



# Advanced Loss of Earning Power

# Safety Video



# Resources

- [L&I self-insured section – self-insured main-page Claims](#)
- [Adjudication Guidelines \(CAG\) – LEP](#)
- [Forms and Templates – SIF 5A](#)
- [Benefit calculations page](#)
- [Loss of Earning Power \(LEP\) Calculator](#)

# What is Loss of Earning Power?

A worker's inability to earn full income as a result of their injury or occupational disease.

- If a worker returns to any job at fewer hours
  - May return full time but no overtime hours
- If a worker returns to work at a lower wage
- LEP benefits are payable only if the loss of earning exceeds 5%.

# Valid Light Duty Job Offers

- Job must be with the employer of injury.
- Job description/analysis must be sent to the AP and the worker at the same time.
- Must be approved by AP.
- Offer must be in writing with a reasonable start date.
- HCB must be reinstated to the level at the time of injury.

# Timeliness and Reporting

- **WAC 296-15-340(3)** indicates when payable, benefits must continue on a semi-monthly or bi-weekly intervals.
- **WAC 296-15-266** governs the timeliness of benefit payments.
- **WAC 296-15-425** Failure to communicate benefit information with the worker
- **WAC 296-15-450(7)(c)** All records not previously submitted to the department excluding bills must be submitted to the department to request closure

# Knowledge Check



**Chris was working 40 hours plus 5 hours of overtime each week at the time of injury. He returned to light duty working 8 hours a day 5 days a week. Is he eligible for LEP benefits?**

**Yes, because he was working regular overtime at the time of injury.**



**Rachael's employer offered her a light duty job starting in 2 weeks. HCB will not be reinstated. A job description was mailed to her and the AP. They reviewed the offer at her next visit and the AP signed off however, Rachael refused.**

**Is this a valid light duty job?**

**No, because HCB were not reinstated.**

**What benefits if any is Rachael entitled to?**

**Time-Loss benefits**

**Kendra started light duty on Monday 7/25/22. Her employers pay periods are biweekly with the current one set to end on 7/30/22. The employer's payday is on 8/8/22.**

**What dates should the first LEP period cover?**

***7/25/22 – 7/30/22***



Washington State Department of  
**Labor & Industries**

# The Calculation

# 4 Key Numbers

1. Updated DOI Wages
2. Current Wages
3. Time-Loss Rate
4. State's Average Wage x 1½ (SAW)

# Updated DOI Wages

- Wages the worker would have earned if the injury or occupational disease had never occurred.
- Include any increases in the hourly rate or salary.
- Calculate for the period being paid, not necessarily a full month.
  - Set schedule: Hourly rate x hours per day x working days
  - Varied schedule: Monthly wage ÷ 30 x calendar days

# Updated DOI Wages

## Health care benefits:

- If employer was contributing to HCB on DOI and contributions have ended or are reduced, include in calculation.
- If HCB contributions continue, do not include HCB.

# Updated DOI Wages Example

Steve was earning \$18.00 per hour, 10 hours a day, 4 days a week (M-T) on the DOI. The SIE stated if he was still able to do the JOI, he would have received a raise to \$20.50 per hour. The SIE contributed \$350.00 per month to health care benefits and is no longer contributing.

For 6/1/17 - 6/14/17, his updated wages are:

**Wages:**  $\$20.50 \times 10 \times 8 \text{ working days} = \$1,640.00$

**HCB:**  $\$350.00 \div 30 \text{ days} = \$11.67$

$\$11.67 \times 14 \text{ calendar days} = \$163.38$

**Total updated wages:**  $\$1,640.00 + \$163.38 = \$1803.38$

# Current Wages

- Actual gross wages the worker earned at the light duty job.
- Usually the amount listed on the pay stub.
  - If the worker didn't work all available hours, use the amount they would have earned if they had worked all hours.
- Include all current bonuses, overtime, etc.



# Current Wages Example

Steve is working light duty earning \$18.50 per hour. He is scheduled for 6 hours a day, 4 days a week. The SIE contributed \$350.00 per month to health care benefits and is no longer contributing. He received no bonuses during this period, 6/1/17-6/14/17.

