

342.740 Determination of average weekly wage -- Adjustment in weekly maximum and minimum income benefits for disability.

- (1) For the purposes of this chapter, the average weekly wage of the state shall be determined by the commissioner as follows: On or before September 1 of each year, the total wages reported by subject employers under the Kentucky Unemployment Insurance Law for the preceding calendar year shall be divided by the average monthly number of insured workers (determined by dividing the total number of insured workers reported for the preceding year by twelve (12)). The average annual wage thus obtained shall be divided by 52 and the average weekly wage thus determined rounded to the nearest cent. This average weekly wage shall be certified to the commissioner by the Education and Workforce Development Cabinet in a manner prescribed by the commissioner by administrative regulation. The average weekly wage as so determined shall be applicable for the full period during which income or death benefits are payable, when the date of occurrence of injury or of disablement in the case of disease, or of death, falls within the calendar year commencing January 1 following the September 1 determination.
- (2) Whenever a change in the average weekly wage of the state is of an amount that increases or decreases the minimum weekly income benefits for total disability or death by \$1 or more, or the maximum weekly income benefits for total disability or for death by \$2 or more, computed in each case and rounded to the nearest dollar, an adjustment in those minimums or maximums which are affected in the requisite amount by the change in the average weekly wage of the state shall be made which will reflect the increase or decrease, but no change in these limitations shall otherwise be made.

Effective: July 15, 2010

History: Amended 2010 Ky. Acts ch. 24, sec. 1845, effective July 15, 2010. -- Amended 2009 Ky. Acts ch. 11, sec. 83, effective June 25, 2009. -- Amended 2006 Ky. Acts ch. 211, sec. 161, effective July 12, 2006. -- Amended 1996 Ky. Acts ch. 271, sec. 25, effective July 15, 1996. -- Amended 1994 Ky. Acts ch. 181, Part 15, sec. 96, effective April 4, 1994. -- Amended 1980 Ky. Acts ch. 104, sec. 16, effective July 15, 1980. -- Amended 1974 Ky. Acts ch. 74, Art. VI, sec. 107(14). -- Created 1972 Ky. Acts ch. 78, sec. 15.