



JOEL M. PRESSMAN  
Commissioner

# The Commonwealth of Massachusetts

## Department of Industrial Accidents

600 Washington Street  
Boston, Mass. 02111

CIRCULAR LETTER NO. 246a (CORRECTED VERSION)

NOVEMBER 18, 1989

TO: ALL INTERESTED PARTIES

FROM: MARY PIGGOTT, DIRECTOR, DIVISION OF ADMINISTRATION

SUBJECT: COST OF LIVING ADJUSTMENTS AND NEW STATE AVERAGE WEEKLY  
WAGE AND MINIMUM WEEKLY COMPENSATION RATE

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(Due to error, the 1985 COLA rate for benefits paid under §35 was not included in attachment B. Please note this is the only change. The original letter is included for reference.)

This Circular Letter, which supersedes Circular Letter No. 239 should be used to determine the proper amount of an adjustment to compensation under G.L. c.152, §34B and G.L. c. 152, §35F.

To calculate the adjustment under §34B,\* multiply the claimant's unadjusted weekly compensation by the multiplier for the claimant's year of injury. The multiplier can be found in Attachment A Table of Multipliers Under §34B. For the purpose of the calculation, the year of injury begins on October 1st and ends on September 30th of each year.

Cost of Living Adjustments for persons receiving benefits under §35 pertain only to those employees with an injury date of January 1, 1986 or later. Please note that these adjustments are for those persons whose §35 benefit payments are based on an injury at least 36-months prior to the review date on October 1, 1989. To calculate the adjustment under §35F\* for partial disability use Attachment B. There are no reimbursements from the Workers' Compensation Trust Fund for these adjustments.

Please also be advised that the average weekly wage determined under subsection {2} of §29 of Chapter 151A and promulgated by the Director of Employment and Training is \$474.47. Therefore, for injuries occurring on or after October 1, 1989 the maximum weekly incapacity compensation is two-thirds of the employee's average weekly wage but not more than \$474.47

The minimum weekly compensation rate is 20 percent of the average weekly wage or \$94.89 for injuries occurring on or after October 1, 1989.

ATTACHMENT A

TABLE OF MULTIPLIERS UNDER 34A

<u>YEAR OF INJURY</u>	<u>MULTIPLIER</u>
1938	16.506701
1939	15.970810
1940	16.019188
1941	14.562898
1942	13.238998
1943	12.035453
1944	11.547688
1945	11.268111
1946	10.686699
1947	9.815175
1948	9.113551
1949	8.978612
1950	8.485707
1951	7.859643
1952	7.543753
1953	7.204772
1954	6.997978
1955	6.685418
1956	6.342944
1957	6.083515
1958	5.867675
1959	5.580383
1960	5.409347
1961	5.238021
1962	5.044186
1963	4.892865
1964	4.666929
1965	4.513726
1966	4.320363
1967	4.130348
1968	3.906453
1969	3.626415
1970	3.610085
1971	3.393552
1972	3.160875
1973	3.040389
1974	2.887627
1975	2.706221
1976	2.531407
1977	2.373154
1978	2.237750
1979	2.080829
1980	1.926810
1981	1.752281
1982	1.592983
1983	1.481376
1984	1.391163
1985	1.316144
1986	1.236984
1987	1.154428
1988	1.068145
1989	