**Pay stub earnings:**  $\$18.50 \times 6 \times 8 \text{ working days} = \$888.00$

**HCB:**  $\$0.00$  (Not included in Current Wages)

**Total current wages:**

**\$888.00**

# Time-Loss Rate

- The worker's time-loss entitlement for LEP period.
- Include any applicable minimums, maximums, and COLAs.
- Include HCB amount if employer is no longer contributing or has decreased their contribution.

# TL Rate Example

Steve was injured on 5/16/16. He was earning \$18.00 per hour, 10 hours per day, 4 days per week. The SIE contributed \$350.00 per month to health care benefits and is no longer contributing. He is married with 4 dependents. The LEP period is 6/1/17 - 6/14/17.

**TL rate:**  $\$18.00 \times 10 \times 18 \text{ days} = \$3,240.00$

HCB:  $\$350.00$

$\$3,240.00 + \$350.00 = \$3,590.00 \times 73\% = \$2,620.70$

$\$2,620.70 \div 30 = \$87.36 \times 14 \text{ days} = \mathbf{\$1,223.04}$

# State's Average Wage x 1½

- 1½ x State's Average Wage in effect **at the time of the LEP payment.**
- Back of LEP worksheet has a list of monthly and daily rates.
- Multiply daily rate by calendar days in the LEP period.

**Example (Steve):** Payment period 6/1/17 - 6/14/17

SAW x 1½ daily amount = \$ 234.47 x 14 days = \$3,282.58

# State's Average Wage x 1½

## 1.5 TIMES THE STATE'S AVERAGE WAGE

Payment Period	Monthly Rate	Daily Rate
7-1-23 through 6-30-24	\$10,520.86	\$350.69
7-1-22 through 6-30-23	\$10,313.49	\$343.78
7-1-21 through 6-30-22	\$9,592.62	\$319.75
7-1-20 through 6-30-21	\$8,712.49	\$290.41
7-1-19 through 6-30-20	\$8,162.62	\$272.09
7-1-18 through 6-30-19	\$7,735.87	\$257.86
7-1-17 through 6-30-18	\$7,369.62	\$245.65
7-1-16 through 6-30-17	\$7,034.11	\$234.47
7-1-15 through 6-30-16	\$6,853.62	\$228.45
7-1-14 through 6-30-15	\$6,579.38	\$219.31
7-1-13 through 6-30-14	\$6,449.37	\$214.98
7-1-12 through 6-30-13	\$6,236.75	\$207.89
7-1-11 through 6-30-12	\$6,020.25	\$200.68

Injured Worker \*  
Steve

Claim Number \*  
SI12345

### Payment Period

#### From Date

Month \*  
06

Day \*  
01

Year \*  
2017



Updated Wages at DOI \*  
1682

Updated Wages at the Date of Injury (earning capacity).

Time-Loss Rate \*  
1134.42

Time-loss rate multiplied by number of calendar days in the period.

#### Through Date

Month \*  
06

Day \*  
14

Year \*  
2017



Current Wages \*  
888

Light-duty wages for the payment period.

**CALCULATE**

RESET

PRINT WORKSHEET

## Results

State's average wage multiplied by 1.5, multiplied by the number of calendar days in the period  
\$3,282.58

Calendar days  
14

LEP entitlement  
\$635.20

Method used  
Method B

### Method A

\$888.00 Current wages  
÷ \$1,682.00 DOI Wages  
= 52.79% Percent of Wages at the time of injury

100%  
- 52.79% Percent of Wages at the Time of Injury  
= 47.21% Loss of Earning Power Percent

47.21% Loss of Earning Power Percent  
X \$1,134.42 Time-Loss Comp. Rate  
= \$535.56 Method A LEP Entitlement

### Method B

\$1,682.00 DOI Wages  
- \$888.00 Current Wages  
= \$794.00 Difference

\$794.00 Difference  
X 80%  
= \$635.20 Method B LEP Entitlement

# Calculation Methods

- DOI/DOM prior to May 7, 1993:
  - Use **Method A**.
  - Based on percentage of TL compensation rate.
- DOI/DOM on or after May 7, 1993:
  - Calculate both **Method A** and **Method B** and pay the higher amount.
  - Method B: 80% of difference between current and updated wages.

