Office of Workers’ Compensation Programs, Labor

Pt. 703

§ 702.604 Determining the amount of compensation for occupational disease claims which become manifest after retirement.

(a) If the claim is for disability benefits and the time of injury occurs after the employee has retired, compensation shall be 66 2/3 percent of the payrate, as determined under §702.603, times the disability, as determined according to §702.601(b).

(b) If the claim is for death benefits and the time of injury occurs after the decedent has retired, compensation shall be the percent specified in section 9 of the Act, 33 U.S.C. 909, times the payrate determined according to §702.603. Total weekly death benefits shall not exceed one fifty-second part of the decedent’s average annual earnings during the fifty-two week period preceding retirement.


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