

DELAWARE COMPENSATION RATING BUREAU, INC.  
F CLASS FILING

U. S. Longshore and Harbor Workers' Coverage Factor

In support of a modification to the United States Longshore and Harbor Workers' Compensation Coverage Percentage, which represents a load factor applied to state act coverage rates, the Bureau presents the following exhibits. In these exhibits, we compare benefit levels as prescribed under Delaware law to those given by the Federal law. For brevity, we will use DE and USL when referring to the respective jurisdictions.

Exhibit I outlines the essential features of current USL and DE workers' compensation laws. Note that in footnotes on page 2 are the national and statewide average weekly wages that were used in developing the exhibits that follow.

Exhibit II summarizes the Bureau's findings. The ratios in column 2 are drawn from the subsequent exhibits. The weights represent the distribution of losses by type of injury from the Delaware 2003 Residual Market and Loss Cost Filing. We propose that the USL percentage be increased to 49.2% from the current value of 44.6%.

Starting with Exhibit III and proceeding through Exhibit XII, we develop the factors that are used in Exhibit II. For each type of injury, we develop first the benefit level under the state act, then the corresponding benefit under the USL act. The respective ratios of these benefits are carried forward to Exhibit II.

The distribution of dependents in Exhibits III-A and III-B and of cases in Exhibits V-A and V-B are from the Workers Compensation Injury Table. The distribution of widows on Exhibits III-C and III-D were compiled from the Bureau's own data in Pennsylvania for the eight most recent policy years. All annuity values are derived from the 1999 United States Life Tables.

Please note that the USL&H loading factor does not include the Federal Assessment, which is shown in the Expense Loading.

## INDEX TO BENEFITS

	Page
Exhibit I - Law Summaries	1
Exhibit II - Overall Differences in Benefits	3
Exhibit III - Difference in Benefits for Fatal Cases	4
Exhibit IV - Differences in Benefits for Permanent Total Disability Cases	9
Exhibit V - Difference in Benefits for Major & Minor Permanent Disability	10
Exhibit VI - Differences in Benefits for Temporary Total Disability Cases	13
Exhibit VII - Calculation of Average Weekly State Benefits, Fatal Cases	15
Exhibit VIII - Calculation of Average Weekly Federal Benefits, Fatal Cases	16
Exhibit IX - Calculation of Average Weekly State Benefits, Total Disability	17
Exhibit X - Calculation of Average Weekly Federal Benefits, Total Disability	18
Exhibit XI - Calculation of Average Weekly Benefits, Schedule Permanent Partials	19
Exhibit XII - Calculation of Average Weekly Benefits, Non-Schedule Permanent Partials	20
Exhibit XIII - 1991 Standard Wage Distribution Table	21

EXHIBIT I

COMPARISON OF U.S.L. AND DELAWARE BENEFITS

<u>Fatal</u>	<u>U.S.L.</u>	<u>Delaware</u>
% Rate of Compensation		
Widow Alone	50%	66 2/3%
Widow and Children	66 2/3%	66 2/3% w/1 child, 70% for 2, 75% for 3 80% for 4 or more
One Orphan	50%	66 2/3%
Two or more Orphans	66 2/3%	66 2/3% for 2, 76 2/3% for 3, 80% for 4 or more
One Parent	25%	20%
Two Parents	50%	20%
Brother / Sister / Other dependent	20% for each	15% + 5% for each additional, to 25%
Maximum % Rate of Compensation	66 2/3%	
Wage for Minimum Weekly Benefit	NAWW (a)	
Wage for Maximum Weekly Benefit		SAWW (b)
Maximum Weekly Benefit	200% NAWW (a)	
Duration	Life or Remarriage; Age 18 for Child, or 23 if student	Life or Remarriage for widow, Age 18 for Child, 25 if student 400 weeks for others.
Burial Expense	\$3,000	\$3,500
Remarriage Award	2 years lump sum	2 years lump sum
Special Fund (Non-dependency cases)	\$5,000	None
Escalation (e)	4.0%	None
<u>Permanent Total Disability</u>		
% Rate of Compensation	66 2/3%	66 2/3%
Minimum Weekly Benefit	Minimum of AWW (c) or 50% NAWW (a)	Minimum of AWW (c) or 22 2/9% SAWW (b)
Maximum Weekly Benefit	200% NAWW (a)	66 2/3% SAWW (b)
Duration	Length of Disability	Length of Disability
Escalation (e)	4.0%	None

EXHIBIT I (CONTINUED)

COMPARISON OF U.S.L. AND DELAWARE BENEFITS

<u>Temporary Total Disability</u>	<u>U.S.L.</u>	<u>Delaware</u>
% Rate of Compensation	66 2/3 %	66 2/3 %
Minimum Weekly Benefit	Minimum of AWW (c) or 50% NAWW (a)	Minimum of AWW (c) or 22 2/9% SAWW (b)
Maximum Weekly Benefit	200% NAWW (a)	66 2/3% SAWW (b)
Duration	Length of Disability	Length of Disability
Waiting Period/ Retroactive after, days	3 / 14	3 / 6
 <u>Permanent Partial Disability</u>		
<u>Scheduled Injuries :</u>		
% Rate of Compensation	66 2/3 %	66 2/3 %
Minimum / Maximum Weekly Benefit	- / 200% NAWW (a)	Minimum of AWW (c) or 22 2/9% SAWW (b) / 66 2/3% SAWW (b)
Duration	As per Schedule	As per Schedule
<u>Non-Scheduled Injuries :</u>		
% Rate of Compensation	66 2/3 % LOEC (d)	66 2/3 % LOEC (d)
Minimum / Maximum Weekly Benefit	- / 200% NAWW (a)	- / 66 2/3% SAWW (b)
Duration	Length of Disability	Length of Disability, with maximum of 300 weeks

(a) NAWW, Effective 10/1/03           \$   515.39  
     50% NAWW                           \$   257.70  
     200% NAWW                         \$ 1,030.78

(b) SAWW, Effective 7/1/04           \$   785.75

(c) AWW = Average Workers' Wage

(d) LOEC = Loss of Earning Capacity,  
     Assumed to be equal to Wage Loss

(e) Adjusted annually each October 1 by increase in NAWW,  
     limited to 5%.