# Method B Capping

- Method B entitlement is 80% of the difference between current and updated wages, UNLESS:
  - Current Wages + Method B entitlement is greater than  $1\frac{1}{2}$  x the SAW for the period
- If the amount is greater than  $1\frac{1}{2}$  x the SAW, it must be capped:
  - $SAW \times 1\frac{1}{2} - \text{current wages} = \text{capped amount}$



# Knowledge Check



# What are the 4 key numbers?

1. Updated DOI Wages
2. Current Wages
3. Time-Loss Rate
4. State's Average Wage(SAW) x 1½

# Steven

Steven was injured on 2/19/18 while working as a transporter. At the time of his injury, he was working 6 hours per day, 4 days per week (Friday through Monday) and was earning \$22.25 per hour. His employer contributed \$400.00 per month toward health care benefits. He is married with 2 dependent children.

He sought treatment on 2/21/18, and his doctor took him off work. On 6/8/18, he was released to work light duty and returned to work the same day as a packer earning \$18.00 per hour, 4 hours per day, Friday through Monday.

Effective 6/16/18, Steve returned to his job of injury at his regular wages and hours. His health care benefits were never terminated.

Calculate his LEP entitlement for the period 6/8/18 through 6/15/18.

# Steven

## 1. Updated Wages:

$\$22.25 \times 6 \text{ hrs} = \$133.50 \times 5$   
(working days) = **\$667.50**

## 2. Current Wages:

$\$18.00 \times 4 \text{ hrs} = \$72.00 \times 5$  (working  
days) = **\$360.00**

## 3. TL Rate:

$\$22.25 \times 6 \times 18 = \$2,403.00$

$\$2,403.00 \times .69 = \$1,658.07$

$\$1,658.07 \div 30 = \$55.27$

$\$55.27 \times 8 \text{ calendar days} = \$442.16$

## 4. SAW x 1 ½:

$\$245.65 \times 8 \text{ calendar days} = \$1,965.20$

# Steven

Injured Worker \*  
Steven

Claim Number \*  
SI12345

## Payment Period

### From Date

Month \* 06 Day \* 08 Year \* 2018



Updated Wages at DOI \*  
667.50

Updated Wages at the Date of Injury (earning capacity).

Time-Loss Rate \*  
442.16

Time-loss rate multiplied by number of calendar days in the period.

### Through Date

Month \* 06 Day \* 15 Year \* 2018



Current Wages \*  
360.00

Light-duty wages for the payment period.

CALCULATE

RESET

PRINT WORKSHEET

## Results

State's average wage multiplied by 1.5, multiplied by the number of calendar days in the period  
**\$1,965.20**

Calendar days  
**8**

LEP entitlement  
**\$246.00**

Method used  
**Method B**

### Method A

\$360.00 Current wages  
÷ \$667.50 DOI Wages  
= 53.93% Percent of Wages at the time of injury

---

100%  
- 53.93% Percent of Wages at the Time of Injury  
= 46.07% Loss of Earning Power Percent

---

46.07% Loss of Earning Power Percent  
X \$442.16 Time-Loss Comp. Rate  
= \$203.70 Method A LEP Entitlement

### Method B

\$667.50 DOI Wages  
- \$360.00 Current Wages  
= \$307.50 Difference

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\$307.50 Difference  
X 80%  
= \$246.00 Method B LEP Entitlement

# Christina

Christina was injured at work on 3/29/19. She works 8 hours a day, 5 days a week, Monday through Friday, and earns \$19.25 per hour. Her employer was contributing \$450.00 per month for healthcare benefits. At the time of injury, she was single with two dependents under the age of 12. Her employer stopped contributing to HCB on 4/30/19.

On 5/07/19, she returned to work light duty. She worked 6 hours a day, Tuesday, Wednesday, and Friday, earning \$19.25 per hour. HCB were not reinstated while on light duty.

Calculate her LEP entitlement for the period 5/07/19 through 5/20/19.

