

PENNSYLVANIA COMPENSATION RATING BUREAU
F CLASS FILING

U. S. Longshore and Harbor Workers' Coverage Factor

In support of a modification to the United States Longshore and Harbor Workers' Compensation Coverage Percentage, which represents a load factor applied to state act coverage rates, the Bureau presents the following exhibits. In these exhibits, we compare benefit levels as prescribed under Pennsylvania law to those given by the Federal law. For brevity, we will use PA and USL when referring to the respective jurisdictions.

Exhibit I outlines the essential features of current USL and PA workers' compensation laws. Note that in footnotes on page 2 are the national and statewide average weekly wages that were used in developing the exhibits that follow.

Exhibit II summarizes the Bureau's findings. The ratios in column 2 are drawn from the subsequent exhibits. The weights representing the distribution of losses by type of injury are the same as those used in the Bureau's estimate of the effect of Act 57. We propose that the USL percentage be decreased from 80.3% to 78.1%.

Starting with Exhibit III and proceeding through Exhibit XII, we develop the factors that are used in Exhibit II. For each type of injury, we develop first the benefit level under the state act, then the corresponding benefit under the USL act. The respective ratios of these benefits are carried forward to Exhibit II.

The distribution of dependents in Exhibits III-A and III-B and of cases in Exhibits V-A and V-B are from the Workers Compensation Injury Table. The distribution of widows on Exhibits III-C and III-D were compiled from the Bureau's own data for the eight most recent policy years. All annuity values are derived from the 1999 United States Life Tables.

Please note that the USL&H loading factor does not include the Federal Assessment, which is shown in the Expense Loading.

INDEX TO BENEFITS

- Exhibit I - Law Summaries
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EXHIBIT I

COMPARISON OF U.S.L. AND PENNSYLVANIA BENEFITS

| Page | <u>Fatal</u> % Rate of Compensation | <u>U.S.L.</u> | <u>Pennsylvania</u> |
|------|---|--|---|
| 1 | Widow Alone | 50% | 51% |
| 3 | Widow and Children | 66 2/3% | 60% w/1 child, 66 2/3% for 2 or more |
| 4 | One Orphan | 50% | 32% |
| 9 | Two or more Orphans | 66 2/3% | 42% for 2, 52% for 3, 62% for 4 64% for 5, 66 2/3% for 6 or more |
| 10 | One Parent | 25% | 52% |
| | Two Parents | 50% | 52% |
| 13 | Brother / Sister / Other dependent | 20% for each | 22% + 5% for each additional up to 32% |
| 15 | Maximum % Rate of Compensation | 66 2/3% | 66 2/3% |
| | Wage for Minimum Weekly Benefit | NAWW (a) | 50% SAWW (b) |
| 16 | Maximum Weekly Benefit | 200% NAWW (a) | SAWW (b) |
| 17 | Duration | Life or Remarriage; Age 18 for Child, or 23 if student | Life or Remarriage; Age 18 for Child, or 23 if student |
| 18 | Burial Expense | \$3,000 | \$3,000 |
| 19 | Remarriage Award | 2 years lump sum | 2 years lump sum |
| | Special Fund (Non-dependency cases) | \$5,000 | None |
| 20 | Escalation (e) | 4.0% | None |
| 21 | <u>Permanent Total Disability</u> % Rate of Compensation | 66 2/3% | 66 2/3% |
| | Minimum Weekly Benefit | Minimum of AWW (c) or 50% NAWW (a) | Minimum of 90% of AWW (c) or 50% SAWW (b) |
| | Maximum Weekly Benefit | 200% NAWW (a) | 100% SAWW (b) |
| | Duration | Length of Disability | Length of Disability |
| | Escalation (e) | 4.0% | None |

EXHIBIT I (CONTINUED)

COMPARISON OF U.S.L. AND PENNSYLVANIA BENEFITS

| <u>Temporary Total Disability</u> | <u>U.S.L.</u> | <u>Pennsylvania</u> |
|---|------------------------------------|---|
| % Rate of Compensation | 66 2/3 % | 66 2/3 % |
| Minimum Weekly Benefit | Minimum of AWW (c) or 50% NAWW (a) | Minimum of 90% of AWW (c) or 50% SAWW (b) |
| Maximum Weekly Benefit | 200% NAWW (a) | 100% SAWW (b) |
| Duration | Length of Disability | Length of Disability |
| Waiting Period/ Retroactive after, days | 3 / 14 | 7 / 13 |
| <u>Permanent Partial Disability</u> | | |
| <u>Scheduled Injuries :</u> | | |
| % Rate of Compensation | 66 2/3 % | 66 2/3 % |
| Minimum / Maximum Weekly Benefit | - / 200% NAWW (a) | 50% SAWW (b) / 100% SAWW (b) |
| Duration | As per Schedule | As per Schedule |
| <u>Non-Scheduled Injuries :</u> | | |
| % Rate of Compensation | 66 2/3 % LOEC (d) | 66 2/3 % LOEC (d) |
| Minimum / Maximum Weekly Benefit | - / 200% NAWW (a) | - / 100% SAWW (b) |
| Duration | Length of Disability | Length of Disability, with maximum of 500 weeks in addition to healing period |

(a) NAWW, Effective 10/1/2009 \$ 612.33
 50% NAWW \$ 306.17
 200% NAWW \$ 1,224.66

(b) SAWW, Effective 1/1/2010 \$ 845.00

(c) AWW = Average Workers' Wage

(d) LOEC = Loss of Earning Capacity,
 Assumed to be equal to Wage Loss

(e) Adjusted annually each October 1 by increase in NAWW,
 limited to 5%.

EXHIBIT II

OVERALL DIFFERENCE IN BENEFITS

| <u>Type of Injury</u> | <u>Losses</u> | <u>Post Act 57 Weights</u> | <u>Act 57 Factors</u> | <u>Pre Act 57 Weights</u> | (1) | (2) | (3) | (4) | (5) | |
|---|---------------|----------------------------|-----------------------|---------------------------|--|--------------|------------------|---|-----------------------|------------------|
| | | | | | <u>Weight State Act Benefit Level Pre-Act 57</u> | <u>Ratio</u> | <u>(1) * (2)</u> | <u>Benefit Level Reflecting Federal Act</u> | <u>Act 57 Factors</u> | <u>(1) * (4)</u> |
| Death | 2,018,957 | 0.0134 | 0.9383 | 0.0143 | 0.0136 | 1.925 | 0.0262 | 0.9383 | 0.0128 | |
| Permanent Total | 2,453,330 | 0.0163 | 0.4310 | 0.0378 | 0.0359 | 1.897 | 0.0681 | 0.4310 | 0.0155 | |
| Major Permanent Partial | 47,307,097 | 0.3138 | 0.9383 | 0.3344 | 0.3173 | 1.978 | 0.6276 | 0.9383 | 0.2977 | |
| Minor Permanent Partial | 13,057,938 | 0.0866 | 0.9382 | 0.0923 | 0.0876 | 2.577 | 0.2257 | 0.9382 | 0.0822 | |
| Temporary Total | 11,802,409 | 0.0783 | 0.9383 | 0.0834 | 0.0791 | 1.062 | 0.0840 | 0.9383 | 0.0742 | |
| Medical | 74,094,408 | 0.4916 | 1.0000 | 0.4916 | 0.4665 | 1.412 * | 0.6587 | 1.0000 | 0.4665 | |
| Total Effect | 150,734,139 | 1.0000 | | 1.0538 | 1.0000 | | 1.6903 | | 0.9489 | |
| OVERALL BENEFIT CHANGE (3 Total) / (5 Total) | | | | | | | | 1.7813 | | |

* 1.412 = 1/0.7082; reflects savings due to Act 44 Medical Fee Schedule.

