662.00 / 0.6667 = 993.00$

U. S. L.

	(1) <u>Wage Interval</u>		(2) <u>% of Avg. Wage (1) / AWW</u>	(3) <u>% in Wage Bracket Workers</u>	(4) <u>Wages</u>	(5) <u>Avg. Wage AWW*((4)/(3))</u>	(6) <u>Avg. Weekly Benefit</u>	
Under	1,449.12 (a)		0.00 - 2.19	98.22	94.44	636.52	424.35	[(5)*.6667]
Over	1,449.12		Over - 2.19	1.78	5.56	2067.82	966.08	(Max)
2.20								
$\frac{\text{SUM OF ((3) * (6))}}{100} = 433.99$								

(a)  $2 \text{ NAWW} / (.6667) = 966.08 / 0.6667 = 1,449.12$

EXHIBIT XII

CALCULATION OF AVERAGE WEEKLY BENEFIT  
NON-SCHEDULE PERMANENT PARTIAL

	<u>Pennsylvania</u>		<u>U. S. L.</u>	
	Major	Minor	Major	Minor
1. Class of Injury				
2. Effective Date of Comp Law	1/1/02		10/1/01	
3. Rate of Compensation	0.2667	0.1667	0.2667	0.1667
4. Minimum Weekly Benefit	0.00	0.00	0.00	0.00
5. Maximum Weekly Benefit	662.00	662.00	966.08	966.08
6. Effective Weekly Wage for Min. (#4 / #3)	0.00	0.00	0.00	0.00
7. Effective Weekly Wage for Max. (#5 / #3)	2,482.19	3,971.21	3,622.35	5,795.32
8. Average Weekly Wage	662.00	662.00	662.00	662.00
9. Ratio to AWW for Min. (#6 / #8)	0.000	0.000	0.000	0.000
10. Ratio to AWW for Max. (#7 / #8)	3.750	5.999	5.472	8.754
11. Line #9 Adjusted to Nearest .05	0.00	0.00	0.00	0.00
12. Line #10 Adjusted to Nearest .05	3.75	6.00	5.45	8.75
13. B for #11	0.00	0.00	0.00	0.00
14. B for #12	98.90	100.00	100.00	100.00
15. #14 - #13	98.90	100.00	100.00	100.00
16. A for #11	0.00	0.00	0.00	0.00
17. A for #12	99.88	100.00	100.00	100.00
18. 100 - #17	0.12	0.00	0.00	0.00
19. #9 * #16	0.00	0.00	0.00	0.00
20. #10 * #18	0.45	0.00	0.00	0.00
21. Limit Factor as % (#15 + #19 + #20)	99.35	100.00	100.00	100.00
22. Effective Average Weekly Wage (#21 * #8 / 100)	657.70	662.00	662.00	662.00
23. Average Weekly Benefit (#22 * #3)	175.41	110.36	176.56	110.36

EXHIBIT XIII

STANDARD WAGE DISTRIBUTION TABLE  
(1991 DCI STATES)

R = Ratio to Average Wage

A = Percentage of workers receiving not more than the percentage of the average wage indicated by Column R

