

HOW TO COMPUTE AVERAGE WEEKLY WAGE

The average weekly wage shall be determined as follows:

(A) HOURLY WAGES

(i) If the employee is paid on an hourly basis and the employee is employed for forty hours or more, the hourly wage rate multiplied by the average actual hours worked in the four full weeks preceding the date of the accident or forty hours, whichever is greater; or

(ii) If the employee is paid on an hourly basis and the employee was offered employment for forty hours or more but regularly, and at their own discretion, worked less than forty hours per week for whatever reason, then, the average of the total earnings per week for the four full weeks preceding the date of the injury; or

(iii) If the employee is paid on an hourly basis and the employee is a part-time employee, the hourly wage rate multiplied by the average actual hours worked in the four full weeks preceding the date of the injury.

(B) MONTHLY WAGES

If the employee is paid on a monthly basis, the monthly salary is multiplied by twelve then divided by fifty-two.

(C) ANNUAL WAGES

If the employee is employed at an annual salary, the annual salary divided by fifty-two.

(D) OTHER WAGES

If the employee is employed on a unit, piecework, commission, or other basis, the gross earning from the employer for the twenty-six week period immediately preceding the accident divided by the number of days the employee actually worked for the employer during said twenty-six week period and multiplied by the average number of days worked per week. However, if such an employee has worked for the employer for less than a twenty-six week period immediately preceding the accident, the gross earnings from the employer for the period immediately preceding the accident divided by the number of days the employee actually worked for the employer during said period and multiplied by the average number of days worked per week.

ACTUAL WAGES ARE PAID IF THEY WERE LESS THAN THE MINIMUM RATE SET FOR THE YEAR IN WHICH THE INJURY OCCURRED. ONCE A RATE IS ESTABLISHED IT REMAINS CONSTANT FOR THE DURATION OF THE CLAIM.