EXHIBIT III

CALCULATION OF DIFFERENCE IN BENEFITS FOR FATAL CASES

| | Pennsylvania | U.S.L. |
|---|--------------|-------------|
| 1. Cost of Dependency (Exhibits III-A, III-B) | 312,187,026 | 604,935,588 |
| 2. Remarriage Award (a), (b) | 4,237,190 | 6,115,829 |
| 3. Burial Cost (Allowance * 1,000 Cases) | 3,000,000 | 3,000,000 |
| 4. Second Injury Fund (147 Cases * \$5,000) | - | 735,000 |
| 5. Total Cost { (1)+(2)+(3)+(4) } | 319,424,216 | 614,786,417 |
| 6. Ratio U.S.L. to Pennsylvania | | 1.925 |

| (a) Calculation of Remarriage Award | Pennsylvania | U.S.L. |
|--|--------------|-----------|
| 1. Number of Cases, Widow Alone | 346 | 356 |
| 2. Remarriage Value (Exhibit III-C, III-D) | 0.0730 | 0.1008 |
| 3. Number of Cases, Widow w/ children | 427 | 427 |
| 4. Remarriage Value (Exhibit III-C, III-D) | 0.1621 | 0.2254 |
| 5. Average Weekly Benefit (Exhibit VII, VIII) | 431.25 | 445.06 |
| 6. Award: ((#1 * #2) + (#3 * #4)) * #5 * 104 weeks | 4,237,190 | 6,115,829 |

(a) US L& H Includes 4.0% escalation

(b) From 1999 US Life Tables for Total Female Population.

Remarriage Values from 1982 Remarriage Table, PCAS Vol. LXIX, pg. 56

EXHIBIT III-A

VALUATION OF PENNSYLVANIA FATAL BENEFITS LAW

| (1) # Of Cases | (2) Person Receiving Compensation | (3) # Of Dependents | (4) Average Pension Age | (5) Annuity Symbol | (6) Annuity Value | (7) Average Weekly Benefit (b) | (8) Monetary Cost (1)x(6)x(7) |
|----------------------|--|---------------------------|----------------------------------|---|-------------------------|---|--|
| 147 | None | None | xxx | xxx | xxx | xxx | xxx |
| 356 | Widow alone | 1 | 52 | $\bar{a} \overline{52:\text{life}}$ | 879.16 | 431.25 | 134,973,039 |
| 136 | Widow | 1 | 41 | $8.5 \mid \overline{a} \overline{41:\text{life}}$ | 500.08 | 431.25 | 29,329,692 |
| | with child | 1 | 11 | $a \overline{442}$ | 338.37 | 496.30 | 22,838,892 |
| 129 | Widow | 1 | 41 | $8.5 \mid \overline{a} \overline{41:\text{life}}$ | 500.08 | 431.25 | 27,820,076 |
| | with children | 2 | 11 | $a \overline{442}$ | 338.37 | 539.73 | 23,559,069 |
| 82 | Widow | 1 | 41 | $8.5 \mid \overline{a} \overline{41:\text{life}}$ | 500.08 | 431.25 | 17,684,079 |
| | with children | 3 | 11 | $a \overline{442}$ | 338.37 | 539.73 | 14,975,532 |
| 42 | Widow | 1 | 41 | $8.5 \mid \overline{a} \overline{41:\text{life}}$ | 500.08 | 431.25 | 9,057,699 |
| | with children | 4 | 11 | $a \overline{442}$ | 338.37 | 539.73 | 7,670,394 |
| 22 | Widow | 1 | 41 | $8.5 \mid \overline{a} \overline{41:\text{life}}$ | 500.08 | 431.25 | 4,744,509 |
| | with children | 5 | 11 | $a \overline{442}$ | 338.37 | 539.73 | 4,017,826 |
| 16 | Widow | 1 | 41 | $8.5 \mid \overline{a} \overline{41:\text{life}}$ | 500.08 | 431.25 | 3,450,552 |
| | with children (>5) | 7 (a) | 11 | $a \overline{442}$ | 338.37 | 539.73 | 2,922,055 |
| 16 | Orphan | 1 | 11 | $a \overline{442}$ | 338.37 | 275.32 | 1,490,560 |
| 10 | Orphans | 2 | 11 | $a \overline{442}$ | 338.37 | 359.48 | 1,216,372 |
| 7 | Orphans | 3 | 11 | $a \overline{442}$ | 338.37 | 438.74 | 1,039,195 |
| 3 | Orphans | 4 | 11 | $a \overline{442}$ | 338.37 | 509.76 | 517,462 |
| 1 | Orphans (more than 4) | 5 (a) | 11 | $a \overline{442}$ | 338.37 | 522.68 | 176,859 |
| 13 | Parent | 1 | 58 | $\bar{a} \overline{58:400}$ | 337.74 | 438.74 | 1,926,341 |
| 17 | Parents | 2 | 48 | $\bar{a} \overline{48:400}$ | 345.59 | 438.74 | 2,577,611 |
| 1 | Brother or Sister | 1 | 23 | $\bar{a} \overline{23:400}$ | 350.12 | 189.66 | 66,404 |
| 2 | Other Dependents | 1 (a) | 21 | $\bar{a} \overline{21:400}$ | 350.12 | 189.66 | 132,808 |
| 1000 | Total | | | | | | 312,187,026 |

(a) Average
(b) Exhibit VII

EXHIBIT III-B

VALUATION OF U.S.L. FATAL BENEFITS LAW

| (1) # Of Cases | (2) Person Receiving Compensation | (3) # Of Dependents | (4) Average Pension Age | (5) Annuity Symbol | (6) Annuity Value (b) | (7) Average Weekly Benefit (c) | (8) Monetary Cost (1)x(6)x(7) |
|----------------------|--|---------------------------|----------------------------------|---------------------------------------|--------------------------------|---|--|
| 147 | None | None | xxx | xxx | xxx | xxx | xxx |
| 356 | Widow alone | 1 | 52 | $\bar{a}'_{52:\overline{life}}$ | 1,583.82 | 445.06 | 250,942,595 |
| 136 | Widow | 1 | 41 | $8.5 \bar{a}'_{41:\overline{life}}$ | 1,125.80 | 445.06 | 68,142,603 |
| | with child | 1 | 11 | $a_{\overline{442}}$ | 451.16 | 582.09 | 35,715,739 |
| 129 | Widow | 1 | 41 | $8.5 \bar{a}'_{41:\overline{life}}$ | 1,125.80 | 445.06 | 64,635,263 |
| | with children | 2 | 11 | $a_{\overline{442}}$ | 451.16 | 582.09 | 33,877,428 |
| 82 | Widow | 1 | 41 | $8.5 \bar{a}'_{41:\overline{life}}$ | 1,125.80 | 445.06 | 41,085,981 |
| | with children | 3 | 11 | $a_{\overline{442}}$ | 451.16 | 582.09 | 21,534,489 |
| 42 | Widow | 1 | 41 | $8.5 \bar{a}'_{41:\overline{life}}$ | 1,125.80 | 445.06 | 21,044,039 |
| | with children | 4 | 11 | $a_{\overline{442}}$ | 451.16 | 582.09 | 11,029,860 |
| 22 | Widow | 1 | 41 | $8.5 \bar{a}'_{41:\overline{life}}$ | 1,125.80 | 445.06 | 11,023,068 |
| | with children | 5 | 11 | $a_{\overline{442}}$ | 451.16 | 582.09 | 5,777,546 |
| 16 | Widow | 1 | 41 | $8.5 \bar{a}'_{41:\overline{life}}$ | 1,125.80 | 445.06 | 8,016,777 |
| | with children (>5) | 7 (a) | 11 | $a_{\overline{442}}$ | 451.16 | 582.09 | 4,201,852 |
| 16 | Orphan | 1 | 11 | $a_{\overline{442}}$ | 451.16 | 445.06 | 3,212,692 |
| 10 | Orphans | 2 | 11 | $a_{\overline{442}}$ | 451.16 | 582.09 | 2,626,157 |
| 7 | Orphans | 3 | 11 | $a_{\overline{442}}$ | 451.16 | 582.09 | 1,838,310 |
| 3 | Orphans | 4 | 11 | $a_{\overline{442}}$ | 451.16 | 582.09 | 787,847 |
| 1 | Orphans (more than 4) | 5 (a) | 11 | $a_{\overline{442}}$ | 451.16 | 582.09 | 262,616 |
| 13 | Parent | 1 | 58 | $\bar{a}_{58:\overline{life}}$ | 1,283.81 | 226.08 | 3,773,169 |
| 17 | Parents | 2 | 48 | $\bar{a}_{48:\overline{life}}$ | 1,793.45 | 445.06 | 13,569,279 |
| 1 | Brother or Sister | 1 | 23 | $\bar{a}_{23:\overline{life}}$ | 3,298.31 | 181.02 | 597,060 |
| 2 | Other Dependents | 1 (a) | 21 | $\bar{a}_{21:\overline{life}}$ | 3,428.40 | 181.02 | 1,241,218 |
| 1000 | Total | | | | | | 604,935,588 |