# Christina

## 1. Updated Wages:

$\$19.25 \times 8 \times 10$  working days =  
 $\$1,540.00$

$\$450.00 \div 30 = \$15.00 \times 14$  calendar  
days =  $\$210$  HCB

$\$1,540.00 + \$210.00 = \mathbf{\$1,750.00}$

## 2. Current Wages

$\$19.25 \times 6$  hours  $\times 6$  working days =  
 $\mathbf{\$693.00}$

## 3. TL Rate

$\$19.25 \times 8 \times 22 = \$3,388.00$

$\$3,388.00 + \$450.00$  (HCB) =  
 $\$3,838.00$

$\$3,838.00 \times .64 = \$2,456.32 \div 30 =$   
 $\$81.88$  per day

$\$81.88 \times 14$  days =  $\mathbf{\$1,146.32}$

## 4. SAW x 1 ½:

$\$257.86 \times 14$  days =  $\mathbf{\$3,610.04}$

# Christina

Injured Worker \*  
Christina

Claim Number \*  
SI12345

## Payment Period

### From Date

Month \* 05  
Day \* 07  
Year \* 2019



Updated Wages at DOI \*  
1750.00

Updated Wages at the Date of Injury (earning capacity).

Time-Loss Rate \*  
1146.32

Time-loss rate multiplied by number of calendar days in the period.

### Through Date

Month \* 05  
Day \* 20  
Year \* 2019



Current Wages \*  
693.00

Light-duty wages for the payment period.

**CALCULATE**

**RESET**

**PRINT WORKSHEET**

## Results

State's average wage multiplied by 1.5, multiplied by the number of calendar days in the period

**\$3,610.04**

Calendar days

**14**

LEP entitlement

**\$845.60**

Method used

**Method B**

### Method A

\$693.00 Current wages  
÷ \$1,750.00 DOI Wages  
= 39.60% Percent of Wages at the time of injury

100%  
- 39.60% Percent of Wages at the Time of Injury  
= 60.40% Loss of Earning Power Percent

60.40% Loss of Earning Power Percent  
X \$1,146.32 Time-Loss Comp. Rate  
= \$692.38 Method A LEP Entitlement

### Method B

\$1,750.00 DOI Wages  
- \$693.00 Current Wages  
= \$1,057.00 Difference

\$1,057.00 Difference  
X 80%  
= \$845.60 Method B LEP Entitlement



# Edgar

Edgar was injured at work on 11/29/13. On the date of injury, he was making \$49.85 per hour, working 10 hours per day Tuesday through Saturday. He was divorced with 3 children. His employer contributes \$865.00 per month for HCB. He returned to a light duty job making \$14.00 per hour, working 8 hours per day Tuesday through Saturday. **On 8/2/14, he took 8 hours of personal vacation.** His job of injury wage has not changed, but his employer did not reinstate his HCB contribution while on light duty.

Calculate his LEP entitlement for the period 7/24/14 through 8/6/14.

# Edgar

## 1. Updated DOI Wages:

$\$49.85 \times 10 \times 10$  working days =  
 $\$4,985.00$

$\$865.00 \div 30 = \$28.83$  per day  $\times 14$   
calendar days =  $\$403.62$  HCB

$\$4,985.00 + \$403.62 = \mathbf{\$5,388.62}$

## 2. Current Wages:

$\$14.00 \times 8 \times 9$  worked days =  $\$1,008$

$\$14.00 \times 8$  hours available =  $\$112$

$\$1,008 + \$112 = \mathbf{\$1,120}$

## 3. TL Rate:

$\$49.85 \times 10 \times 22 = \$10,967.00 +$   
 $\$865.00$  (HCB) =  $\$11,832.00$

$\$11,832.00 \times .66 = \$7,809.12 \div 30 =$   
 $\$260.30$  per day

Maximum:  $\$175.45 \times 14$  calendar days  
=  $\mathbf{\$2,456.30}$

## 4. SAW x 1 ½:

$\$219.31 \times 14$  calendar days =  
 $\mathbf{\$3,070.34}$

# Edgar

Injured Worker \*  
Edgar

Claim Number \*  
SI12345

## Payment Period

### From Date

Month \* 07  
Day \* 24  
Year \* 2014



Updated Wages at DOI \*  
5388.62

Updated Wages at the Date of Injury (earning capacity).

Time-Loss Rate \*  
2456.30

Time-loss rate multiplied by number of calendar days in the period.

### Through Date

Month \* 08  
Day \* 06  
Year \* 2014



Current Wages \*  
1120.00

Light-duty wages for the payment period.

