

EMPLOYMENT LAW SUMMARY

Connecticut Workers' Compensation - Employee Benefits



Because You're Different

Workers' compensation is a system of no-fault insurance that provides medical and monetary benefits to employees (or their survivors) who sustain work-related injuries, diseases or death. Workers' compensation is governed by state law.

The Connecticut Workers' Compensation Act (WCA) sets forth the compensation employers must provide to eligible employees in the state. The Connecticut Workers' Compensation Commission ([Commission](#)) administers the workers' compensation system and calculates the specific benefits payable.

ELIGIBILITY AND DATE OF INJURY

To receive workers' compensation benefits, a person must be a covered employee and sustain an injury or disease arising out of and in the course of his or her employment.

The date of an injury is used to determine an employee's compensation rates. For occupational diseases, the date of injury is the date an employee becomes totally or partially unable to work as a result of the disease. Unless otherwise specified, this document uses "injury" to refer to any compensable condition.

MEDICAL CARE BENEFITS

Employees are entitled to full coverage of any and all medical expenses that a physician deems reasonable or necessary as a result of a work-related injury. If an injured employee needs medical treatment but is **not** disabled from work, he or she is entitled to full hourly wages for any time spent receiving medical treatment. Compensation for individuals who **are** disabled from work is discussed in the section below.

Medical care benefits also include mileage reimbursement for transportation to and from medical appointments and payment for ambulance or taxi rides if they are medically required.

MONETARY BENEFITS

If an employee is disabled from work (in whole or in part) or sustains any permanent physical impairment due to a work-related injury, he or she may be entitled to receive monetary compensation. This compensation is usually payable in weekly increments and the payments are often referred to as "disability benefits." Disability benefits are not considered income for tax purposes and the amounts paid are immune from wage assignments and creditor claims.

The types of benefits available are:

- Temporary Total Disability (TTD)
- Temporary Partial Disability (TPD)
- Permanent Partial Disability (PPD)
- Permanent Total Disability (PTD)

In addition, an employee's surviving spouse and dependent may be entitled to compensation for burial expenses and weekly benefits payments if a work-related injury or disease results in the employee's death.

WAITING PERIOD

Injured employees are not eligible to receive disability benefits for the first **three days** of missed work after an injury. However, if the injury results in **seven or more days** of disability, benefits for the first three days must be paid retroactively. The date of injury does not count as a day of disability for this calculation. Employers must pay an injured employee's full wages for that entire day.

AVERAGE WEEKLY WAGE (AWW)

An injured employee's benefit rates are calculated as percentages of his or her AWW. The AWW is determined by taking the employee's total earnings from the employer, after deducting taxes and Social Security contributions, for the 52 weeks prior to the date of injury, and dividing that number by 52.

If an injured employee has worked less than 52 weeks for the employer, the total earnings (after deductions) are divided by the number of weeks the employee actually worked. Other specific calculations may apply in cases where an employee:

- Has worked for fewer than two weeks for the employer before the injury;
- Is a minor;
- Is a trainee or apprentice;
- Had more than one job on the date of injury; or
- Claims an occupational disease and has not worked for the employer for at least 26 weeks.

WEEKLY RATE LIMITS

All workers' compensation benefit rates are subject to limits based on the date of injury. The Commissions sets these limits annually using the previous year's average weekly earnings (AWE) of all workers in the state (for total disability rates) and the AWE of production and related workers in manufacturing in the state (for partial disability rates). New rates become effective on Oct. 1 of each year.

The table below lists the current and most recent applicable rate limits.

Weekly Monetary Benefit Limits						
Date of injury	Total Disability	Total Disability	Total Disability	Partial Disability	Partial Disability	Partial Disability
-	Maximum	Minimum	Minimum	Maximum	Minimum	Minimum
-	TTDPTDDeath	TTDPTD	Death	TPDPPD	TPD	PPD
Oct. 1, 2022, to Sept. 30, 2023	\$1,575	\$315.00	\$20	\$1,154	none	\$50
Oct. 1, 2021, to Sept. 30, 2022	\$1,509	\$301.80	\$20	\$1,108	none	\$50
Oct. 1, 2020, to Sept. 30, 2021	\$1,446	\$289.20	\$20	\$1,140	none	\$50

TEMPORARY TOTAL DISABILITY (TTD)

An employee is entitled to weekly TTD benefits while he or she is healing from a work-related injury and unable to perform any work as a result.

Weekly TTD benefits are **75 percent** of the AWW, subject to the limits outlined in the "Weekly Monetary Benefit Limits" table above. TTD benefits are payable for as long as an employee remains completely unable to work due to a work-related condition.

An employee's TTD rate is subject to annual cost-of-living increases if the period of total disability:

- Lasts for more than five years; or
- Is due to a recurrence of total disability after a period of recovery.

TEMPORARY PARTIAL DISABILITY (TPD)

An employee whose work-related injury results in only a partial inability to earn his or her full wages may be entitled to TPD benefits during the recovery period.