EXHIBIT II

OVERALL DIFFERENCE IN BENEFITS

<u>Type of Injury</u>	(1) <u>Losses</u>	(a)	(2) <u>Ratio</u>	(3) (1) * (2) <u>Modified Losses</u>
Death	74,307		1.812	134,644
Permanent Total	283,088		2.309	653,650
Major Permanent Partial	1,527,987		2.497	3,815,384
Minor Permanent Partial	571,280		2.672	1,526,460
Temporary Total	860,063		1.203	1,034,656
Medical	4,508,066		1.000	4,508,066
Total Effect	7,824,791		1.492	11,672,860
Proposed USL&HW Coverage Percentage			49.2%	
Current USL&HW Coverage Percentage (as per DE Manual, effective date 12/1/002)			44.6%	

(a) Delaware 5 year losses in hundreds, from Table II,  
Delaware 2003 Residual Market and Loss Cost Filing.

EXHIBIT III

CALCULATION OF DIFFERENCE IN BENEFITS FOR FATAL CASES

	Delaware	U.S.L.
1. Cost of Dependency (Exhibits III-A, III-B)	306,105,556	559,403,013
2. Remarriage Award (a), (b)	4,498,806	6,020,198
3. Burial Cost (Allowance * 1,000 Cases)	3,500,000	3,000,000
4. Second Injury Fund (147 Cases * \$5,000)	-	735,000
5. Total Cost { (1)+(2)+(3)+(4) }	314,104,362	569,158,211
6. Ratio U.S.L. to Delaware		1.812

(a) Calculation of Remarriage Award	Delaware	U.S.L.
1. Number of Cases, Widow Alone	356	356
2. Remarriage Value (Exhibit III-C, III-D)	0.0795	0.1097
3. Number of Cases, Widow w/ children	427	427
4. Remarriage Value (Exhibit III-C, III-D)	0.1745	0.2428
5. Average Weekly Benefit (Exhibit VII, VIII)	420.74	405.57
6. Award: ((#1 * #2) + (#3 * #4)) * #5 * 104 weeks	4,498,806	6,020,198

(a) US L& H Includes 4.0% escalation

(b) From 1999 US Life Tables for Total Female Population.

Remarriage Values from 1982 Remarriage Table, PCAS Vol. LXIX, pg. 56

EXHIBIT III-A

VALUATION OF DELAWARE FATAL BENEFITS LAW

(1) # Of Cases	(2) Person Receiving Compensation	(3) # Of Dependents	(4) Average Pension Age	(5) Annuity Symbol	(6) Annuity Value	(7) Average Weekly Benefit (b)	(8) Monetary Cost (1)x(6)x(7)
147	None	None	xxx	xxx	xxx	xxx	xxx
356	Widow alone	1	52	$\bar{a} \text{ '52:life}$	879.16	420.74	131,683,609
136	Widow	1	41	$10.5   \bar{a} \text{ '41:life}$	435.34	420.74	24,910,433
	with child	1	9	$a \overline{546}$	458.41	420.74	26,230,514
129	Widow	1	41	$10.5   \bar{a} \text{ '41:life}$	435.34	420.74	23,628,279
	with children	2	9	$a \overline{546}$	458.41	441.62	26,115,150
82	Widow	1	41	$10.5   \bar{a} \text{ '41:life}$	435.34	420.74	15,019,526
	with children	3	9	$a \overline{546}$	458.41	472.69	17,768,237
42	Widow	1	41	$10.5   \bar{a} \text{ '41:life}$	435.34	420.74	7,692,928
	with children	4	9	$a \overline{546}$	458.41	503.70	9,697,847
22	Widow	1	41	$10.5   \bar{a} \text{ '41:life}$	435.34	420.74	4,029,629
	with children	5	9	$a \overline{546}$	458.41	503.70	5,079,825
16	Widow	1	41	$10.5   \bar{a} \text{ '41:life}$	435.34	420.74	2,930,639
	with children (>5)	7 (a)	9	$a \overline{546}$	458.41	503.70	3,694,418
16	Orphan	1	11	$a \overline{442}$	383.37	418.70	2,568,272
10	Orphans	2	11	$a \overline{442}$	383.37	418.70	1,605,170
7	Orphans	3	11	$a \overline{442}$	383.37	481.51	1,292,175
3	Orphans	4	11	$a \overline{442}$	383.37	502.44	577,861
1	Orphans (more than 4)	5 (a)	11	$a \overline{442}$	383.37	502.44	192,620
13	Parent	1	58	$\bar{a} \text{ 58:400}$	337.74	125.61	551,506
17	Parents	2	48	$\bar{a} \text{ 48:400}$	345.59	125.61	737,963
1	Brother or Sister	1	23	$\bar{a} \text{ 23:400}$	350.12	94.21	32,985
2	Other Dependants	1 (a)	21	$\bar{a} \text{ 21:400}$	350.12	94.21	65,970
1000	Total						306,105,556