CALCULATE

RESET

PRINT WORKSHEET

## Results

State's average wage multiplied by 1.5, multiplied by the number of calendar days in the period  
\$3,070.34

Calendar days  
14

LEP entitlement  
\$1,950.34

Method used  
Capped Amount for Method B

### Method A

\$1,120.00 Current wages  
+ \$5,388.62 DOI Wages  
= 20.78% Percent of Wages at the time of injury

100%  
- 20.78% Percent of Wages at the Time of Injury  
= 79.22% Loss of Earning Power Percent

79.22% Loss of Earning Power Percent  
X \$2,456.30 Time-Loss Comp. Rate  
= \$1,945.88 Method A LEP Entitlement

### Method B

\$5,388.62 DOI Wages  
- \$1,120.00 Current Wages  
= \$4,268.62 Difference

\$4,268.62 Difference  
X 80%  
= \$3,414.90 Method B LEP Entitlement

### Additional Considerations

\$1,120.00 Current Wages  
+ \$3,414.90 Method B  
= \$4,534.90 Sum

\$3,070.34 State Average Rate  
- \$1,120.00 Current Wages  
= \$1,950.34 Capped Amount For Method B

# Jake

Jake broke his foot at work on 6/1/09. At the time of injury, he was a salaried employee earning \$6,700.00 per month. His employer contributed \$550.00 per month towards his health care benefits. He was married with a 3-year-old dependent child.

On 7/8/09, Jake returned to work light duty with a different employer, working Monday through Friday, 8 hours per day and earning \$25.00 per hour. The new employer did not provide health care benefits, and the job of injury employer stopped paying for HCB when Jake started working for the new employer. There has been no change in his date of injury salary.

Calculate his LEP entitlement for the period 7/8/09 through 7/22/09.

# Jake

## 1. Updated Wages:

$$\text{\$6,700} + \text{\$550(HCB)} = \text{\$7,250}$$

$$\text{\$7,250} \div 30 \text{ days} = \text{\$241.67}$$

$$\text{\$241.67} \times 15 \text{ calendar days} =$$

$$\text{\$3,625.05}$$

## 2. Current Wages:

$$\text{\$25.00} \times 8 \text{ hours} \times 11 \text{ working days} =$$

$$\text{\$2,200.00}$$

## 3. TL Rate:

$$\text{\$6,700} + \text{\$550} = \text{\$7,250}$$

$$\text{\$7,250} \times 67\% = \text{\$4,857.50}$$

$$\text{\$4,857.50} \div 30 = \text{\$161.92}$$

$$\text{\$161.92} \times 1.03432 \text{ (COLA)} = \text{\$167.48}$$

$$\text{Max: } \text{\$154.18} \times 15 \text{ calendar days} =$$

$$\text{\$2,312.70}$$

## 4. SAW x 1 ½:

$$\text{\$192.73} \times 15 \text{ calendar days} =$$

$$\text{\$2,890.95}$$

# Jake

Injured Worker \*  
**Jake**

Claim Number \*  
**S112345**

## Payment Period

### From Date

Month \*  
**07**

Day \*  
**08**

Year \*  
**2009**

### Through Date

Month \*  
**07**

Day \*  
**22**

Year \*  
**2009**



Updated Wages at DOI \*  
**3625.05**

Updated Wages at the Date of Injury (earning capacity).



Current Wages \*  
**2200.00**

Light-duty wages for the payment period.

Time-Loss Rate \*  
**2312.70**

Time-loss rate multiplied by number of calendar days in the period.

**CALCULATE**

**RESET**

**PRINT WORKSHEET**

## Results

State's average wage multiplied by 1.5, multiplied by the number of calendar days in the period  
**\$2,890.95**

Calendar days  
**15**

**LEP entitlement**  
**\$909.12**

**Method used**  
**Method A**

### Method A

\$2,200.00 Current wages  
+ \$3,625.05 DOI Wages  
= 60.69% Percent of Wages at the time of injury

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100%  
- 60.69% Percent of Wages at the Time of Injury  
= 39.31% Loss of Earning Power Percent

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39.31% Loss of Earning Power Percent  
x \$2,312.70 Time-Loss Comp. Rate  
= \$909.12 Method A LEP Entitlement