TPD benefits are **75 percent of the difference** between the injured employee's AWW and the amount the injured employee earns (again, both after taxes and Social Security deductions) during each week of the partial disability.

An injured employee is entitled to receive the full 75 percent of his or her AWW if, during the healing period, the employee is:

- Completely unable to perform his or her pre-injury work; but
- Able and willing to perform other work that the employer does not have available.

However, it is important to note that the maximum limit for TPD rates (outlined in the "Weekly Monetary Benefit Limits" table above) is lower than the maximum limit for TTD benefits. Moreover, an employee may not receive TPD benefits for more than **520 weeks**.

PERMANENT PARTIAL DISABILITY (PPD)

If an injured employee permanently loses a body part or the use of a body part as a result of a compensable injury, he or she may be entitled to PPD benefits for the number of weeks listed in a PPD "schedule" in the WCA.

The specific number of benefit weeks payable for a PPD depends on the body part injured and the percentage of loss to (or loss of use of) the body part. This is determined by a treating physician after the employee has reached maximum medical improvement (MMI) and is therefore no longer in the healing period for the injury. As an illustration, consider the example of an employee who loses 50 percent use of his master hand.

PPD Example – Injury to master hand at wrist level: 0.5 Impairment rating (Treating physician determines master hand is impaired by 50 percent) X 168 WCA PPD Schedule Maximum (WCA Schedule assigns value of 168 weeks for complete loss of master hand) = 84 Number of PPD weeks payable (Employee is entitled to 84 weeks of PPD benefits)

The weekly PPD rate is **75 percent** of the AWW, subject to the limits outlined in the "Weekly Monetary Benefit Limits" table above.

DISFIGUREMENT PPD

In addition to PPD benefits based on the WCA schedule, the Commission may award up to **208 weeks** of PPD benefits for a disfigurement that occurs as a result of a work-related injury. These benefits are payable at (and subject to the same limits as) the PPD rate.

Disfigurement PPD benefits are available if an injured employee sustains a permanent, significant disfigurement or scar on the:

- Face;
- Head;
- Neck; or
- Any other part of the body, if the disfigurement or scar disables the employee from obtaining or continuing work.

DISCRETIONARY WAGE DIFFERENTIAL PPD

In addition to both of the PPD benefits described above, an employee may receive up to **520 additional weeks** of PPD benefits if his or her compensable injury results in an ongoing inability to earn the same or higher wages as he or she had earned prior to the injury. The Commission makes this determination after any other PPD awards have been paid.

The rate for Discretionary Wage Differential PPD benefits is **75 percent of the difference** between the employee's AWW and the amount the employee will probably be able to earn in any employment after the injury, as determined by the Commission. This rate is also subject to the PPD maximum as outlined in the "Weekly Monetary Benefit Limits" table above.

Discretionary Wage Differential PPD weekly benefit rate* = $0.75 \times (\text{AWW} - \text{Estimated employee weekly earnings (after deductions)})$

**Up to a maximum of 100 percent, raised to the next even dollar, of the AWE of production and related workers in manufacturing in the state. Also subject to a minimum of \$50.*

PERMANENT TOTAL DISABILITY (PTD)

PTD benefits are payable if the Commission determines that an injured employee is permanently unable to earn any wages or if a work-related injury causes:

- Total and permanent loss of sight in both eyes;
- Reduction to one-tenth or less of normal vision;
- Loss of both feet at or above the ankle;

- Loss of both hands at or above the wrist;
- Loss of one foot at or above the ankle and one hand at or above the wrist;
- Incurable imbecility or mental illness; or
- Permanent and complete paralysis of:
 - Both legs;
 - Both arms; or
 - One leg and one arm.

The weekly PTD benefit rate is **75 percent** of the AWW, subject to the limits as outlined in the “Weekly Monetary Benefit Limits” table above. PTD benefits are adjusted for cost-of-living increases each year.

DEATH AND BURIAL BENEFITS

If a work-related injury or illness results in an injured employee’s death, the employer must pay burial expenses to the deceased employee’s surviving dependents. If there are no dependents, this amount is payable to whomever covers the costs of funeral expenses.

For deaths that occurred between Oct. 1, 1988, and June 23, 2021, the maximum amount payable for burial expenses is \$4,000. For deaths that occurred between June 23, 2021, and Jan. 1, 2022, the maximum amount payable for burial expenses was \$12,000. As of Jan. 1, 2022, the maximum amount for payable for burial expenses is **\$12,516**, and this maximum adjusts every year thereafter.

In addition, weekly death benefits are available to surviving dependents. Death benefit rates are **75 percent** of the employee’s AWW, subject to the maximum and minimum as outlined in the “Weekly Monetary Benefit Limits” table above. Death benefits are also subject to cost-of-living adjustments each year.

Death benefits are payable to a surviving spouse for life or until remarriage. If there is no surviving spouse, death benefits are payable to dependent children until age 18, or, if a dependent child is a full-time student and is not married, until age 22.

MORE INFORMATION

Contact Heffernan Insurance Brokers or visit the Commission [website](#) for more information on workers’ compensation laws in Connecticut.

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