

## THE WORKERS' COMPENSATION TEAM

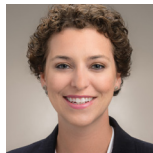
Collins & Lacy's Workers' Compensation Team has extensive experience crafting workers' compensation defense strategies. We provide a holistic approach that focuses on claim and prevention management, claim resolution, education, and litigation. Contact us for help with your legal needs.



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## Compensation Rates

### Average Weekly Wage (AWW)

Must be fair to employee and employer.

Generally calculated by totaling the preceding four quarters as reported to the S.C. Department of Employment and Workforce and dividing by 52 or the actual number of weeks worked. If the length of employment is short, comparable employees may be used. Also, generally include income from other employments. See §42-1-40 for further details.

### Compensation Rate (CR)

$0.6667 \times \text{AWW}$  up to a maximum as follows in chart to the right.

### Minimum Compensation Rate

\$75.00 unless Claimant's AWW is less than \$75.00, at which time the compensation rate is the same as the AWW.

Year	Compensation Rate
2009	\$681.36
2010	\$689.71
2011	\$704.92
2012	\$725.47
2013	\$743.72
2014	\$752.16
2015	\$766.05
2016	\$784.03
2017	\$806.92
2018	\$838.21
2019	\$845.74

## Disability Definitions

### TTD/TPD Waiting Period

Seven calendar days (not consecutive). If disability lasts more than fourteen (14) days, must pay back to first date of missed work.

### Temporary Total Disability Benefits (TTD)

0.6667 of AWW, not to exceed 500 weeks. See §42-9-10.

### Temporary Partial Disability Benefits (TPD)

If Claimant returns to work making less than his average weekly wage because of the injury, he is entitled to .6667 of the difference between AWW and his current income. Not to exceed 340 weeks from date of injury or, if follows a period of TTD, from the last date of TTD. See §42-9-20.

### Permanent Partial Disability (PPD)

After Claimant has reached maximum medical improvement (MMI) the Commission makes a determination as to disability based upon a percentage of the scheduled member involved. Schedules are on the reverse side. (Example: the arm is worth 220 weeks, so an award of 10% to the arm would be equal to 22 weeks). The award in weeks is multiplied times the CR. See §42-9-30 and Reg. 67-1101. If Claimant has more than one scheduled body part or a non-scheduled body part involved, Claimant may seek an award of permanent partial wage loss. Maximum is 340 weeks. See §42-9-20.

### Permanent Total Disability (PTD)

500 weeks paid less TPD and TTD. See §42-9-10 and §42-9-30(19). Three ways to get perm total: 1) total loss of earning capacity; 2) loss of both hands, shoulders, hips, arms, feet, legs, vision in both eyes, or any combination of two; or 3) loss of 50% disability to the back (rebuttable presumption of perm total). If disability is the result of paraplegia, quadriplegia or physical brain damage, indemnity is for life without regard to 500 week limitation.

### Death Benefits

500 weeks less any TTD paid if death results from the injury and occurs within two years after the accident or within six years after the accident if Claimant is on TTD. §42-9-290. If death is not the result of the injury, see §42-9-280.

## Scheduled Members (§42-9-30)

Injury	Total Loss
<b>Fingers</b>	
Thumb	65 weeks
First (Index)	40 weeks
Second	35 weeks
Third	25 weeks
Fourth (Little)	20 weeks
<ul style="list-style-type: none"> <li>• Loss of first phalange of thumb/finger equals ½ of affected digit.</li> <li>• More than one phalange of thumb/finger is considered total loss of digit.</li> </ul>	
<b>Toes</b>	
Great	35 weeks
All other toes	10 weeks
<ul style="list-style-type: none"> <li>• Loss of first phalange of toe equals ½ of affected digit.</li> <li>• More than one phalange of toe is considered total loss of digit.</li> </ul>	
<b>Eye</b>	140 weeks
<b>Ear</b>	
Loss of hearing in one ear	80 weeks
Loss of hearing in both ears	165 weeks
<b>Hand</b>	185 weeks
<b>Arm</b>	220 weeks
<b>Foot</b>	140 weeks
<b>Leg</b>	195 weeks
<b>Back</b>	300 weeks
unless more than 50% of use, then it shall be	500 weeks
<b>Shoulder</b>	300 weeks
<b>Hip</b>	280 weeks
<b>Disfigurement of face, head, neck or other area normally exposed at work</b>	up to 50 weeks

## Scheduled Body Parts (WC Regulation 67-1101)

Organ, Member or Body Part	Total Loss	Partial Loss or Loss of Use
Biliary Tract		75–400
Bladder		25–250
Brain		25–250
Breast	75	10–75
Breasts	250	25–250
Bronchi or Bronchus		25–400
Cervix		10–100
Clavicle		10–100
Coccyx	10	1–10
Colon		25–250
Diaphragm		25–250
Duodenum		10–250
Esophagus		25–400
Fallopian Tubes		10–100
Gall Bladder	75	10–75
Heart		25–250
Intestine, Small		10–400
Kidney	400	25–250
Larynx		25–400
Lung	400	25–250
Pancreas	500	10–250
Rib	10	1½–10
(Maximum award of 200 weeks for total loss of 4 ribs)		
Scrotum & Testicles	350	30–300
Spleen	25	2½–25
Testicle	75	10–75
Testicles	250	25–250
Tongue	500	50–500
Tooth	2	½–2

Organ, Member or Body Part	Partial Loss or Loss of Use
Liver	25–250
Mandible	10–100
Nasal Passage	10–75
Olfactory Nerve	10–75
Ovaries	10–100
Palate	25–250
Penis	25–250
Prostate	10–100
Rectum	10–250
Scapula	10–200
Sinus	5–30
Skin	5–300
Spermatic Cord	10–100
Sternum	10–100
Stomach	25–250
Thyroid Gland	10–100
Ureter	10–100
Urethra	10–100
Vagina	25–250
Vulva	25–250
Zygomatic Arch or Facial Nerve	
(In accordance with the AMA "Guides")	

## Workers' Compensation Commission Key Phone Numbers



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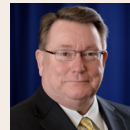
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