(a) Average  
(b) Exhibit VII

EXHIBIT III-B

VALUATION OF U.S.L. FATAL BENEFITS LAW

(1) # Of Cases	(2) Person Receiving Compensation	(3) # Of Dependents	(4) Average Pension Age	(5) Annuity Symbol	(6) Annuity Value (b)	(7) Average Weekly Benefit (c)	(8) Monetary Cost (1)x(6)x(7)
147	None	None	xxx	xxx	xxx	xxx	xxx
356	Widow alone	1	52	$\bar{a} '52:\overline{\text{life}}$	1,583.82	405.57	228,676,556
136	Widow	1	41	$10.5   \bar{a} '41:\overline{\text{life}}$	1,031.99	405.57	56,922,009
	with child	1	9	$a \overline{546}$	560.02	529.39	40,319,782
129	Widow	1	41	$10.5   \bar{a} '41:\overline{\text{life}}$	1,031.99	405.57	53,992,200
	with children	2	9	$a \overline{546}$	560.02	529.39	38,244,499
82	Widow	1	41	$10.5   \bar{a} '41:\overline{\text{life}}$	1,031.99	405.57	34,320,623
	with children	3	9	$a \overline{546}$	560.02	529.39	24,310,457
42	Widow	1	41	$10.5   \bar{a} '41:\overline{\text{life}}$	1,031.99	405.57	17,578,856
	with children	4	9	$a \overline{546}$	560.02	529.39	12,451,697
22	Widow	1	41	$10.5   \bar{a} '41:\overline{\text{life}}$	1,031.99	405.57	9,207,972
	with children	5	9	$a \overline{546}$	560.02	529.39	6,522,318
16	Widow	1	41	$10.5   \bar{a} '41:\overline{\text{life}}$	1,031.99	405.57	6,696,707
	with children (>5)	7 (a)	9	$a \overline{546}$	560.02	529.39	4,743,504
16	Orphan	1	11	$a \overline{442}$	451.16	405.57	2,927,631
10	Orphans	2	11	$a \overline{442}$	451.16	529.39	2,388,396
7	Orphans	3	11	$a \overline{442}$	451.16	529.39	1,671,877
3	Orphans	4	11	$a \overline{442}$	451.16	529.39	716,519
1	Orphans (more than 4)	5 (a)	11	$a \overline{442}$	451.16	529.39	238,840
13	Parent	1	58	$\bar{a} '58:\overline{\text{life}}$	1,283.81	205.79	3,434,538
17	Parents	2	48	$\bar{a} '48:\overline{\text{life}}$	1,793.45	405.57	12,365,282
1	Brother or Sister	1	23	$\bar{a} '23:\overline{\text{life}}$	3,298.31	164.72	543,298
2	Other Dependents	1 (a)	21	$\bar{a} '21:\overline{\text{life}}$	3,428.40	164.72	1,129,452
1000	Total						559,403,013

(a) Average

(b) Includes 4.0% escalation

(c) Exhibit VIII

EXHIBIT III-C

CALCULATION OF REMARRIAGE VALUES - DELAWARE

(1) Average Age x	(2) # of Cases		(4) R[x] D[x]	(5) (2)x(4)	(6) (3)x(4)
	Widow Alone	Widow w/ children			
17	-	-	0.77082	-	-
22	3	2	0.53632	1.60896	1.07264
27	3	21	0.39234	1.17702	8.23914
32	9	26	0.27335	2.46015	7.10710
37	15	45	0.18346	2.75190	8.25570
42	22	39	0.12013	2.64286	4.68507
47	39	26	0.07735	3.01665	2.01110
52	40	19	0.04883	1.95320	0.92777
57	35	3	0.02998	1.04930	0.08994
62	27	3	0.01769	0.47763	0.05307
67	16	2	0.00985	0.15760	0.01970
72	5	-	0.00510	0.02550	-
77	3	-	0.00245	0.00735	-
82	1	-	0.00107	0.00107	-
87	-	-	0.00043	-	-
Total	218	186	2.46917	17.32919	32.46123

Remarriage Values (a), (b)

Widow alone = (5 Total) / (2 Total) =	0.0795
Widow with children = (6 Total) / (3 Total) =	0.1745

- (a) Present value of percent of distribution remarrying
- (b) From 1999 US Life Tables for Total Female Population (est at ages over 100).  
Remarriage Values from 1982 Remarriage Table, PCAS Vol. LXIX, pg. 56

EXHIBIT III-D

CALCULATION OF REMARRIAGE VALUES - U.S.L. LAW

(1) Average Age x	(2) # of Cases		(4) R[x] D[x]	(5) (2)x(4)	(6) (3)x(4)
	Widow Alone	Widow w/ children			
17	-	-	0.97180	-	-
22	3	2	0.71734	2.15202	1.43468
27	3	21	0.53990	1.61970	11.33790
32	9	26	0.38206	3.43854	9.93356
37	15	45	0.25798	3.86970	11.60910
42	22	39	0.16855	3.70810	6.57345
47	39	26	0.10740	4.18860	2.79240
52	40	19	0.06664	2.66560	1.26616
57	35	3	0.04000	1.40000	0.12000
62	27	3	0.02300	0.62100	0.06900
67	16	2	0.01246	0.19936	0.02492
72	5	-	0.00628	0.03140	-
77	3	-	0.00294	0.00882	-
82	1	-	0.00125	0.00125	-
87	-	-	0.00049	-	-
Total	218	186	3.29809	23.90409	45.16117

Remarriage Values (a)

$$\begin{aligned} \text{Widow alone} &= (5 \text{ Total}) / (2 \text{ Total}) = && 0.1097 \\ \text{Widow with children} &= (6 \text{ Total}) / (3 \text{ Total}) = && 0.2428 \end{aligned}$$

- (a) Present value of percent of distribution remarrying, includes 4.0% escalation  
 (b) From 1999 US Life Tables for Total Female Population (est at ages over 100).  
 Remarriage Values from 1982 Remarriage Table, PCAS Vol. LXIX, pg. 56

EXHIBIT IV

CALCULATION OF DIFFERENCE IN BENEFITS  
PERMANENT TOTAL DISABILITY CASES

	Delaware	U.S.L.	
1. Annuity Symbol	$\bar{a}_{48:\overline{life}}$	$\bar{a}_{48:\overline{life}}$	(a)
2. Annuity Value (b)	955.39	1,793.45	
3. Average Weekly Benefit (Exhibits IX, X)	419.86	516.49	
4. Cost of 1,000 Cases { (2)x(3)x1,000 }	401,130,045	926,298,991	
5. Ratio U.S.L. to Delaware		2.309	

(a) Includes 4.0% escalation per annum

(b) From 1999 US Life Tables for Total Population (est for ages over 100).

