

Massachusetts Statutory Benefit Provisions

TEMPORARY TOTAL DISABILITY	
% Rate of compensation	60% of Employee's Gross Average Weekly Wage (AWW)
Minimum weekly benefit	20% of State Average Weekly Wage (SAWW)
Maximum weekly benefit	SAWW
Waiting period/retroactive	5 days. If incapacity extends 21 days or more, then compensation is paid back to date of incapacity; if incapacity extends for 5 days but less than 21 days, compensation is paid from 6th day of incapacity
Maximum duration	156 weeks

TEMPORARY PARTIAL DISABILITY	
% Rate of compensation	AWW less earnings (or earning capacity) x 60%
Maximum weekly benefit	75% of Temporary Total Benefits
Waiting period/retroactive	See Temporary Total Benefits
Maximum duration	260 weeks of partial disability alone (or 364 weeks when combined with Temporary Total) ¹

PERMANENT TOTAL DISABILITY	
% Rate of compensation	66 2/3 % of AWW
Minimum weekly benefit	20% of SAWW
Maximum weekly benefit	SAWW
Cost-of-Living Adjustment	Employee eligibility will be reviewed following the required waiting period.

State Average Weekly Wage (SAWW) effective October 1, 2017=\$1,338.05

FATAL Spouse and Children²	
% Rate of compensation	66 2/3 % of AWW
Minimum weekly benefit	\$110.00
Maximum weekly benefit	SAWW
Maximum aggregate payable	250 x SAWW
Children benefit if spouse remarries	\$60 per child, but no more than would have been paid to surviving spouse

Dependency Other than Spouse and Children	
% Rate of compensation	66 2/3%
Maximum weekly benefit	\$80.00
Maximum aggregate payable	250 x SAWW, subject to escalation
Cost-of-Living Adjustment	Beneficiary will be eligible for a cost of living adjustment.

¹The 520 weeks combined limit for the temporary total and partial disability benefit limit applies if the employee has permanently lost 75% or more of the use of an eye, an arm, a hand, a leg or a foot, or if the employee has a “permanently life threatening physical condition” or a “permanently disabling occupational disease which is of a physical nature and cause.”

²If spouse's benefit is under \$150, the spouse will receive \$6 per dependent. The sum of the employee's benefit plus the dependency benefit is limited to \$150. If the spouse's benefit is over \$150, no dependency is paid.