



State Worker's Compensation Overview Delaware

Presented by **Heffernan Insurance Brokers**

Issue	Regulation	Comments
Employee's Notice to Employer	Within 90 days	If notice is not provided within this timeframe, no compensation is due until there notice or knowledge of the injury.
Employee's Claim Filing Requirements	Within two years	From injury or death, or five years from last payment. However, claims for compensable occupational disease or for an ionizing radiation injury must be filed within one year from the date the employee first knew that the disability was or could have resulted from employment.
Employer's Report of Accident	Within 10 days	Failure to file the report may result in a fine of between \$100 and \$250 for each offense.
Waiting Period	Three days	Benefits are retroactively paid if the disability exceeds seven days (including the date of injury).
Temporary Total Disability (TTD) Benefits	<u>July 1, 2024 to June 30, 2025</u> Max: \$885.34 per week Min: \$295.12 per week <u>July 1, 2023 – June 30, 2024</u> Max: \$867.52 per week Min: \$289.18 per week	An employee's weekly benefit rate is 66 and two-thirds percent of the employee's average weekly wage (AWW), subject to the limits in effect on the date of injury. New limits become effective as of July 1 each year.
Permanent Partial Disability (PPD) Benefits		PPD benefits depend on the nature of the injury and the extent of permanent impairment.
Death Benefits		Death benefits are up to 80 percent of the deceased employee's AWW, subject to the limits in effect on the date of injury. Employers must also cover up to \$3,500 in funeral expenses for a deceased employee.
Coverage of Minors	Yes	
Coverage of Occupational Disease	All diseases	Claims must be filed within one year of the date the employer knew of the relationship between the disease and the employee's occupation. Compensation for diseases is the same as for injuries.

ADDITIONAL INFORMATION
[Delaware Department of Industrial Affairs](#)
 Workers Compensation Division
 4425 North Market Street
 Wilmington, Delaware 19802
 Phone: (302)761-8200

Heffernan Insurance Brokers
<http://www.heffins.com>
 CA, MO, NY, OR 94105
 800.234.6787
<http://www.heffins.com>