(a) Average

(b) Includes 4.0% escalation

(c) Exhibit VIII

EXHIBIT III-C

CALCULATION OF REMARRIAGE VALUES - PENNSYLVANIA

| (1) Average Age x | (2) # of Cases | | (4) $\frac{R[x]}{D[x]}$ | (5) (2)x(4) | (6) (3)x(4) |
|----------------------------|----------------|----------------------|----------------------------|----------------|----------------|
| | Widow Alone | Widow w/ children | | | |
| 17 | - | - | 0.77082 | - | - |
| 22 | 1 | 3 | 0.53632 | 0.53632 | 1.60896 |
| 27 | 5 | 17 | 0.39234 | 1.96170 | 6.66978 |
| 32 | 7 | 20 | 0.27335 | 1.91345 | 5.46700 |
| 37 | 18 | 33 | 0.18346 | 3.30228 | 6.05418 |
| 42 | 26 | 57 | 0.12013 | 3.12338 | 6.84741 |
| 47 | 39 | 33 | 0.07735 | 3.01665 | 2.55255 |
| 52 | 36 | 15 | 0.04883 | 1.75788 | 0.73245 |
| 57 | 62 | 6 | 0.02998 | 1.85876 | 0.17988 |
| 62 | 25 | 2 | 0.01769 | 0.44225 | 0.03538 |
| 67 | 12 | - | 0.00985 | 0.11820 | - |
| 72 | 10 | - | 0.00510 | 0.05100 | - |
| 77 | 7 | - | 0.00245 | 0.01715 | - |
| 82 | - | - | 0.00107 | - | - |
| 87 | - | - | 0.00043 | - | - |
| Total | 248 | 186 | 2.46917 | 18.09902 | 30.14759 |

Remarriage Values (a)

$$\begin{aligned} \text{Widow alone} &= (5 \text{ Total}) / (2 \text{ Total}) = && 0.0730 \\ \text{Widow with children} &= (6 \text{ Total}) / (3 \text{ Total}) = && 0.1621 \end{aligned}$$

(a) Present value of percent of distribution remarrying

(b) From 1999 US Life Tables for Total Female Population.

Remarriage Values from 1982 Remarriage Table, PCAS Vol. LXIX, pg. 56

EXHIBIT III-D

CALCULATION OF REMARRIAGE VALUES - U.S.L. LAW

| (1) Average Age x | (2) # of Cases Widow Alone | | (3) Widow w/ children | (4) $\frac{R[x]}{D[x]}$ | (5) (2)x(4) | (6) (3)x(4) |
|----------------------------|----------------------------------|-----|-----------------------------|----------------------------|----------------|----------------|
| 17 | - | - | - | 0.97180 | - | - |
| 22 | 1 | 3 | 3 | 0.71734 | 0.71734 | 2.15202 |
| 27 | 5 | 17 | 17 | 0.53990 | 2.69950 | 9.17830 |
| 32 | 7 | 20 | 20 | 0.38206 | 2.67442 | 7.64120 |
| 37 | 18 | 33 | 33 | 0.25798 | 4.64364 | 8.51334 |
| 42 | 26 | 57 | 57 | 0.16855 | 4.38230 | 9.60735 |
| 47 | 39 | 33 | 33 | 0.10740 | 4.18860 | 3.54420 |
| 52 | 36 | 15 | 15 | 0.06664 | 2.39904 | 0.99960 |
| 57 | 62 | 6 | 6 | 0.04000 | 2.48000 | 0.24000 |
| 62 | 25 | 2 | 2 | 0.02300 | 0.57500 | 0.04600 |
| 67 | 12 | - | - | 0.01246 | 0.14952 | - |
| 72 | 10 | - | - | 0.00628 | 0.06280 | - |
| 77 | 7 | - | - | 0.00294 | 0.02058 | - |
| 82 | - | - | - | 0.00125 | - | - |
| 87 | - | - | - | 0.00049 | - | - |
| Total | 248 | 186 | 186 | 3.29809 | 24.99274 | 41.92201 |

Remarriage Values (a)

| | |
|---|--------|
| Widow alone = (5 Total) / (2 Total) = | 0.1008 |
| Widow with children = (6 Total) / (3 Total) = | 0.2254 |

(a) Present value of percent of distribution remarrying, includes 4.0% escalation

(b) From 1999 US Life Tables for Total Female Population.

Remarriage Values from 1982 Remarriage Table, PCAS Vol. LXIX, pg. 56

EXHIBIT IV

CALCULATION OF DIFFERENCE IN BENEFITS
PERMANENT TOTAL DISABILITY CASES

| | Pennsylvania | U.S.L. | |
|--|--------------------------------|--------------------------------|-----|
| 1. Annuity Symbol | $\bar{a}_{49:\overline{life}}$ | $\bar{a}_{49:\overline{life}}$ | (a) |
| 2. Annuity Value | 939.58 | 1,739.65 | |
| 3. Average Weekly Benefit (Exhibits IX, X) | 551.64 | 565.10 | |
| 4. Cost of 1,000 Cases { (2)x(3)x1,000 } | 518,309,911 | 983,076,215 | |
| 5. Ratio U.S.L. to Pennsylvania | | 1.897 | |

(a) Includes 4.0% escalation per annum

(b) From 1999 US Life Tables for Total Population

EXHIBIT V

COMPARISON OF PENNSYLVANIA & U.S.L. BENEFITS
MAJOR & MINOR PERMANENT PARTIAL

| Type | (1) Number (a) | (2) Duration (a) | (3) (1)*(2) | (4) Average Weekly Benefit | (5) Total Cost (3)*(4) |
|------------------------------|----------------------|------------------------|----------------|-------------------------------------|---------------------------------|
| <u>A. Major Permanent</u> | | | | | |
| Pennsylvania Benefit Level: | | | | | |
| Dismemberment | 27 | 352.22 | 9,510 | 575.43 (b) | 5,472,339 |
| Healing Period | 146 | 21.32 | 3,113 | 551.64 (c) | 1,717,255 |
| Other (Loss of Use) | 119 | 352.87 | 41,992 | 575.43 | 24,163,457 |
| Non-Schedule | 497 (d) | 500.00 | 248,500 | 224.93 (f) | 55,895,105 |
| Total Cost | | | | | 87,248,156 |
| U.S.L. Benefit Level: | | | | | |
| Dismemberment | 27 | 245.85 | 6,638 | 555.82 (b) | 3,689,533 |
| Healing Period | 503 | 25.76 | 12,957 | 565.10 (e) | 7,322,001 |
| Other (Loss of Use) | 476 | 141.87 | 67,530 | 555.82 | 37,534,525 |
| Non-Schedule | 497 (d) | 1,108.31 (g) | 550,830 | 225.20 (f) | 124,046,916 |
| Total Cost | | | | | 172,592,975 |
| Ratio U.S.L. to Pennsylvania | | | | | 1.978 |