EXHIBIT V

COMPARISON OF DELAWARE & U.S.L. BENEFITS  
MAJOR & MINOR PERMANENT PARTIAL

(1) Type	(2) Number (a)	(3) Duration (a)	(4) (2)*(3)	(5) Average Weekly Benefit	(6) Total Cost (4)*(5)
<u>A. Major Permanent</u>					
Delaware Benefit Level:					
Dismemberment	27	228.89	6,180	420.74 (b)	2,600,173
Healing Period	503	25.76	12,957	419.86 (c)	5,440,126
Other (Loss of Use)	476	125.59	59,781	420.74	25,152,258
Non-Schedule	497 (d)	300.00	149,100	207.13 (f)	30,883,083
Total Cost					64,075,640
U.S.L. Benefit Level:					
Dismemberment	27	245.85	6,638	510.98 (b)	3,391,885
Healing Period	503	25.76	12,957	516.49 (e)	6,692,161
Other (Loss of Use)	476	141.87	67,530	510.98	34,506,479
Non-Schedule	497 (d)	1,108.31 (g)	550,830	209.56 (f)	115,431,935
Total Cost					160,022,460
Ratio U.S.L. to Delaware					2.497
<u>B. Minor Permanent</u>					
Delaware Benefit Level:					
Dismemberment	194	27.80	5,393	420.74	2,269,051
Healing Period	2,196	7.30	16,031	419.86	6,730,776
Other (Loss of Use)	2,002	25.95	51,952	420.74	21,858,284
Non-Schedule	1,120 (d)	300.00	336,000	130.15 (f)	43,730,400
Total Cost					74,588,511
U.S.L. Benefit Level:					
Dismemberment	194	24.69	4,790	510.98	2,447,594
Healing Period	2,196	7.30	16,031	516.49	8,279,851
Other (Loss of Use)	2,002	25.38	50,811	510.98	25,963,405
Non-Schedule	1,120 (d)	1,108.31 (g)	1,241,307	130.98 (f)	162,586,391
Total Cost					199,277,241
Ratio U.S.L. to Delaware					2.672
(a) Exhibits V-A, V-B			(e) Exhibit X		
(b) Exhibit XI			(f) Exhibit XII		
(c) Exhibit IX			(g) ( $\bar{N}_{37} / D_{37}$ ) * 52, no escalation, from 1999 US Life Tables		
(d) "Workers' Compensation Injury Table," Published by the National Council on Compensation Insurance, Inc.			for Total Population		

EXHIBIT V-A

SCHEDULE BENEFIT PROVISIONS - DELAWARE LAW  
MAJOR & MINOR PERMANENT DISABILITY

Type of Benefit	(1) # of Cases (a)	(2) Avg. % Loss	(3) Schedule at 100%	(4) (2) * (3) Duration	(5) Healing Period
<b>I. Major Permanent</b>					
<b>A. Dismemberment Cases</b>					
Arm (at or above elbow)	4	100	250	250	33
Arm (below elbow)	3	100	250	250	18
Hand	5	100	220	220	29
Leg (at or above knee)	6	100	250	250	34
Leg (below knee)	3	100	250	250	39
Foot	3	100	160	160	26
Eye (enucleation)	3	100	200	200	20
Total or Average (b)	27			228.89	29.26
<b>B. Other Than Dismemberment</b>					
Arm (loss of use)	81	53	250	132.50	27
Hand (loss of use)	139	56	220	123.20	20
Leg (loss of use)	145	53	250	132.50	34
Foot (loss of use)	69	51	160	81.60	25
Eye (loss of use)	38	88	200	176.00	14
Hearing (loss of hearing)	4	56	175	98.00	3
Total or Average (b)	476			125.59	25.56
Average Major Member Healing Period (b)					25.76
<b>II. Minor Permanent</b>					
<b>A. Dismemberment Cases</b>					
Thumb - 1st phalange	23	100	37.50	37.50	6
Thumb - 2nd phalange	5	100	75.00	75.00	6
Index Finger - 1st phalange	48	100	25.00	25.00	5
Index Finger - 2nd phalange	18	100	50.00	50.00	8
Middle Finger - 1st phalange	32	100	20.00	20.00	3
Middle Finger - 2nd phalange	11	100	40.00	40.00	7
Ring Finger - 1st phalange	19	100	15.00	15.00	4
Ring Finger - 2nd phalange	8	100	30.00	30.00	4
Little Finger - 1st phalange	15	100	10.00	10.00	2
Little Finger - 2nd phalange	8	100	20.00	20.00	5
Great Toe - 1st phalange	2	100	20.00	20.00	6
Great Toe - 2nd phalange	1	100	40.00	40.00	12
Other Toes	4	100	15.00	15.00	9
Total or Average (b)	194			27.80	4.96
<b>B. Other Than Dismemberment Cases</b>					
Hearing - One ear	10	37	75	27.75	3
Thumb (loss of use)	164	25	75	18.75	4
Index Finger (loss of use)	216	32	50	16.00	4
Middle Finger (loss of use)	152	29	40	11.60	3
Ring Finger (loss of use)	98	31	30	9.30	3
Little Finger (loss of use)	95	36	20	7.20	3
Great Toe (loss of use)	50	26	40	10.40	4
Other Toes (loss of use)	21	29	15	4.35	2
Other Major Members (loss of use)	1,196			34.43	10.24
Total or Average (b)	2,002			25.95	7.53
Average Major Member Healing Period (b)					7.30

(a) From the "Workers' Compensation Injury Table," published by the National Council on Compensation Insurance, Inc.

(b) Total for column (1), Average for columns (4) and (5) using column (1) as weights.

