

DATE: March 6, 1979

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

<u>ANALYST</u>	<u>STAFF DIRECTOR</u>	<u>REFERENCE</u>	<u>ACTION</u>
1. <u>Deffenbaugh</u>	<u>Martin</u>	1. <u>Commerce</u>	<u>        </u>
2. <u>        </u>	<u>        </u>	2. <u>        </u>	<u>        </u>
3. <u>        </u>	<u>        </u>	3. <u>        </u>	<u>        </u>

SUBJECT:  
Workmen's Compensation

BILL NO. AND SPONSOR:  
SB 188 by  
Senator MacKay

I. SUMMARY:

A. Present Situation:

Section 440.12(2), Florida Statutes, provides that the amount of workmen's compensation payable per week may not exceed 66 2/3 percent of the statewide average weekly wage. This section requires the Department of Labor and Employment Security to determine by November 30th each year the statewide average weekly wage for the year ending June 30th which is paid by employers who are subject to the Florida Unemployment Compensation Law. This annual determination is applied to computation of workmen's compensation benefits payable for injuries occurring after January 1 of the following year.

B. Effect of Proposed Changes:

This bill would require the Department of Labor and Employment Security to make its determination of the statewide average weekly wage two months earlier than is presently done, on September 30th of each year rather than on November 30th. This would give the Department of Insurance and workmen's compensation insurers three months, rather than the current one month, in which to measure the impact on benefit and rate levels for injuries occurring after January 1.

II. ECONOMIC IMPACT AND FISCAL NOTE:

A. Public:

None

B. Government:

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None

III. COMMENTS:

A representative of the Division of Employment Security indicated that the Division, which is responsible for determining the statewide average weekly wage, could not comply with the requirements of this bill. The quarterly wage reports for the quarter ending June 30 are due by the end of July from all employers subject to the Unemployment Compensation Law. These reports are processed and merged into wage files in order to make monetary calculations for unemployment compensation purposes. This task must be completed by October 1. Only after this point is the staff able to compile the statistical reports which include a determination of the statewide average weekly wage. Since these statistical reports require at least a few weeks to complete, it is estimated that the determination of the statewide average weekly wage can be made no sooner than early November.