B. Minor Permanent

| | | | | | |
|------------------------------|-----------|--------------|-----------|------------|-------------|
| Pennsylvania Benefit Level: | | | | | |
| Dismemberment | 204 | 32.02 | 6,532 | 575.43 | 3,758,709 |
| Healing Period | 204 | 6.83 | 1,393 | 551.64 | 768,435 |
| Non-Schedule | 1,120 (d) | 500.00 | 560,000 | 140.72 (f) | 78,803,200 |
| Total Cost | | | | | 83,330,344 |
| U.S.L. Benefit Level: | | | | | |
| Dismemberment | 194 | 24.69 | 4,790 | 555.82 | 2,662,378 |
| Healing Period | 2,196 | 7.30 | 16,031 | 565.10 | 9,059,118 |
| Other (Loss of Use) | 2,002 | 25.38 | 50,811 | 555.82 | 28,241,770 |
| Non-Schedule | 1,120 (d) | 1,108.31 (g) | 1,241,307 | 140.78 (f) | 174,751,199 |
| Total Cost | | | | | 214,714,465 |
| Ratio U.S.L. to Pennsylvania | | | | | 2.577 |

(a) Exhibits V-A, V-B

(b) Exhibit XI

(c) Exhibit IX

(d) "Workers' Compensation Injury Table,"

Published by the National Council on Compensation Insurance, Inc.

(e) Exhibit X

(f) Exhibit XII

(g) $(\bar{N} 37 / D 37) * 52$, no escalation, from 1999

US Life Table for Total Population (est for 100+)

EXHIBIT V-A

SCHEDULE BENEFIT PROVISIONS - PENNSYLVANIA LAW
MAJOR & MINOR PERMANENT DISABILITY

| Type of Benefit | (1) # of Cases (a) | (2) Avg. % Loss | (3) Schedule at 100% | (4) (2) * (3) Duration | (5) Healing Period |
|--|--------------------------|-----------------------|----------------------------|------------------------------|--------------------------|
| I. Major Permanent | | | | | |
| A. Dismemberment Cases | | | | | |
| Arm (at or above elbow) | 4 | 100 | 410 | 410 | 20 |
| Arm (below elbow) | 3 | 100 | 370 | 370 | 20 |
| Hand | 5 | 100 | 335 | 335 | 20 |
| Leg (at or above knee) | 6 | 100 | 410 | 410 | 25 |
| Leg (below knee) | 3 | 100 | 350 | 350 | 25 |
| Foot | 3 | 100 | 250 | 250 | 25 |
| Eye (enucleation) | 3 | 100 | 275 | 275 | 10 |
| Total or Average(c) | 27 | | | 352.22 | 21.11 |
| B. Other Than Dismemberment (b) | | | | | |
| Arm (loss of use) | 20.25 | 100 | 410 | 410 | 20 |
| Hand (loss of use) | 34.75 | 100 | 335 | 335 | 20 |
| Leg (loss of use) | 36.25 | 100 | 410 | 410 | 25 |
| Foot (loss of use) | 17.25 | 100 | 250 | 250 | 25 |
| Eye (loss of use) | 9.5 | 100 | 275 | 275 | 10 |
| Hearing (loss of hearing) | 1 | 100 | 260 | 260 | 10 |
| Total or Average(c) | 119 | | | 352.87 | 21.37 |
| Average Healing Period(c) | | | | | 21.32 |
| II. Minor Permanent | | | | | |
| Thumb - 1st phalange | 23 | 100 | 50 | 50 | 10 |
| Thumb - 2nd phalange | 5 | 100 | 100 | 100 | 10 |
| Index Finger - 1st phalange | 48 | 100 | 25 | 25 | 6 |
| Index Finger - 2nd phalange | 18 | 100 | 50 | 50 | 6 |
| Middle Finger - 1st phalange | 32 | 100 | 20 | 20 | 6 |
| Middle Finger - 2nd phalange | 11 | 100 | 40 | 40 | 6 |
| Ring Finger - 1st phalange | 19 | 100 | 15 | 15 | 6 |
| Ring Finger - 2nd phalange | 8 | 100 | 30 | 30 | 6 |
| Little Finger - 1st phalange | 15 | 100 | 14 | 14 | 6 |
| Little Finger - 2nd phalange | 8 | 100 | 28 | 28 | 6 |
| Great Toe - 1st phalange | 2 | 100 | 20 | 20 | 12 |
| Great Toe - 2nd phalange | 1 | 100 | 40 | 40 | 12 |
| Other Toes | 4 | 100 | 16 | 16 | 6 |
| Hearing - One ear | 10 | 100 | 60 | 60 | 10 |
| Total or Average(c) | 204 | | | 32.02 | 6.83 |

(a) From the "Workers' Compensation Injury Table," published by National Council on Compensation Insurance, Inc.

(b) Assumed 25% of loss of use cases are considered 100% loss of use.

(c) Total for column (1), Average for columns (4) and (5) using column (1) as weights.

EXHIBIT V-B

SCHEDULE BENEFIT PROVISIONS - U.S.L. LAW
MAJOR & MINOR PERMANENT DISABILITY

| Type of Benefit | (1) # of Cases (a) | (2) Avg. % Loss | (3) Schedule at 100% | (4) (2) * (3) Duration | (5) Healing Period |
|--|--------------------------|-----------------------|----------------------------|------------------------------|--------------------------|
| I. Major Permanent | | | | | |
| A. Dismemberment Cases | | | | | |
| Arm (at or above elbow) | 4 | 100 | 312 | 312 | 33 |
| Arm (below elbow) | 3 | 100 | 244 | 244 | 18 |
| Hand | 5 | 100 | 244 | 244 | 29 |
| Leg (at or above knee) | 6 | 100 | 288 | 288 | 34 |
| Leg (below knee) | 3 | 100 | 205 | 205 | 39 |
| Foot | 3 | 100 | 205 | 205 | 26 |
| Eye (enucleation) | 3 | 100 | 160 | 160 | 20 |
| Total or Average (b) | 27 | | | 245.85 | 29.26 |
| B. Other Than Dismemberment | | | | | |
| Arm (loss of use) | 81 | 53 | 312 | 165 | 27 |
| Hand (loss of use) | 139 | 56 | 244 | 137 | 20 |
| Leg (loss of use) | 145 | 53 | 288 | 153 | 34 |
| Foot (loss of use) | 69 | 51 | 205 | 105 | 25 |
| Eye (loss of use) | 38 | 88 | 160 | 141 | 14 |
| Hearing (loss of hearing) | 4 | 56 | 200 | 112 | 3 |
| Total or Average (b) | 476 | | | 141.87 | 25.56 |
| Average Major Member Healing Period (b) | | | | | 25.76 |
| II. Minor Permanent | | | | | |
| A. Dismemberment Cases | | | | | |
| Thumb - 1st phalange | 23 | 100 | 37.50 | 37.50 | 6 |
| Thumb - 2nd phalange | 5 | 100 | 75.00 | 75.00 | 6 |
| Index Finger - 1st phalange | 48 | 100 | 23.00 | 23.00 | 5 |
| Index Finger - 2nd phalange | 18 | 100 | 46.00 | 46.00 | 8 |
| Middle Finger - 1st phalange | 32 | 100 | 15.00 | 15.00 | 3 |
| Middle Finger - 2nd phalange | 11 | 100 | 30.00 | 30.00 | 7 |
| Ring Finger - 1st phalange | 19 | 100 | 12.50 | 12.50 | 4 |
| Ring Finger - 2nd phalange | 8 | 100 | 25.00 | 25.00 | 4 |
| Little Finger - 1st phalange | 15 | 100 | 7.50 | 7.50 | 2 |
| Little Finger - 2nd phalange | 8 | 100 | 15.00 | 15.00 | 5 |
| Great Toe - 1st phalange | 2 | 100 | 19.00 | 19.00 | 6 |
| Great Toe - 2nd phalange | 1 | 100 | 38.00 | 38.00 | 12 |
| Other Toes | 4 | 100 | 16.00 | 16.00 | 9 |
| Total or Average (b) | 194 | | | 24.69 | 4.96 |
| B. Other Than Dismemberment Cases | | | | | |
| Hearing - One ear | 10 | 37 | 52 | 19.24 | 3 |
| Thumb (loss of use) | 164 | 25 | 75 | 18.75 | 4 |
| Index Finger (loss of use) | 216 | 32 | 46 | 14.72 | 4 |
| Middle Finger (loss of use) | 152 | 29 | 30 | 8.70 | 3 |
| Ring Finger (loss of use) | 98 | 31 | 25 | 7.75 | 3 |
| Little Finger (loss of use) | 95 | 36 | 15 | 5.40 | 3 |
| Great Toe (loss of use) | 50 | 26 | 38 | 9.88 | 4 |
| Other Toes (loss of use) | 21 | 29 | 16 | 4.64 | 2 |
| Other Major Members (loss of use) | 1,196 | | | 34.43 | 10.24 |
| Total or Average (b) | 2,002 | | | 25.38 | 7.53 |
| Average Major Member Healing Period (b) | | | | | 7.30 |

