



Rhode Island Department of Labor and Training
Division of Workers' Compensation
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Information Letter 2021-04
July 28th, 2021

Compensation Rate

On July 14th, Governor McKee signed Senate Bill 0937 Substitute A into law¹. This legislation greatly simplifies the computation of a worker's compensation rate.

Effective January 1st 2022 for new injuries, intermediate spendable base wage (SBW) calculations will be discontinued; the compensation rate will equal 62% of the claimant's average weekly wage. This change applies to both (a.) new injuries occurring on or after January 1st 2022, and (b.) post-2021 recurrences of previous injuries where the claimant returned to work for an intermediate period of 26 or more weeks. All ongoing, pre-2022 claims will continue to use the spendable base wage formula established for the relevant base year.

Absent additional legislation, the new 62% compensation rate is not subject to periodic revision. The Division will continue to archive prior years' SBW formulas and tables², but no further compensation rate publications or announcements will be made each May.

This change offers reduced paper filing requirements:

- The Employee's Certificate of Dependency Status (DWC-04)³ will no longer be required for temporary partial incapacities. It must still be filed for total incapacities to document potential dependents' allowances (§ 28-33-17). Please also note the unchanged electronic filing (EDI) requirements – dependency information should continue to be collected and transmitted as part of electronic First Reports (FROI transactions).
- "Spendable base wage" fields on all DWC forms may be disregarded for any incapacity subject to the new 62% compensation rate.

For questions on how to calculate earnings, please contact a Claims Analyst at (401) 462-8100, option #6 then #1 or DLT.WCclaimsAnalyst@DLT.ri.gov.

Sincerely,

A handwritten signature in black ink that reads 'Matthew P. Carey, III'. The signature is written in a cursive style with a large, stylized 'C' at the end.

Matthew P. Carey, III
Assistant Director

1. <http://webserver.rilin.state.ri.us/BillText/BillText21/SenateText21/S0937A.pdf>
2. <https://dlt.ri.gov/wc/insurersadjuster/#spendablebase>
3. <https://dlt.ri.gov/documents/pdf/wc/DWC04CertDependency.pdf>