## EXHIBIT V-B

SCHEDULE BENEFIT PROVISIONS - U.S.L. LAW  
MAJOR & MINOR PERMANENT DISABILITY

Type of Benefit	(1) # of Cases (a)	(2) Avg. % Loss	(3) Schedule at 100%	(4) (2) * (3) Duration	(5) Healing Period
<b>I. Major Permanent</b>					
<b>A. Dismemberment Cases</b>					
Arm (at or above elbow)	4	100	312	312	33
Arm (below elbow)	3	100	244	244	18
Hand	5	100	244	244	29
Leg (at or above knee)	6	100	288	288	34
Leg (below knee)	3	100	205	205	39
Foot	3	100	205	205	26
Eye (enucleation)	3	100	160	160	20
Total or Average (b)	27			245.85	29.26
<b>B. Other Than Dismemberment</b>					
Arm (loss of use)	81	53	312	165.36	27
Hand (loss of use)	139	56	244	136.64	20
Leg (loss of use)	145	53	288	152.64	34
Foot (loss of use)	69	51	205	104.55	25
Eye (loss of use)	38	88	160	140.80	14
Hearing (loss of hearing)	4	56	200	112.00	3
Total or Average (b)	476			141.87	25.56
Average Major Member Healing Period (b)					25.76
<b>II. Minor Permanent</b>					
<b>A. Dismemberment Cases</b>					
Thumb - 1st phalange	23	100	37.50	37.50	6
Thumb - 2nd phalange	5	100	75.00	75.00	6
Index Finger - 1st phalange	48	100	23.00	23.00	5
Index Finger - 2nd phalange	18	100	46.00	46.00	8
Middle Finger - 1st phalange	32	100	15.00	15.00	3
Middle Finger - 2nd phalange	11	100	30.00	30.00	7
Ring Finger - 1st phalange	19	100	12.50	12.50	4
Ring Finger - 2nd phalange	8	100	25.00	25.00	4
Little Finger - 1st phalange	15	100	7.50	7.50	2
Little Finger - 2nd phalange	8	100	15.00	15.00	5
Great Toe - 1st phalange	2	100	19.00	19.00	6
Great Toe - 2nd phalange	1	100	38.00	38.00	12
Other Toes	4	100	16.00	16.00	9
Total or Average (b)	194			24.69	4.96
<b>B. Other Than Dismemberment Cases</b>					
Hearing - One ear	10	37	52	19.24	3
Thumb (loss of use)	164	25	75	18.75	4
Index Finger (loss of use)	216	32	46	14.72	4
Middle Finger (loss of use)	152	29	30	8.70	3
Ring Finger (loss of use)	98	31	25	7.75	3
Little Finger (loss of use)	95	36	15	5.40	3
Great Toe (loss of use)	50	26	38	9.88	4
Other Toes (loss of use)	21	29	16	4.64	2
Other Major Members (loss of use)	1,196			34.43	10.24
Total or Average (b)	2,002			25.38	7.53
Average Major Member Healing Period (b)					7.30

(a) From the "Workers' Compensation Injury Table," published by the National Council on Compensation Insurance, Inc.

(b) Total for column (1), Average for columns (4) and (5) using column (1) as weights.

EXHIBIT VI

CALCULATION OF DIFFERENCE IN BENEFITS  
TEMPORARY TOTAL DISABILITY CASES

	Delaware	U.S.L.
1. Waiting Period	3	3
2. Retroactive After	6	14
3. Total Days Disability Based on #1 (a)	2,776,360	2,776,360
4. Additional Days Disability Based on #2 (a)	183,882 (b)	117,735 (b)
5. Cost in Units of Weeks Wages [(#3+#4)/7]	422,892	413,442
6. Average Weekly Benefit (Exhibits IX,X)	419.86	516.49
7. Total Monetary Cost (#5*#6)	177,555,435	213,538,659
8. Ratio U.S.L. to Pennsylvania		1.203

(a) Exhibit VI-A

(b) #1 \* Value from Exhibit VI-A based on #2

EXHIBIT VI-A

WORKERS COMPENSATION INJURY TABLE\*  
TEMPORARY TOTAL DISABILITY

(1) Duration (Days)	(2) # of Cases	(3) Summa. of (2) Upward	(4) Total Disability (Days)	(1) Duration (Days)	(2) # of Cases	(3) Summa. of (2) Upward	(4) Total Disability (Days)
1	8,973	103,371	3,060,329	22	854	28,879	1,909,602
2	8,198	94,398	2,956,958	23	910	28,025	1,880,723
3	6,236	86,200	2,862,560	24	961	27,115	1,852,698
4	7,077	79,964	2,776,360	25	762	26,154	1,825,583
5	6,437	72,887	2,696,396	26	590	25,392	1,799,429
6	5,156	66,450	2,623,509	27	467	24,802	1,774,037
7	4,854	61,294	2,557,059	28	1,480	24,335	1,749,235
8	2,351	56,440	2,495,765	29	532	22,855	1,724,900
9	2,407	54,089	2,439,325	30	604	22,323	1,702,045
10	2,865	51,682	2,385,236	31	655	21,719	1,679,722
11	2,665	48,817	2,333,554	32	603	21,064	1,658,003
12	2,156	46,152	2,284,737	33	437	20,461	1,636,939
13	1,891	43,996	2,238,585	34	376	20,024	1,616,478
14	2,860	42,105	2,194,589	35	894	19,648	1,596,454
15	1,563	39,245	2,152,484	36	389	18,754	1,576,806
16	1,621	37,682	2,113,239	37	390	18,365	1,558,052
17	1,703	36,061	2,075,557	38	442	17,975	1,539,687
18	1,486	34,358	2,039,496	39	424	17,533	1,521,712
19	1,096	32,872	2,005,138	40	287	17,109	1,504,179
20	888	31,776	1,972,266	41	274	16,822	1,487,070
21	2,009	30,888	1,940,490	42	1,160	16,548	1,470,248

\*Excerpt from National Council on Compensation Insurance, Inc. 1976 Injury Table