(a) From "Workers Compensation Injury Table" published by NCCI, Inc

(b) Total for column (1), Average for columns (4) and (5) using column (1) as weight

EXHIBIT VI

CALCULATION OF DIFFERENCE IN BENEFITS
TEMPORARY TOTAL DISABILITY CASES

| | Pennsylvania | U.S.L. |
|--|--------------|-------------|
| 1. Waiting Period | 7 | 3 |
| 2. Retroactive After | 13 | 14 |
| 3. Total Days Disability Based on #1(a) | 2,495,765 | 2,776,360 |
| 4. Additional Days Disability Based on #2(a) | 294,735 (b) | 117,735 (b) |
| 5. Cost in Units of Weeks Wages [(#3+#4)/7] | 398,643 | 413,442 |
| 6. Average Weekly Benefit (Exhibits IX,X) | 551.64 | 565.10 |
| 7. Total Monetary Cost (#5*#6) | 219,907,425 | 233,636,074 |
| 8. Ratio U.S.L. to Pennsylvania | | 1.062 |

(a) Exhibit VI-A

(b) #1 * Value from Exhibit VI-A based on #2

EXHIBIT VI-A

WORKERS COMPENSATION INJURY TABLE*
TEMPORARY TOTAL DISABILITY

| (1) Duration (Days) | (2) # of Cases | (3) Summa. of (2) Upward | (4) Total Disability (Days) | (1) Duration (Days) | (2) # of Cases | (3) Summa. of (2) Upward | (4) Total Disability (Days) |
|---------------------------|----------------------|-----------------------------------|--------------------------------------|---------------------------|----------------------|-----------------------------------|--------------------------------------|
| 1 | 8,973 | 103,371 | 3,060,329 | 22 | 854 | 28,879 | 1,909,602 |
| 2 | 8,198 | 94,398 | 2,956,958 | 23 | 910 | 28,025 | 1,880,723 |
| 3 | 6,236 | 86,200 | 2,862,560 | 24 | 961 | 27,115 | 1,852,698 |
| 4 | 7,077 | 79,964 | 2,776,360 | 25 | 762 | 26,154 | 1,825,583 |
| 5 | 6,437 | 72,887 | 2,696,396 | 26 | 590 | 25,392 | 1,799,429 |
| 6 | 5,156 | 66,450 | 2,623,509 | 27 | 467 | 24,802 | 1,774,037 |
| 7 | 4,854 | 61,294 | 2,557,059 | 28 | 1,480 | 24,335 | 1,749,235 |
| 8 | 2,351 | 56,440 | 2,495,765 | 29 | 532 | 22,855 | 1,724,900 |
| 9 | 2,407 | 54,089 | 2,439,325 | 30 | 604 | 22,323 | 1,702,045 |
| 10 | 2,865 | 51,682 | 2,385,236 | 31 | 655 | 21,719 | 1,679,722 |
| 11 | 2,665 | 48,817 | 2,333,554 | 32 | 603 | 21,064 | 1,658,003 |
| 12 | 2,156 | 46,152 | 2,284,737 | 33 | 437 | 20,461 | 1,636,939 |
| 13 | 1,891 | 43,996 | 2,238,585 | 34 | 376 | 20,024 | 1,616,478 |
| 14 | 2,860 | 42,105 | 2,194,589 | 35 | 894 | 19,648 | 1,596,454 |
| 15 | 1,563 | 39,245 | 2,152,484 | 36 | 389 | 18,754 | 1,576,806 |
| 16 | 1,621 | 37,682 | 2,113,239 | 37 | 390 | 18,365 | 1,558,052 |
| 17 | 1,703 | 36,061 | 2,075,557 | 38 | 442 | 17,975 | 1,539,687 |
| 18 | 1,486 | 34,358 | 2,039,496 | 39 | 424 | 17,533 | 1,521,712 |
| 19 | 1,096 | 32,872 | 2,005,138 | 40 | 287 | 17,109 | 1,504,179 |
| 20 | 888 | 31,776 | 1,972,266 | 41 | 274 | 16,822 | 1,487,070 |
| 21 | 2,009 | 30,888 | 1,940,490 | 42 | 1,160 | 16,548 | 1,470,248 |

*Excerpt from National Council on Compensation Insurance, Inc. 1976 Injury Table

EXHIBIT VII

CALCULATION OF AVERAGE WEEKLY BENEFIT - FATAL
PENNSYLVANIA ACT

| | | | | | |
|--|----------|----------|----------|----------|----------|
| 1. Effective Date of Comp Law | | | 1/1/2010 | | |
| 2. Rate of Compensation (a) | 0.2200 | 0.3200 | 0.4200 | 0.5100 | 0.5200 |
| 3. Minimum Weekly Benefit (SAWW * #2) | 92.95 | 135.20 | 177.45 | 215.48 | 219.70 |
| 4. Maximum Weekly Benefit (SAWW) | 845.00 | 845.00 | 845.00 | 845.00 | 845.00 |
| 5. Effective Wage for #3 (#3 / #2) | 422.50 | 422.50 | 422.50 | 422.50 | 422.50 |
| 6. Effective Wage for #4 (#4 / #2) | 3,840.91 | 2,640.63 | 2,011.90 | 1,656.86 | 1,625.00 |
| 7. Average Weekly Wage | 845.00 | 845.00 | 845.00 | 845.00 | 845.00 |
| 8. Ratio to Average for #5 (#5 / #7) | 0.500 | 0.500 | 0.500 | 0.500 | 0.500 |
| 9. Ratio to Average for #6 (#6 / #7) | 4.545 | 3.125 | 2.381 | 1.961 | 1.923 |
| 10. Line #8 Adjusted to Nearest .05 | 0.50 | 0.50 | 0.50 | 0.50 | 0.50 |
| 11. Line #9 Adjusted to Nearest .05 | 4.55 | 3.15 | 2.40 | 1.95 | 1.90 |
| 12. B for #10 | 9.13 | 9.13 | 9.13 | 9.13 | 9.13 |
| 13. B for #11 | 99.70 | 99.15 | 97.29 | 92.81 | 91.84 |
| 14. #13 - #12 | 90.57 | 90.02 | 88.16 | 83.68 | 82.71 |
| 15. A for #10 | 22.54 | 22.54 | 22.54 | 22.54 | 22.54 |
| 16. A for #11 | 99.96 | 99.83 | 99.22 | 97.39 | 96.95 |
| 17. #8 * #15 | 11.27 | 11.27 | 11.27 | 11.27 | 11.27 |
| 18. #9 * (100 - #16) | 0.18 | 0.53 | 1.86 | 5.12 | 5.87 |
| 19. Limit Factor as % (#14 + #17 + #18) | 102.02 | 101.82 | 101.29 | 100.07 | 99.85 |
| 20. Effective Average Weekly Wage (#19 * #7 / 100) | 862.07 | 860.38 | 855.90 | 845.59 | 843.73 |
| 21. Average Weekly Benefit (#20 * #2) | 189.66 | 275.32 | 359.48 | 431.25 | 438.74 |

