

STATE WORKERS' COMPENSATION OVERVIEW – WISCONSIN

I s s u e	R e g u l a t i o n	C o m m e n t s
Employee's Notice to Employer	Within 30 days	Absence of notice is excusable if employer is not misled by it.
Employee's Claim Filing Requirements	Within two years after injury or death.	If a claim is not filed within the two-year period, compensation may still be awarded if the employer knew or should have known about the nature of the disability and its relation to the employment within the two-year period. However, effective beginning March 2, 2016, all rights are barred if no claim is filed within 6 years of a traumatic injury. An employee who sustains an occupational disease or who was injured before March 2, 2016, may have 12 years from the date of injury to file a claim. There is no claim-filing time limit for certain occupational diseases and injuries.
Employer's Report of Accident	Within seven days	Within 24 hours for fatalities.
Employee's Waiting Period	Three days	Retroactively payable if disability lasts more than seven calendar days.
Temporary Total Disability (TTD), Permanent Total Disability (PTD) and Death Benefits	<u>Jan. 1, 2019 – Dec. 31, 2019</u> Max: \$1,016 per week <u>Jan. 1, 2018 – Dec. 31, 2018</u> Max: \$994 per week	Weekly benefit rates are 66 and two-thirds of the employee's average weekly wages (AWW), subject to the limits in effect on the date of injury. For most dates of injury, total disability and death benefits are also subject to a \$30 minimum. New benefit rate limits become effective as of Jan. 1 each year.
Permanent Partial Disability (PPD) Benefits	<u>Jan. 1, 2019 – Dec. 31, 2019</u> Max: \$362 per week <u>Jan. 1, 2018 – Dec. 31, 2018</u> Max: \$362 per week	In addition to the weekly rate limits, death benefits are subject to the aggregate limit in effect on the date of injury. For injuries that occurred in 2018, the aggregate limit is \$298,200. For injuries that occur in 2019, the aggregate limit is \$304,800. Employers must also pay up to \$10,000 for funeral expenses in cases involving an employee's death.
Coverage of Minors	Yes	Compensation may double or triple if a minor is employed illegally.
Coverage of Occupational Disease	All Diseases	Disability date is the last day of work for the last employer whose employment caused the disease.
Occupational Hearing Loss	Yes	Minimum noise exposure of 90 days. Must be removed from noise exposure at least seven days prior to filing for benefits.
State OSHA Program	No	

ADDITIONAL INFORMATION

[Wisconsin Department of Workforce Development](#)

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