EXHIBIT VII

CALCULATION OF AVERAGE WEEKLY BENEFIT - FATAL  
DELAWARE ACT

1. Effective Date of Comp Law			7/1/04		
2. Rate of Compensation (a)	0.1500	0.2000	0.6667	0.6667	0.7000
3. Minimum Weekly Benefit	0.00	0.00	10.00	174.61	174.61
4. Maximum Weekly Benefit (SAWW * #2)	117.86	157.15	523.83	523.83	550.03
5. Effective Wage for #3 (#3 / #2)	0.00	0.00	15.00	261.92	249.44
6. Effective Wage for #4 (SAWW)	785.75	785.75	785.75	785.75	785.75
7. Average Weekly Wage	785.75	785.75	785.75	785.75	785.75
8. Ratio to Average for #5 (#5 / #7)	0.000	0.000	0.019	0.333	0.317
9. Ratio to Average for #6 (#6 / #7)	1.000	1.000	1.000	1.000	1.000
10. Line #8 Adjusted to Nearest .05	0.00	0.00	0.00	0.35	0.30
11. Line #9 Adjusted to Nearest .05	1.00	1.00	1.00	1.00	1.00
12. B for #10	0.00	0.00	0.00	1.61	0.93
13. B for #11	43.48	43.48	43.48	43.48	43.48
14. #13 - #12	43.48	43.48	43.48	41.87	42.55
15. A for #10	0.00	0.00	0.00	6.00	4.08
16. A for #11	63.55	63.55	63.55	63.55	63.55
17. #8 * #15	0.00	0.00	0.00	2.00	1.29
18. #9 * (100 - #16)	36.45	36.45	36.45	36.45	36.45
19. Limit Factor as % (#14 + #17 + #18)	79.93	79.93	79.93	80.32	80.29
20. Effective Average Weekly Wage (#19 * #7 / 100)	628.05	628.05	628.05	631.11	630.88
21. Average Weekly Benefit (#20 * #2)	94.21	125.61	418.70	420.74	441.62

1. Effective Date of Comp Law			7/1/04	
2. Rate of Compensation (a)	0.7500	0.7667	0.8000	0.8000
3. Minimum Weekly Benefit	174.61	10.00	10.00	174.61
4. Maximum Weekly Benefit	589.31	602.41	628.60	628.60
5. Effective Wage for #3 (#3/#2)	232.81	13.04	12.50	218.26
6. Effective Wage for #4 (#4/#2)	785.75	785.75	785.75	785.75
7. Average Weekly Wage	785.75	785.75	785.75	785.75
8. Ratio to Average for #5 (#5/#7)	0.296	0.017	0.016	0.278
9. Ratio to Average for #6 (#6/#7)	1.000	1.000	1.000	1.000
10. Line #8 Adjusted to Nearest .05	0.30	0.00	0.00	0.30
11. Line #9 Adjusted to Nearest .05	1.00	1.00	1.00	1.00
12. B for #10	0.93	0.00	0.00	0.93
13. B for #11	43.48	43.48	43.48	43.48
14. #13 - #12	42.55	43.48	43.48	42.55
15. A for #10	4.08	0.00	0.00	4.08
16. A for #11	63.55	63.55	63.55	63.55
17. #8 * #15	1.21	0.00	0.00	1.13
18. #9 * (100-#16)	36.45	36.45	36.45	36.45
19. Limit Factor as % (#14+#17+#18)	80.21	79.93	79.93	80.13
20. Effective Average Weekly Wage (#19*#7/100)	630.25	628.05	628.05	629.62
21. Average Weekly Benefit (#20*#2)	472.69	481.51	502.44	503.70

(a) From Fatal Benefit Levels, Exhibit I

EXHIBIT VIII

CALCULATION OF AVERAGE WEEKLY BENEFIT - FATAL  
U.S.L. ACT

		10/1/03		
1. Effective Date of Comp Law		10/1/03		
2. Rate of Compensation (a)	0.2000	0.2500	0.5000	0.6667
3. Minimum Weekly Benefit	xx	xx	xx	xx
4. Maximum Weekly Benefit	1,030.78	1,030.78	1,030.78	1,030.78
5. Effective Wage for #3 (NAWW)	515.39	515.39	515.39	515.39
6. Effective Wage for #4 (#4 / #2)	5,153.90	4,123.12	2,061.56	1,546.17
7. Average Weekly Wage	785.75	785.75	785.75	785.75
8. Ratio to Average for #3 (#2 * #5 / #7)	0.131	0.164	0.328	0.437
9. Ratio to Average for #5 (#5 / #7)	0.656	0.656	0.656	0.656
10. Ratio to Average for #6 (#6 / #7)	6.559	5.247	2.624	1.968
11. Line #8 Adjusted to Nearest .05	0.15	0.15	0.35	0.45
12. Line #9 Adjusted to Nearest .05	0.65	0.65	0.65	0.65
13. Line #10 Adjusted to Nearest .05	6.55	5.25	2.60	1.95
14. B for #11	0.06	0.06	1.61	4.74
15. B for #12	16.52	16.52	16.52	16.52
16. B for #13	100.00	100.00	97.25	90.03
17. #16 - #15	83.48	83.48	80.73	73.51
18. #14 / #2	0.30	0.24	3.22	7.11
19. A for #11	0.71	0.71	6.00	13.10
20. A for #12	32.79	32.79	32.79	32.79
21. A for #13	100.00	100.00	99.35	96.18
22. #9 * (#20 - #19)	21.04	21.04	17.57	12.92
23. #10 * (100 - #21)	0.00	0.00	1.71	7.52
24. Limit Factor as % (#17 + #18 + #22 + #23)	104.82	104.76	103.23	101.06
25. Effective Average Weekly Wage (#24 * #7 / 100)	823.62	823.15	811.13	794.08
26. Average Weekly Benefit (#25 * #2)	164.72	205.79	405.57	529.39