| | | | | | |
|--|----------|----------|----------|----------|--|
| 1. Effective Date of Comp Law | | | 1/1/2010 | | |
| 2. Rate of Compensation (a) | 0.6000 | 0.6200 | 0.6400 | 0.6667 | |
| 3. Minimum Weekly Benefit (SAWW * #2) | 253.50 | 261.95 | 270.40 | 281.67 | |
| 4. Maximum Weekly Benefit (SAWW) | 845.00 | 845.00 | 845.00 | 845.00 | |
| 5. Effective Wage for #3 (#3/#2) | 422.50 | 422.50 | 422.50 | 422.50 | |
| 6. Effective Wage for #4 (#4/#2) | 1,408.33 | 1,362.90 | 1,320.31 | 1,267.50 | |
| 7. Average Weekly Wage | 845.00 | 845.00 | 845.00 | 845.00 | |
| 8. Ratio to Average for #5 (#5/#7) | 0.500 | 0.500 | 0.500 | 0.500 | |
| 9. Ratio to Average for #6 (#6/#7) | 1.667 | 1.613 | 1.562 | 1.500 | |
| 10. Line #8 Adjusted to Nearest .05 | 0.50 | 0.50 | 0.50 | 0.50 | |
| 11. Line #9 Adjusted to Nearest .05 | 1.65 | 1.60 | 1.55 | 1.50 | |
| 12. B for #10 | 9.13 | 9.13 | 9.13 | 9.13 | |
| 13. B for #11 | 85.20 | 83.45 | 81.39 | 79.24 | |
| 14. #13 - #12 | 76.07 | 74.32 | 72.26 | 70.11 | |
| 15. A for #10 | 22.54 | 22.54 | 22.54 | 22.54 | |
| 16. A for #11 | 93.67 | 92.74 | 91.60 | 90.38 | |
| 17. #8 * #15 | 11.27 | 11.27 | 11.27 | 11.27 | |
| 18. #9 * (100-#16) | 10.55 | 11.71 | 13.12 | 14.43 | |
| 19. Limit Factor as % (#14+#17+#18) | 97.89 | 97.30 | 96.65 | 95.81 | |
| 20. Effective Average Weekly Wage (#19*#7/100) | 827.17 | 822.19 | 816.69 | 809.59 | |
| 21. Average Weekly Benefit (#20*#2) | 496.30 | 509.76 | 522.68 | 539.73 | |

(a) From Fatal Benefit Levels, Exhibit I

EXHIBIT VIII

CALCULATION OF AVERAGE WEEKLY BENEFIT - FATAL
U.S.L. ACT

| | | 10/1/2009 | | |
|--|----------|-----------|----------|----------|
| 1. Effective Date of Comp Law | | | | |
| 2. Rate of Compensation (a) | 0.2000 | 0.2500 | 0.5000 | 0.6667 |
| 3. Minimum Weekly Benefit | xx | xx | xx | xx |
| 4. Maximum Weekly Benefit (2 * NAWW) | 1,224.66 | 1,224.66 | 1,224.66 | 1,224.66 |
| 5. Effective Wage for #3 (NAWW) | 612.33 | 612.33 | 612.33 | 612.33 |
| 6. Effective Wage for #4 (#4 / #2) | 6,123.30 | 4,898.64 | 2,449.32 | 1,836.99 |
| 7. Average Weekly Wage | 845.00 | 845.00 | 845.00 | 845.00 |
| 8. Ratio to Average for #3 (#2 * #5 / #7) | 0.145 | 0.181 | 0.362 | 0.483 |
| 9. Ratio to Average for #5 (#5 / #7) | 0.725 | 0.725 | 0.725 | 0.725 |
| 10. Ratio to Average for #6 (#6 / #7) | 7.247 | 5.797 | 2.899 | 2.174 |
| 11. Line #8 Adjusted to Nearest .05 | 0.15 | 0.20 | 0.35 | 0.50 |
| 12. Line #9 Adjusted to Nearest .05 | 0.75 | 0.75 | 0.75 | 0.75 |
| 13. Line #10 Adjusted to Nearest .05 | 7.25 | 5.80 | 2.90 | 2.15 |
| 14. B for #11 | 0.18 | 0.47 | 2.81 | 9.13 |
| 15. B for #12 | 26.87 | 26.87 | 26.87 | 26.87 |
| 16. B for #13 | 99.85 | 99.83 | 98.83 | 95.34 |
| 17. #16 - #15 | 72.98 | 72.96 | 71.96 | 68.47 |
| 18. #14 / #2 | 0.90 | 1.88 | 5.62 | 13.70 |
| 19. A for #11 | 1.39 | 2.82 | 9.87 | 22.54 |
| 20. A for #12 | 47.13 | 47.13 | 47.13 | 47.13 |
| 21. A for #13 | 99.99 | 99.99 | 99.74 | 98.47 |
| 22. #9 * (#20 - #19) | 33.16 | 32.12 | 27.01 | 17.83 |
| 23. #10 * (100 - #21) | 0.07 | 0.06 | 0.75 | 3.33 |
| 24. Limit Factor as % (#17 + #18 + #22 + #23) | 107.11 | 107.02 | 105.34 | 103.33 |
| 25. Effective Average Weekly Wage (#24 * #7 / 100) | 905.08 | 904.32 | 890.12 | 873.14 |
| 26. Average Weekly Benefit (#25 * #2) | 181.02 | 226.08 | 445.06 | 582.09 |

(a) From Fatal Benefit Levels, Exhibit I

EXHIBIT IX

CALCULATION OF AVERAGE WEEKLY BENEFIT - TOTAL DISABILITY
PENNSYLVANIA ACT

| | |
|---|----------|
| (I) Workers at Maximum | |
| 1. Maximum Weekly Compensation | 845.00 |
| 2. Statewide Average Weekly Wage | 845.00 |
| 3. Minimum Wage to Receive Maximum Benefits | 1,267.51 |
| 4. Ratio #3 / #2 | 1.500 |
| 5. #4 to Nearest 0.05 | 1.50 |
| 6. A for #5 | 90.38 |
| 7. 100 - #6 | 9.62 |
| 8. #1 * #7 / 100 | 81.2890 |
| (II) Workers at 2/3 Wages | |
| 9. Maximum Wage | 1,267.50 |
| 10. Minimum Wage | 633.76 |
| 11. #9 / #2 | 1.500 |
| 12. #10 / #2 | 0.750 |
| 13. #11 to Nearest 0.05 | 1.50 |
| 14. #12 to Nearest 0.05 | 0.75 |
| 15. B for #13 | 79.24 |
| 16. B for #14 | 26.87 |
| 17. #15 - #16 | 52.37 |
| 18. (2/3 * #17 * #2) / 100 | 295.0177 |
| (III) Workers at 1/2 Maximum | |
| 19. Maximum Wage | 633.75 |
| 20. Minimum Wage | 469.45 |
| 21. #19 / #2 | 0.750 |
| 22. #20 / #2 | 0.556 |
| 23. #21 to Nearest 0.05 | 0.75 |
| 24. #22 to Nearest 0.05 | 0.55 |
| 25. A for #23 | 47.13 |
| 26. A for #24 | 27.41 |
| 27. #25 - #26 | 19.72 |
| 28. #27 * 1/2 * #1 / 100 | 83.3170 |
| (IV) Workers at 90% of Wages | |
| 29. Maximum Wage | 469.44 |
| 30. #29 / #2 | 0.556 |
| 31. #30 to Nearest 0.05 | 0.55 |
| 32. B for #31 | 12.10 |
| 33. #32 * #2 * 0.90 / 100 | 92.0205 |
| 34. #8 + #18 + #28 + #33 | 551.64 |

