

## MEMORANDUM

**TO:** All Workers' Compensation Insurance Carriers, Adjusters and Self-Insureds

**FROM:** J. Stephen Monahan, Director  
Workers' Compensation and Safety Division

**DATE:** June 7, 2007

**SUBJECT:** Annual Adjustment of Workers' Compensation Benefits

---

Vermont's Workers' compensation statute requires that compensation be adjusted<sup>1</sup> on July 1 of each year to reflect any increase in the state-wide average weekly wage.<sup>2</sup>

Effective July 1, 2007, existing workers' compensation rates shall be adjusted by multiplying the current rate by 1.040. (See new Form 28). The new maximum for those injuries arising after June 30, 1986 is \$1,013.00. The new maximum for injuries prior to that date is \$675.00. The minimum in all cases is \$338.00.

The new Form 28(FY08) and the Form 28A(FY08) which you should use to update a claimant's rates as of July 1, 2007 are now available on our website. You can download both forms from our web site at: <http://159.105.83.167/Default.aspx?tabid=170>

Historical wage rates are available at <http://159.105.83.167/Rule16HistoricalWageRates/tabid/362/Default.aspx>

---

<sup>1</sup> Compensation shall be adjusted annually on July 1, so that such compensation continues to bear the same percentage relationship to the average weekly wage in the state as computed under this chapter as it did at the time of injury.

21 V.S.A. §650(d)

"Average compensation" means the current "average weekly wage" under Title 21 Chapter 17 §1338 determined previous to the first day of July preceding the date of injury or when compensation is awarded, whichever is later.

21 V.S.A. §601(16)

<sup>2</sup> "Average weekly wages" means the average weekly wages as computed under Title 21 Chapter 9 §650 of this title.

21 V.S.A. §601(15)

21 V.S.A. §650 provides that average weekly wages shall be computed in such manner as is best calculated to give the average weekly earnings of the worker during the 12 weeks preceding an injury.