(a) From Fatal Benefit Levels, Exhibit I

EXHIBIT IX

CALCULATION OF AVERAGE WEEKLY BENEFIT - TOTAL DISABILITY  
DELAWARE ACT

(I) Workers at Maximum	
1. Maximum Weekly Compensation	523.83
2. Statewide Average Weekly Wage	785.75
3. Minimum Wage to Receive Maximum Benefits	785.75
4. Ratio #3 / #2	1.000
5. #4 to Nearest 0.05	1.00
6. A for #5	63.55
7. 100 - #6	36.45
8. #1 * #7 / 100	190.9360
(II) Workers at 2/3 Wages	
9. Maximum Wage	785.74
10. Minimum Wage	261.93
11. #9 / #2	1.000
12. #10 / #2	0.333
13. #11 to Nearest 0.05	1.00
14. #12 to Nearest 0.05	0.35
15. B for #13	43.48
16. B for #14	1.61
17. #15 - #16	41.87
18. (2/3) * #2 * #17 / 100	219.3290
(III) Workers at Intermediate Minimum (2/9 SAWW)	
19. Maximum Wage	261.92
20. Minimum Wage	174.62
21. #19 / #2	0.333
22. #20 / #2	0.222
23. #21 to Nearest 0.05	0.35
24. #22 to Nearest 0.05	0.20
25. A for #23	6.00
26. A for #24	1.36
27. #25 - #26	4.64
28. 2/9 SAWW * #27 / 100	8.1020
(IV) Workers at 100% of Wages	
29. Maximum Wage	174.61
30. #29 / #2	0.222
31. #30 to Nearest 0.05	0.20
32. B for #31	0.19
33. #2 * #32 / 100	1.4929
34. #8 + #18 + #28 + #33	419.86

## EXHIBIT X

CALCULATION OF AVERAGE WEEKLY BENEFIT - TOTAL DISABILITY  
U. S. L. & H. ACT

(I) Workers at Maximum	
1. Maximum Weekly Compensation	1,030.78
2. Statewide Average Weekly Wage	785.75
3. Minimum Wage to Receive Maximum Benefits	1,546.18
4. Ratio #3 / #2	1.968
5. #4 to Nearest 0.05	1.95
6. A for #5	96.18
7. 100 - #6	3.82
8. #1 * #7 / 100	39.3758
(II) Workers at 2/3 Wages	
9. Maximum Wage	1,546.17
10. Minimum Wage	386.55
11. #9 / #2	1.968
12. #10 / #2	0.492
13. #11 to Nearest 0.05	1.95
14. #12 to Nearest 0.05	0.50
15. B for #13	90.03
16. B for #14	7.10
17. #15 - #16	82.93
18. (2/3) * #2 * #17 / 100	434.4150
(III) Workers at 1/2 NAWW	
19. Maximum Wage	386.54
20. Minimum Wage	257.70
21. #19 / #2	0.492
22. #20 / #2	0.328
23. #21 to Nearest 0.05	0.50
24. #22 to Nearest 0.05	0.35
25. A for #23	17.66
26. A for #24	6.00
27. #25 - #26	11.66
28. 1/2 NAWW * #27 / 100	30.0472
(IV) Workers at 100% of Wages	
29. Maximum Wage	257.69
30. #29 / #2	0.328
31. #30 to Nearest 0.05	0.35
32. B for #31	1.61
33. #2 * #32 / 100	12.6506
34. #8 + #18 + #28 + #33	516.49

EXHIBIT XI

CALCULATION OF AVERAGE WEEKLY BENEFIT - SCHEDULE PERMANENT PARTIAL DISABILITY

Delaware

	(1) Wage Interval		(2) % of Avg. Wage (1) / AWW	(3) % in Wage Bracket Workers	(4) Wages	(5) Avg. Wage AWW*((4)/(3))	(6) Avg. Weekly Benefit	
Under	261.92 (a)		0.00 - 0.33	6.00	1.61	210.84	174.61	(Min)
Between	261.92 and 785.75 (b)		0.33 - 1.00	57.55	41.87	571.67	381.11	[(5)*.6667]
Over	785.75		Over 1.00	36.45	56.52	1218.40	523.83	(Max)
			0.35	1.00				
			$\frac{\text{SUM OF } ((3) * (6))}{100} = 420.74$					

(a)  $2/9 \text{ AWW} / (.6667) = 174.61 / 0.6667 = 261.92$   
 (b)  $2/3 \text{ AWW} / (.6667) = 523.83 / 0.6667 = 785.75$

U. S. L.

	(1) Wage Interval		(2) % of Avg. Wage (1) / AWW	(3) % in Wage Bracket Workers	(4) Wages	(5) Avg. Wage AWW*((4)/(3))	(6) Avg. Weekly Benefit	
Under	1,546.17 (a)		0.00 - 1.97	96.18	90.03	735.51	490.34	[(5)*.6667]
Over	1,546.17		Over - 1.97	3.82	9.97	2050.77	1030.78	(Max)
			1.95					
			$\frac{\text{SUM OF } ((3) * (6))}{100} = 510.98$					

(a)  $2 \text{ NAWW} / (.6667) = 1,030.78 / 0.6667 = 1,546.17$

EXHIBIT XII

CALCULATION OF AVERAGE WEEKLY BENEFIT  
NON-SCHEDULE PERMANENT PARTIAL

	<u>Delaware</u>		<u>U. S. L.</u>	
	Major	Minor	Major	Minor
1. Class of Injury				
2. Effective Date of Comp Law	7/1/04		10/1/03	
3. Rate of Compensation	0.2667	0.1667	0.2667	0.1667
4. Minimum Weekly Benefit	0.00	0.00	0.00	0.00
5. Maximum Weekly Benefit	523.83	523.83	1,030.78	1,030.78
6. Effective Weekly Wage for Min. (#4 / #3)	0.00	0.00	0.00	0.00
7. Effective Weekly Wage for Max. (#5 / #3)	1,964.12	3,142.35	3,864.94	6,183.44
8. Average Weekly Wage	785.75	785.75	785.75	785.75
9. Ratio to AWW for Min. (#6 / #8)	0.000	0.000	0.000	0.000
10. Ratio to AWW for Max. (#7 / #8)	2.500	3.999	4.919	7.869
11. Line #9 Adjusted to Nearest .05	0.00	0.00	0.00	0.00
12. Line #10 Adjusted to Nearest .05	2.50	4.00	4.90	7.85
13. B for #11	0.00	0.00	0.00	0.00
14. B for #12	96.79	98.96	100.00	100.00
15. #14 - #13	96.79	98.96	100.00	100.00
16. A for #11	0.00	0.00	0.00	0.00
17. A for #12	99.18	99.90	100.00	100.00
18. 100 - #17	0.82	0.10	0.00	0.00
19. #9 * #16	0.00	0.00	0.00	0.00
20. #10 * #18	2.05	0.40	0.00	0.00
21. Limit Factor as % (#15 + #19 + #20)	98.84	99.36	100.00	100.00
22. Effective Average Weekly Wage (#21 * #8 / 100)	776.64	780.72	785.75	785.75
23. Average Weekly Benefit (#22 * #3)	207.13	130.15	209.56	130.98