EXHIBIT X

CALCULATION OF AVERAGE WEEKLY BENEFIT - TOTAL DISABILITY
U. S. L. ACT

| | |
|---|----------|
| (I) Workers at Maximum | |
| 1. Maximum Weekly Compensation | 1,224.66 |
| 2. Statewide Average Weekly Wage | 845.00 |
| 3. Minimum Wage to Receive Maximum Benefits | 1,837.00 |
| 4. Ratio #3 / #2 | 2.174 |
| 5. #4 to Nearest 0.05 | 2.15 |
| 6. A for #5 | 98.47 |
| 7. 100 - #6 | 1.53 |
| 8. #1 * #7 / 100 | 18.7373 |
| (II) Workers at 2/3 Wages | |
| 9. Maximum Wage | 1,836.99 |
| 10. Minimum Wage | 459.25 |
| 11. #9 / #2 | 2.174 |
| 12. #10 / #2 | 0.543 |
| 13. #11 to Nearest 0.05 | 2.15 |
| 14. #12 to Nearest 0.05 | 0.55 |
| 15. B for #13 | 95.34 |
| 16. B for #14 | 12.10 |
| 17. #15 - #16 | 83.24 |
| 18. (2/3 * #17 * #2) / 100 | 468.9187 |
| (III) Workers at 1/2 NAWW | |
| 19. Maximum Wage | 459.24 |
| 20. Minimum Wage | 306.17 |
| 21. #19 / #2 | 0.543 |
| 22. #20 / #2 | 0.362 |
| 23. #21 to Nearest 0.05 | 0.55 |
| 24. #22 to Nearest 0.05 | 0.35 |
| 25. A for #23 | 27.41 |
| 26. A for #24 | 9.87 |
| 27. #25 - #26 | 17.54 |
| 28. #27 * 1/2 NAWW / 100 | 53.7013 |
| (IV) Workers at 100% of Wages | |
| 29. Maximum Wage | 306.16 |
| 30. #29 / #2 | 0.362 |
| 31. #30 to Nearest 0.05 | 0.35 |
| 32. B for #31 | 2.81 |
| 33. #32 * #2 / 100 | 23.7445 |
| 34. #8 + #18 + #28 + #33 | 565.10 |

EXHIBIT XI

CALCULATION OF AVERAGE WEEKLY BENEFIT - SCHEDULE PERMANENT PARTIAL DISABILITY

Pennsylvania

| | (1) <u>Wage Interval</u> | | (2) % of Avg. Wage <u>(1) / AWW</u> | (3) % in Wage Bracket <u>Workers</u> | (4) <u>Wages</u> | (5) Avg. Wage <u>AWW*((4)/(3))</u> | (6) Avg. Weekly <u>Benefit</u> | |
|---------|-----------------------------|--|---|--|---------------------|--|--------------------------------------|-------------|
| Under | 633.75 (a) | | 0.00 - 0.75 | 47.13 | 26.87 | 481.76 | 422.50 | (Min) |
| Between | 633.75 and 1,267.50 (b) | | 0.75 - 1.50 | 43.25 | 52.37 | 1023.18 | 682.12 | [(5)*.6667] |
| Over | 1,267.50 | | Over 1.50 | 9.62 | 20.76 | 1823.51 | 845.00 | (Max) |

$$\frac{\text{SUM OF ((3) * (6))}}{100} = 575.43$$

(a) $1/2 \text{ AWW} / (.6667) = 422.50 / 0.6667 = 633.75$
 (b) $\text{AWW} / (.6667) = 845.00 / 0.6667 = 1,267.50$

U. S. L.

| | (1) <u>Wage Interval</u> | | (2) % of Avg. Wage <u>(1) / AWW</u> | (3) % in Wage Bracket <u>Workers</u> | (4) <u>Wages</u> | (5) Avg. Wage <u>AWW*((4)/(3))</u> | (6) Avg. Weekly <u>Benefit</u> | |
|-------|-----------------------------|--|---|--|---------------------|--|--------------------------------------|-------------|
| Under | 1,836.99 (a) | | 0.00 - 2.17 | 98.47 | 95.34 | 818.14 | 545.43 | [(5)*.6667] |
| Over | 1,836.99 | | Over 2.17 | 1.53 | 4.66 | 2573.66 | 1224.66 | (Max) |

2.15

$$\frac{\text{SUM OF ((3) * (6))}}{100} = 555.82$$

(a) $2 \text{ NAWW} / (.6667) = 1,224.66 / 0.6667 = 1,836.99$

EXHIBIT XII

CALCULATION OF AVERAGE WEEKLY BENEFIT
NON-SCHEDULE PERMANENT PARTIAL

| | <u>Pennsylvania</u> | | <u>U. S. L.</u> | |
|--|---------------------|----------|-----------------|----------|
| | Major | Minor | Major | Minor |
| 1. Class of Injury | | | | |
| 2. Effective Date of Comp Law | 1/1/2010 | | 10/1/2009 | |
| 3. Rate of Compensation | 0.2667 | 0.1667 | 0.2667 | 0.1667 |
| 4. Minimum Weekly Benefit | 0.00 | 0.00 | 0.00 | 0.00 |
| 5. Maximum Weekly Benefit | 845.00 | 845.00 | 1,224.66 | 1,224.66 |
| 6. Effective Weekly Wage for Min. (#4 / #3) | 0.00 | 0.00 | 0.00 | 0.00 |
| 7. Effective Weekly Wage for Max. (#5 / #3) | 3,168.35 | 5,068.99 | 4,591.90 | 7,346.49 |
| 8. Average Weekly Wage | 845.00 | 845.00 | 845.00 | 845.00 |
| 9. Ratio to AWW for Min. (#6 / #8) | 0.000 | 0.000 | 0.000 | 0.000 |
| 10. Ratio to AWW for Max. (#7 / #8) | 3.750 | 5.999 | 5.434 | 8.694 |
| 11. Line #9 Adjusted to Nearest .05 | 0.00 | 0.00 | 0.00 | 0.00 |
| 12. Line #10 Adjusted to Nearest .05 | 3.75 | 6.00 | 5.45 | 8.70 |
| 13. B for #11 | 0.00 | 0.00 | 0.00 | 0.00 |
| 14. B for #12 | 99.51 | 99.84 | 99.82 | 99.85 |
| 15. #14 - #13 | 99.51 | 99.84 | 99.82 | 99.85 |
| 16. A for #11 | 0.00 | 0.00 | 0.00 | 0.00 |
| 17. A for #12 | 99.92 | 99.99 | 99.98 | 99.99 |
| 18. 100 - #17 | 0.08 | 0.01 | 0.02 | 0.01 |
| 19. #9 * #16 | 0.00 | 0.00 | 0.00 | 0.00 |
| 20. #10 * #18 | 0.30 | 0.06 | 0.11 | 0.09 |
| 21. Limit Factor as % (#15 + #19 + #20) | 99.81 | 99.90 | 99.93 | 99.94 |
| 22. Effective Average Weekly Wage (#21 * #8 / 100) | 843.39 | 844.16 | 844.41 | 844.49 |
| 23. Average Weekly Benefit (#22 * #3) | 224.93 | 140.72 | 225.20 | 140.78 |

