CARR ALLISON

ALABAMA WORKERS' COMPENSATION LAW CHEAT SHEET

Temporary Total Disability Benefits (TTD) *(§ 25-5-57(a)(1); (§ 25-5-68)*

	7/1/24	7/1/25	7/1/26
1. Waiting Period*	3 Days	3 Days	3 Days
2. Max. $	$1,130	$1,172	$1,219
3. Min. $	$311	$322	$335
4. Max. Duration	Unlimited		
5. Total Max.	Unlimited		

(Note: Except for scheduled injuries. Also, if TTD lasts longer than 21 days, waiting period must be paid after 21st Day)

Temporary Partial Disability Benefits (TPD) *(§ 25-5-57(a)(2))*

1. Max. $(Weekly)	Same as Temporary Above
2. Max. Duration	300 Weeks

Permanent Partial Disability Benefits (PPD) *(§ 25-5-57(a)(3))*

1. Max. $(Weekly)	$220
2. Max. Duration for Unscheduled Injuries (Weeks)	300

(Note: 300 includes Temporary Total Disability Benefits paid as well; thus, if 299 weeks of Temporary Total Disability Benefits paid, only one week of PPD would be due.)

3. Number of Weeks Payable for Delineated Scheduled Members

Member	Weeks
Thumb	62
1st Finger	43
2nd Finger	31
3rd Finger	22
4th Finger	16
Hand	170
Arm	222
Big Toe	32

Member	Weeks
Other Toes	11
Foot	139
Leg	200
Eye	124
Eye & Leg	350
Eye & Arm	350
Eye & Hand	325
Eye & Foot	300

Member	Weeks
2 Arms	400
2 Hands	400
2 Legs	400
2 Feet	400
Hearing 1 Ear	53
Hearing 2 Ears	163

Serious Disfigurement: If materially affects employability of injured person, 66 2/3 of average weekly earnings, but not exceeding 100 weeks. (Note: Most other "combined" scheduled member losses are 400 weeks.)

Permanent Total Disability Benefits (PTD) *(§ 25-5-57(a)(4))*

- May last for lifetime of employee
  - **So long as employee remains totally disabled**
- Employer may file petition to set aside permanent total order upon changed conditions.
- Attorney's fees (but not compensation award) may be awarded in lump sum based upon employee's life expectancy and 6% present value discount.

Death Benefits *(§ 25-5-60; § 25-5-67)* *Payable to Dependents or Estate*

Burial Benefits for Injuries After 8/1/92	$3,000.00
Burial Expenses for deceased employee as of 7/1/14	$6,500.00
One Time Payment to Estate if no Dependents	$7,500.00
One Dependent	50% of AWW (500 weeks Max)
Two or More Dependents	66 2/3 of AWW Subject to weekly Max/Min (500 week Max)

(Note: Benefits should be court approved and will ultimately be payable to the dependent or surviving parent for use and benefit of dependent. Wife is dependent until remarries. Child is dependent until marriage or age 18.)

Medical Benefits
(§ 25-5-77)

- Payable for life if authorized treating physician relates to work injury.
- Employer may designate first physician; Employee entitled to Panel of Four if dissatisfied with initial treating physician and further treatment required.
- Employer must pay for treatment and use facility recommended by authorized treating physician except for treatment determined "not medically necessary" through utilization review.

Notice and Statute of Limitations
(§ 25-5-78) and (§ 25-5-80)

- Actual Notice is sufficient although Code appears to require written notice. If no notice given within 90 days, claim is BARRED.
- STATUTE OF LIMITATIONS is TWO YEARS from the accident or two years from the date of last payment of COMPENSATION (not medical).
- OCCUPATIONAL DISEASE s/o/l runs from date of last exposure. This includes repetitive motion injuries, even if it is not the last date of employment.

Miscellaneous

- MILEAGE REIMBURSEMENT is
  .76¢ per mile effective July 1, 2026;
  .725¢ per mile effective January 1, 2026;
  .70¢ per mile effective January 1, 2025;
  .67¢ per mile effective January 1, 2024;
  .625¢ per mile effective January 1, 2023;
  .625¢ per mile effective June 1, 2022;
- AWW is calculated based on a 52 week wage history. If unavailable, consider wages of similarly situated employee. Fringe benefits (only employer paid portion of health, life and disability premiums) are added to AWW if no longer being provided by employer.
- SUSPENSION of TTD Benefits permissible when employee reaches Maximum Medical Improvement (MMI).
- SUBROGATION available for compensation and medical. Intervention in third-party lawsuit may be required.
- TRIALS/ADJUDICATION are through Court system not administrative law judges. Venue is in county where accident occurred or where Plaintiff resides if employer does business there.

More Information

For more information, visit us online at carrallison.com or contact one of our workers' compensation attorneys.

Coverage:



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