

**DEATH BENEFITS – Pursuant to the Workers’ Compensation Code, 85 O.S., §337,  
For Deaths Occurring During the Period of November 1, 2013 Through January 31, 2014**

*NOTE: Refer to the Administrative Workers’ Compensation Act, 85A O.S., §47, for death benefits applicable to deaths occurring on and after February 1, 2014 through October 31, 2014.*

Weekly death benefits for beneficiaries subject to the Workers’ Compensation Code are computed as percentages of the deceased’s average weekly wage (AWW), which shall be taken as not more than the State Average Weekly Wage (SAWW). The maximum aggregate weekly income benefits payable to all beneficiaries shall not exceed 100% of the deceased employee’s AWW or 100% of the SAWW, whichever is less.

The following chart is an **EXAMPLE**. It represents the aggregate weekly income benefits payable to all beneficiaries of a deceased worker whose AWW equals or exceeds the SAWW of \$801.

DEATH BENEFITS UNDER THE WORKERS’ COMPENSATION CODE, 85 O.S., §337, FOR DEATHS OCCURRING NOVEMBER 1, 2013 THROUGH JANUARY 31, 2014 WHEN THE DECEASED’S AWW EQUALS OR EXCEEDS THE SAWW OF \$801			Total Maximum Aggregate Weekly Benefit Amount
1. <b>Spouse only:</b>	Surviving spouse: 70% x \$801	\$560.70	<b>\$560.70</b>
2. <b>Spouse and one (1) child:</b>	Surviving spouse: 70% x \$801 Child: 15% x \$801	\$560.70 \$120.15	<b>\$680.85</b>
3. <b>Spouse and two (2) or more children:</b>	Surviving spouse: 70% x \$801 Child #1: 15% x \$801 Child #2: 15% x \$801	\$560.70 \$120.15 \$120.15	<b>\$801.00</b>
4. <b>Spouse and three (3) or more children:</b>	Surviving spouse: 70% x \$801 Children: (30% x \$801) ÷ (# of children) = Benefit per child	\$560.70	<b>\$801.00</b>
5. <b>No spouse, one (1) child:</b> (50% x \$801)			<b>\$400.50</b>
6. <b>No spouse, two (2) children:</b> (70% x \$801) ÷ (2) = \$280.35 per child			<b>\$560.70</b>
7. <b>No spouse, three (3) children:</b> (90% x \$801) ÷ (3) = \$240.30 per child			<b>\$720.90</b>
8. <b>No spouse, four (4) or more children:</b> (\$801 ÷ # of children) = Benefit per child			<b>\$801.00</b>
9. <b>No spouse or children, Mother OR Father dependent:</b> 25% x \$801			<b>\$200.25</b>
10. <b>No spouse or children, Mother AND Father dependent:</b> 50% x \$801			<b>\$400.50</b>
11. <b>No spouse or children, Brothers, Sisters, Grandparents and Grandchildren, if dependent:</b> (25% x \$801) ÷ # of eligible dependents = Benefit per dependent			<b>\$200.25</b>

**Lump Sum Death Benefits**, less attorney fees as applicable, are payable as follows:

- Spouse:** \$100,000, plus up to \$10,000 for funeral expenses.
- Spouse and one (1) child:** Spouse: \$100,000; Child: \$25,000 to be placed in trust; Funeral Expenses: Maximum of \$10,000.
- Spouse and two (2) or more children:** Spouse: \$100,000; Children: Divide \$50,000 equally to be placed in trust for each child; Funeral Expenses: Maximum of \$10,000.
- No spouse, one or more children:** Children: \$25,000 per child, up to a maximum of \$150,000, divided equally, to be placed in trust for each child; Funeral Expenses: Maximum of \$10,000.
- Heirs-at-law suffering a pecuniary loss:** An aggregate maximum of \$5,000.
- No dependents or heirs-at-law:** A maximum of \$8,000 for funeral expenses.
- Spouse, upon remarriage:** Two (2) years’ indemnity benefit.