EXHIBIT XIII

PENNSYLVANIA WAGE DISTRIBUTION TABLE*

R = Ratio to Average Wage

A = Percentage of workers receiving not more than the percentage of the average wage indicated by Column R

B = Percentage of wages received by the percentage of workers in Column A

| R | A | B | R | A | B | R | A | B |
|------|---------|---------|------|---------|---------|------|---------|---------|
| 0.05 | 0.1200 | 0.0000 | 2.40 | 99.2200 | 97.2900 | 4.75 | 99.9700 | 99.7400 |
| 0.10 | 0.4900 | 0.0400 | 2.45 | 99.3000 | 97.5200 | 4.80 | 99.9700 | 99.7400 |
| 0.15 | 1.3900 | 0.1800 | 2.50 | 99.3900 | 97.7600 | 4.85 | 99.9700 | 99.7400 |
| 0.20 | 2.8200 | 0.4700 | 2.55 | 99.4700 | 97.9900 | 4.90 | 99.9800 | 99.7700 |
| 0.25 | 4.7500 | 0.9800 | 2.60 | 99.5300 | 98.1700 | 4.95 | 99.9800 | 99.7900 |
| 0.30 | 6.9800 | 1.7100 | 2.65 | 99.5600 | 98.2700 | 5.00 | 99.9800 | 99.7900 |
| 0.35 | 9.8700 | 2.8100 | 2.70 | 99.6100 | 98.4200 | 5.05 | 99.9800 | 99.7900 |
| 0.40 | 13.5700 | 4.4300 | 2.75 | 99.6400 | 98.5300 | 5.10 | 99.9800 | 99.7900 |
| 0.45 | 17.6700 | 6.4600 | 2.80 | 99.6800 | 98.6400 | 5.15 | 99.9800 | 99.7900 |
| 0.50 | 22.5400 | 9.1300 | 2.85 | 99.7100 | 98.7400 | 5.20 | 99.9800 | 99.7900 |
| 0.55 | 27.4100 | 12.1000 | 2.90 | 99.7400 | 98.8300 | 5.25 | 99.9800 | 99.8000 |
| 0.60 | 32.4800 | 15.4700 | 2.95 | 99.7600 | 98.9200 | 5.30 | 99.9800 | 99.8100 |
| 0.65 | 37.5900 | 19.1600 | 3.00 | 99.7800 | 98.9900 | 5.35 | 99.9800 | 99.8100 |
| 0.70 | 42.4000 | 22.9100 | 3.05 | 99.8000 | 99.0600 | 5.40 | 99.9800 | 99.8100 |
| 0.75 | 47.1300 | 26.8700 | 3.10 | 99.8100 | 99.1000 | 5.45 | 99.9800 | 99.8200 |
| 0.80 | 51.6600 | 30.9300 | 3.15 | 99.8300 | 99.1500 | 5.50 | 99.9800 | 99.8200 |
| 0.85 | 56.0900 | 35.1500 | 3.20 | 99.8500 | 99.2300 | 5.55 | 99.9800 | 99.8200 |
| 0.90 | 60.1200 | 39.2200 | 3.25 | 99.8600 | 99.2800 | 5.60 | 99.9800 | 99.8300 |
| 0.95 | 64.1800 | 43.5600 | 3.30 | 99.8700 | 99.2900 | 5.65 | 99.9800 | 99.8300 |
| 1.00 | 67.6400 | 47.4400 | 3.35 | 99.8800 | 99.3300 | 5.70 | 99.9900 | 99.8300 |
| 1.05 | 70.8500 | 51.2500 | 3.40 | 99.8800 | 99.3600 | 5.75 | 99.9900 | 99.8300 |
| 1.10 | 73.8700 | 54.9900 | 3.45 | 99.8900 | 99.3800 | 5.80 | 99.9900 | 99.8300 |
| 1.15 | 76.6300 | 58.5600 | 3.50 | 99.8900 | 99.3800 | 5.85 | 99.9900 | 99.8300 |
| 1.20 | 79.1500 | 61.9800 | 3.55 | 99.9100 | 99.4500 | 5.90 | 99.9900 | 99.8400 |
| 1.25 | 81.5900 | 65.4200 | 3.60 | 99.9100 | 99.4500 | 5.95 | 99.9900 | 99.8400 |
| 1.30 | 83.6800 | 68.4900 | 3.65 | 99.9100 | 99.4600 | 6.00 | 99.9900 | 99.8400 |
| 1.35 | 85.5900 | 71.4100 | 3.70 | 99.9100 | 99.4800 | 6.05 | 99.9900 | 99.8400 |
| 1.40 | 87.2900 | 74.1000 | 3.75 | 99.9200 | 99.5100 | 6.10 | 99.9900 | 99.8400 |
| 1.45 | 88.9900 | 76.8900 | 3.80 | 99.9200 | 99.5200 | 6.15 | 99.9900 | 99.8400 |
| 1.50 | 90.3800 | 79.2400 | 3.85 | 99.9300 | 99.5500 | 6.20 | 99.9900 | 99.8400 |
| 1.55 | 91.6000 | 81.3900 | 3.90 | 99.9300 | 99.5600 | 6.25 | 99.9900 | 99.8400 |
| 1.60 | 92.7400 | 83.4500 | 3.95 | 99.9400 | 99.5700 | 6.30 | 99.9900 | 99.8400 |
| 1.65 | 93.6700 | 85.2000 | 4.00 | 99.9400 | 99.6100 | 6.35 | 99.9900 | 99.8400 |
| 1.70 | 94.5600 | 86.9100 | 4.05 | 99.9500 | 99.6200 | 6.40 | 99.9900 | 99.8400 |
| 1.75 | 95.3200 | 88.4300 | 4.10 | 99.9500 | 99.6300 | 6.45 | 99.9900 | 99.8400 |
| 1.80 | 95.9700 | 89.7400 | 4.15 | 99.9500 | 99.6500 | 6.50 | 99.9900 | 99.8400 |
| 1.85 | 96.4800 | 90.8100 | 4.20 | 99.9600 | 99.6600 | 6.55 | 99.9900 | 99.8400 |
| 1.90 | 96.9500 | 91.8400 | 4.25 | 99.9600 | 99.6700 | 6.60 | 99.9900 | 99.8500 |
| 1.95 | 97.3900 | 92.8100 | 4.30 | 99.9600 | 99.6700 | 6.65 | 99.9900 | 99.8500 |
| 2.00 | 97.7500 | 93.6300 | 4.35 | 99.9600 | 99.6800 | 6.70 | 99.9900 | 99.8500 |
| 2.05 | 98.0400 | 94.3000 | 4.40 | 99.9600 | 99.6900 | 6.75 | 99.9900 | 99.8500 |
| 2.10 | 98.2800 | 94.8700 | 4.45 | 99.9600 | 99.6900 | 6.80 | 99.9900 | 99.8500 |
| 2.15 | 98.4700 | 95.3400 | 4.50 | 99.9600 | 99.7000 | 6.85 | 99.9900 | 99.8500 |
| 2.20 | 98.6700 | 95.8300 | 4.55 | 99.9600 | 99.7000 | 6.90 | 99.9900 | 99.8500 |
| 2.25 | 98.8400 | 96.2700 | 4.60 | 99.9700 | 99.7200 | 6.95 | 99.9900 | 99.8500 |
| 2.30 | 98.9900 | 96.6700 | 4.65 | 99.9700 | 99.7300 | 7.00 | 99.9900 | 99.8500 |
| 2.35 | 99.1100 | 97.0000 | 4.70 | 99.9700 | 99.7400 | | | |

*Based on data from the Department of Labor and Industry.