B = Percentage of wages received by the percentage of workers in Column A

R	A	B	R	A	B	R	A	B
0.05	0.2400	0.0100	2.40	98.9500	96.2100	4.75	100.0000	100.0000
0.10	0.3900	0.0200	2.45	99.0800	96.5400	4.80	100.0000	100.0000
0.15	0.7100	0.0600	2.50	99.1800	96.7900	4.85	100.0000	100.0000
0.20	1.3600	0.1900	2.55	99.2700	97.0400	4.90	100.0000	100.0000
0.25	2.6100	0.4900	2.60	99.3500	97.2500	4.95	100.0000	100.0000
0.30	4.0800	0.9300	2.65	99.4100	97.4100	5.00	100.0000	100.0000
0.35	6.0000	1.6100	2.70	99.4800	97.6000	5.05	100.0000	100.0000
0.40	8.8000	2.7600	2.75	99.5200	97.7100	5.10	100.0000	100.0000
0.45	13.1000	4.7400	2.80	99.5700	97.8700	5.15	100.0000	100.0000
0.50	17.6600	7.1000	2.85	99.6100	97.9900	5.20	100.0000	100.0000
0.55	22.4100	9.7900	2.90	99.6400	98.0800	5.25	100.0000	100.0000
0.60	27.6600	13.0700	2.95	99.6700	98.1700	5.30	100.0000	100.0000
0.65	32.7900	16.5200	3.00	99.7000	98.2600	5.35	100.0000	100.0000
0.70	37.8200	20.2000	3.05	99.7300	98.3500	5.40	100.0000	100.0000
0.75	42.7100	24.0300	3.10	99.7600	98.4300	5.45	100.0000	100.0000
0.80	47.4600	28.0000	3.15	99.7700	98.4900	5.50	100.0000	100.0000
0.85	52.0300	32.0700	3.20	99.7900	98.5700	5.55	100.0000	100.0000
0.90	56.2400	36.0400	3.25	99.8000	98.6100	5.60	100.0000	100.0000
0.95	60.0300	39.8100	3.30	99.8100	98.6500	5.65	100.0000	100.0000
1.00	63.5500	43.4800	3.35	99.8200	98.6800	5.70	100.0000	100.0000
1.05	66.8200	47.0500	3.40	99.8400	98.7300	5.75	100.0000	100.0000
1.10	69.7500	50.3900	3.45	99.8400	98.7500	5.80	100.0000	100.0000
1.15	72.5100	53.7300	3.50	99.8500	98.7800	5.85	100.0000	100.0000
1.20	75.1200	56.9900	3.55	99.8600	98.8000	5.90	100.0000	100.0000
1.25	77.6400	60.2900	3.60	99.8600	98.8200	5.95	100.0000	100.0000
1.30	79.9700	63.4400	3.65	99.8700	98.8500	6.00	100.0000	100.0000
1.35	82.0200	66.3300	3.70	99.8800	98.8900	6.05	100.0000	100.0000
1.40	83.9600	69.1500	3.75	99.8800	98.9000	6.10	100.0000	100.0000
1.45	85.6300	71.6700	3.80	99.8900	98.9200	6.15	100.0000	100.0000
1.50	87.2000	74.1200	3.85	99.8900	98.9400	6.20	100.0000	100.0000
1.55	88.6700	76.4900	3.90	99.8900	98.9400	6.25	100.0000	100.0000
1.60	90.0900	78.8400	3.95	99.8900	98.9500	6.30	100.0000	100.0000
1.65	91.3100	80.9100	4.00	99.9000	98.9600	6.35	100.0000	100.0000
1.70	92.4600	82.9400	4.05	100.0000	100.0000	6.40	100.0000	100.0000
1.75	93.3900	84.6300	4.10	100.0000	100.0000	6.45	100.0000	100.0000
1.80	94.2200	86.1800	4.15	100.0000	100.0000	6.50	100.0000	100.0000
1.85	94.9000	87.4900	4.20	100.0000	100.0000	6.55	100.0000	100.0000
1.90	95.5500	88.7600	4.25	100.0000	100.0000	6.60	100.0000	100.0000
1.95	96.1800	90.0300	4.30	100.0000	100.0000	6.65	100.0000	100.0000
2.00	96.6900	91.1000	4.35	100.0000	100.0000	6.70	100.0000	100.0000
2.05	97.1700	92.1000	4.40	100.0000	100.0000	6.75	100.0000	100.0000
2.10	97.5500	92.9400	4.45	100.0000	100.0000	6.80	100.0000	100.0000
2.15	97.9300	93.7700	4.50	100.0000	100.0000	6.85	100.0000	100.0000
2.20	98.2200	94.4400	4.55	100.0000	100.0000	6.90	100.0000	100.0000
2.25	98.4600	95.0000	4.60	100.0000	100.0000	6.95	100.0000	100.0000
2.30	98.6600	95.4800	4.65	100.0000	100.0000	7.00	100.0000	100.0000
2.35	98.8300	95.9000	4.70	100.0000	100.0000			