### Method B

\$3,625.05 DOI Wages  
- \$2,200.00 Current Wages  
= \$1,425.05 Difference

---

\$1,425.05 Difference  
x 80%  
= \$1,140.04 Method B LEP Entitlement

### Additional Considerations

\$2,200.00 Current Wages  
+ \$1,140.04 Method B  
= \$3,340.04 Sum

---

\$2,890.95 State Average Rate  
- \$2,200.00 Current Wages  
= \$690.95 Capped Amount For Method B

# Skylar

Skylar was injured at work on 11/24/20. On the date of injury, she was making \$27.50 an hour, working 10 hours per day, Monday through Thursday. She was a single mother with 2 children. Her employer contributes \$660.00 per month for HCB. She returned to a light duty job making \$17.00 per hour, 3 hours per day, Monday through Wednesday. Her employer has continued to contribute the same amount for HCB. Her job of injury has received a \$ .50 per hour raise since she was injured.

Calculate her LEP entitlement for the period 4/10/21 through 4/23/21.

# Skylar

## 1. Updated Wages:

$\$28.00 \times 10 \text{ hours} \times 8 \text{ working days}$   
**= \$2,240.00**

## 2. Current Wages:

$\$17.00 \times 3 \text{ hours} \times 6 \text{ working days} =$   
**\$306.00**

## 3. TL Rate:

$\$27.50 \times 10 \text{ hours} \times 18 = \$4,950.00 \times$   
 $.64 = \$3,168.00 \div 30 = \$105.60 \text{ per}$   
day

$\$105.60 \times 14 \text{ calendar days} =$   
**\$1,478.40**

## 4. SAW x 1½:

$\$290.41 \times 14 \text{ calendar days} =$   
**\$4,065.74**



# Skylar

Injured Worker \*  
Skylar

Claim Number \*  
SI12345

## Payment Period

### From Date

Month \* 04 Day \* 10 Year \* 2021



Updated Wages at DOI \*  
2240.00

Updated Wages at the Date of Injury (earning capacity).

Time-Loss Rate \*  
1478.40

Time-loss rate multiplied by number of calendar days in the period.

### Through Date

Month \* 04 Day \* 23 Year \* 2021



Current Wages \*  
306.00

Light-duty wages for the payment period.

**CALCULATE**

RESET

PRINT WORKSHEET

## Results

State's average wage multiplied by 1.5, multiplied by the number of calendar days in the period

**\$4,065.74**

Calendar days

**14**

LEP entitlement

**\$1,478.40**

Method used

**Time-Loss Rate**

### Method A

\$306.00 Current wages  
÷ \$2,240.00 DOI Wages  
= 13.66% Percent of Wages at the time of injury

100%  
- 13.66% Percent of Wages at the Time of Injury  
= 86.34% Loss of Earning Power Percent

86.34% Loss of Earning Power Percent  
X \$1,478.40 Time-Loss Comp. Rate  
= \$1,276.45 Method A LEP Entitlement

### Method B

\$2,240.00 DOI Wages  
- \$306.00 Current Wages  
= \$1,934.00 Difference

\$1,934.00 Difference  
X 80%  
= \$1,547.20 Method B LEP Entitlement

# Harris

On 3/3/21, Harris was injured while working as a nurse. He made \$23.00 per hour, and his work schedule was four days on and four days off. Therefore, his days worked per week varied. Review of his payroll records reflect that during the 6-month period preceding the injury, he worked a total of 1,080 hours. His employer contributed \$500.00 per month toward his health care benefits. Effective 1/1/22, his job of injury wage increased to \$24.60 per hour. At the time of injury, Harris was married with six dependents.

On 9/30/22, he returned to work light duty. The health care benefits were not terminated. He earned \$2,000.00 on light duty from 9/30/22 – 10/13/22. Calculate Harris' LEP entitlement for the period 9/30/22 through 10/13/22.