EXHIBIT XIII

STANDARD WAGE DISTRIBUTION TABLE  
(1991 DCI STATES)

R = Ratio to Average Wage

A = Percentage of workers receiving not more than the percentage of the average wage indicated by Column R

B = Percentage of wages received by the percentage of workers in Column A

R	A	B	R	A	B	R	A	B
0.00	0.0000	0.0000	2.35	98.8300	95.9000	4.70	100.0000	100.0000
0.05	0.2400	0.0100	2.40	98.9500	96.2100	4.75	100.0000	100.0000
0.10	0.3900	0.0200	2.45	99.0800	96.5400	4.80	100.0000	100.0000
0.15	0.7100	0.0600	2.50	99.1800	96.7900	4.85	100.0000	100.0000
0.20	1.3600	0.1900	2.55	99.2700	97.0400	4.90	100.0000	100.0000
0.25	2.6100	0.4900	2.60	99.3500	97.2500	4.95	100.0000	100.0000
0.30	4.0800	0.9300	2.65	99.4100	97.4100	5.00	100.0000	100.0000
0.35	6.0000	1.6100	2.70	99.4800	97.6000	5.05	100.0000	100.0000
0.40	8.8000	2.7600	2.75	99.5200	97.7100	5.10	100.0000	100.0000
0.45	13.1000	4.7400	2.80	99.5700	97.8700	5.15	100.0000	100.0000
0.50	17.6600	7.1000	2.85	99.6100	97.9900	5.20	100.0000	100.0000
0.55	22.4100	9.7900	2.90	99.6400	98.0800	5.25	100.0000	100.0000
0.60	27.6600	13.0700	2.95	99.6700	98.1700	5.30	100.0000	100.0000
0.65	32.7900	16.5200	3.00	99.7000	98.2600	5.35	100.0000	100.0000
0.70	37.8200	20.2000	3.05	99.7300	98.3500	5.40	100.0000	100.0000
0.75	42.7100	24.0300	3.10	99.7600	98.4300	5.45	100.0000	100.0000
0.80	47.4600	28.0000	3.15	99.7700	98.4900	5.50	100.0000	100.0000
0.85	52.0300	32.0700	3.20	99.7900	98.5700	5.55	100.0000	100.0000
0.90	56.2400	36.0400	3.25	99.8000	98.6100	5.60	100.0000	100.0000
0.95	60.0300	39.8100	3.30	99.8100	98.6500	5.65	100.0000	100.0000
1.00	63.5500	43.4800	3.35	99.8200	98.6800	5.70	100.0000	100.0000
1.05	66.8200	47.0500	3.40	99.8400	98.7300	5.75	100.0000	100.0000
1.10	69.7500	50.3900	3.45	99.8400	98.7500	5.80	100.0000	100.0000
1.15	72.5100	53.7300	3.50	99.8500	98.7800	5.85	100.0000	100.0000
1.20	75.1200	56.9900	3.55	99.8600	98.8000	5.90	100.0000	100.0000
1.25	77.6400	60.2900	3.60	99.8600	98.8200	5.95	100.0000	100.0000
1.30	79.9700	63.4400	3.65	99.8700	98.8500	6.00	100.0000	100.0000
1.35	82.0200	66.3300	3.70	99.8800	98.8900	6.05	100.0000	100.0000
1.40	83.9600	69.1500	3.75	99.8800	98.9000	6.10	100.0000	100.0000
1.45	85.6300	71.6700	3.80	99.8900	98.9200	6.15	100.0000	100.0000
1.50	87.2000	74.1200	3.85	99.8900	98.9400	6.20	100.0000	100.0000
1.55	88.6700	76.4900	3.90	99.8900	98.9400	6.25	100.0000	100.0000
1.60	90.0900	78.8400	3.95	99.8900	98.9500	6.30	100.0000	100.0000
1.65	91.3100	80.9100	4.00	99.9000	98.9600	6.35	100.0000	100.0000
1.70	92.4600	82.9400	4.05	100.0000	100.0000	6.40	100.0000	100.0000
1.75	93.3900	84.6300	4.10	100.0000	100.0000	6.45	100.0000	100.0000
1.80	94.2200	86.1800	4.15	100.0000	100.0000	6.50	100.0000	100.0000
1.85	94.9000	87.4900	4.20	100.0000	100.0000	6.55	100.0000	100.0000
1.90	95.5500	88.7600	4.25	100.0000	100.0000	6.60	100.0000	100.0000
1.95	96.1800	90.0300	4.30	100.0000	100.0000	6.65	100.0000	100.0000
2.00	96.6900	91.1000	4.35	100.0000	100.0000	6.70	100.0000	100.0000
2.05	97.1700	92.1000	4.40	100.0000	100.0000	6.75	100.0000	100.0000
2.10	97.5500	92.9400	4.45	100.0000	100.0000	6.80	100.0000	100.0000
2.15	97.9300	93.7700	4.50	100.0000	100.0000	6.85	100.0000	100.0000
2.20	98.2200	94.4400	4.55	100.0000	100.0000	6.90	100.0000	100.0000
2.25	98.4600	95.0000	4.60	100.0000	100.0000	6.95	100.0000	100.0000
2.30	98.6600	95.4800	4.65	100.0000	100.0000	7.00	100.0000	100.0000