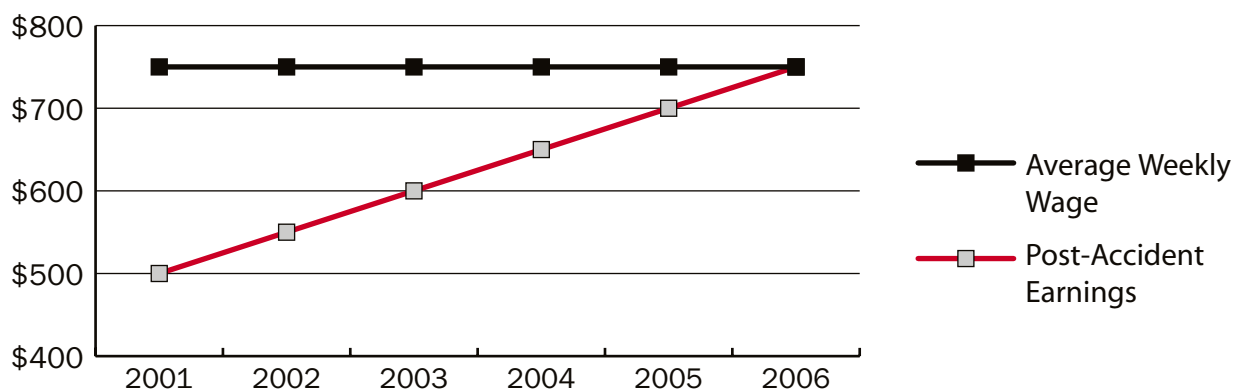


FACT
#6

Workers' compensation benefits are already 'capped.'

- Workers' compensation benefit rates depend largely on a worker's average weekly wage, or "AWW." The AWW is based on the worker's salary in the year before the accident. This figure **never changes** – *there is no adjustment for cost of living or inflation*. In effect, benefits are already capped because AWW does not change.
- Benefit rates for permanently partially disabled workers don't change either, so the value of a worker's benefit declines every year. Compared to Social Security benefits, which include a cost of living adjustment to keep place with inflation, injured workers who depend on workers' compensation lose ground every year.
- If a permanently partially disabled worker returns to work at a lower wage, his benefit rate depends on the difference between his AWW (which doesn't change) and his new earnings, which naturally rise over time. The worker ultimately "runs out of reduced earnings," and receives no further benefits – yet another cap.

Average Weekly Wage v. Reduced Earnings Over Time



NEW YORK'S INJURED WORKERS DESERVE A RAISE WITHOUT ANOTHER CAP.

FOR MORE INFORMATION CONTACT

The New York Committee For Occupational Safety And Health (NYCOSH) At 212-227-6440 or WWW.NYCOSH.ORG