# Harris

## 1. Updated Wages:

1,080 hours ÷ 6 months = 180  
average hours per month

180 hours x \$24.60 = \$4,428.00 ÷ 30  
= \$147.60 per day x 14 = **\$2,066.40**

## 2. Current Wages:

**\$2,000.00**

## 3. TL Rate:

1,080 hours ÷ 6 months = 180  
average hours per month

180 hours x \$23.00 = \$4,140.00 per  
month

\$4,140.00 x .75 = \$3,105.00 per  
month x 1.07514 (7/1/22 COLA) =  
\$3,338.31

\$3,338.31 ÷ 30 = \$111.28 per day x  
14 days = **\$1,557.92**

## 4. SAW x 1 ½:

\$343.78 x 14 = **\$4,812.92**

# Harris

Injured Worker \*  
Harris

Claim Number \*  
SI12345

## Payment Period

### From Date

Month \*  
09

Day \*  
30

Year \*  
2022



Updated Wages at DOI \*  
2066.40

Updated Wages at the Date of Injury (earning capacity).

Time-Loss Rate \*  
1557.92

Time-loss rate multiplied by number of calendar days in the period.

### Through Date

Month \*  
10

Day \*  
13

Year \*  
2022



Current Wages \*  
2000.00

Light-duty wages for the payment period.

**CALCULATE**

RESET

PRINT WORKSHEET

## Results

State's average wage multiplied by 1.5, multiplied by the number of calendar days in the period  
**\$4,812.92**

Calendar days  
**14**

LEP entitlement  
**\$0.00**

Method used  
**Loss of Earning Power Percent is 5% or less (3.21%)**

### Method A

\$2,000.00 Current wages  
+ \$2,066.40 DOI Wages  
= 96.79% Percent of Wages at the time of injury

100%  
- 96.79% Percent of Wages at the Time of Injury  
= 3.21% Loss of Earning Power Percent

3.21% Loss of Earning Power Percent  
X \$1,557.92 Time-Loss Comp. Rate  
= \$50.01 Method A LEP Entitlement

### Method B

\$2,066.40 DOI Wages  
- \$2,000.00 Current Wages  
= \$66.40 Difference

\$66.40 Difference  
X 80%  
= \$53.12 Method B LEP Entitlement

# Dependent Portion

Based on worker's TL compensation percentage and number of dependents.

$$\frac{\text{dependent percentage}}{\text{TL rate percentage}} \times \text{LEP entitlement}$$

# Dependent Portion Example

$$\begin{array}{r} 4 \\ \text{(2\% for each dependent)} \\ \hline 64 \\ \text{(time-loss entitlement percentage)} \end{array} \times \begin{array}{r} \$2,000.00 \\ \text{(total LEP entitlement)} \end{array}$$

= **\$125.00** (dependent portion of LEP)

# Dual Claim Benefits

- Workers may receive LEP under two or more claims.
  - Can be State Fund or self-insured.
- Entitled to total benefits equal amount under claim with the highest compensation rate.
- Payments will be divided between claims.
- SIE/TPA should contact SF adjudicator to determine which claim has the highest benefit amount and how much to pay under each claim.

# Dual Claim Benefits Calculation

$X / 2$  = amount paid by claim with lower LEP amount

$Y - (X / 2)$  = amount paid by claim with higher LEP

$X$  = Lower LEP entitlement

$Y$  = Higher LEP entitlement



# Dual Claim Example

Thomas has 2 claims and is eligible for LEP on both claims. His LEP entitlement is \$400.00 on the first claim and \$500.00 on the second claim.

$\$400 / 2 = \$200$  paid under the first claim

$\$500 - (\$400 / 2) = \$300$  paid under second claim

# Reminders

- Terminating benefits
  - Valid light duty job offer
  - Full duty release
  - Terminating for cause
- Reinstating/continuing time-loss benefits
  - Invalid light duty job offer
  - Work no longer available

# New Injury While on Light Duty

- Add new condition to existing claim
  - Transitional light duty with the employer of injury
- New claim
  - Permanent light duty with employer of injury
  - Job with a new employer

# Documentation

- SIF-5A
- Payroll records
  - These should include explanations of any pay codes
- [Loss of Earning Power Worksheet](#)

# Resources

- [L&I self-insured section – self-insured main-page Claims](#)
- [Adjudication Guidelines \(CAG\) – LEP](#)
- [Forms and Templates – SIF 5A](#)
- [Benefit calculations page](#)
- [Loss of Earning Power \(LEP\) Calculator](#)



**SITrainerQuestions@Ini.wa.gov**