

This chart is only a guide, and benefit amounts may vary based upon the type of beneficiary and average weekly wage of the deceased.

Weekly Death Benefits for Deaths Occurring During the Period of January 1, 2024 through December 31, 2024

The following chart, in accordance with 85A O.S. § 47, represents the aggregate weekly income benefits payable to all beneficiaries of a deceased worker whose AWW equals or exceeds the SAWW of \$1038.31

| | Beneficiary or Beneficiaries | Calculation | Benefit Amount for Beneficiary | Aggregate Benefit Amount Per Week For All Beneficiaries |
|---|--|--|--------------------------------|---|
| 1 | Spouse Only | $\$1038.31 \times 70\%$ | \$726.82 | \$726.82 |
| 2 | Spouse and one (1) child | Spouse: $\$1038.31 \times 70\%$ | \$726.82 | \$882.57 |
| | | Child: $\$1038.31 \times 15\%$ | \$155.75 | |
| 3 | Spouse and more than one (1) but less than five (5) children | Spouse: $\$1038.31 \times 70\%$ | \$726.82 | \$1,038.31 |
| | | Children: (Employee's Average Weekly Wage x 30%) ÷ (# of children) = Benefit Per Child | Determined by divisor | Determined by Employee's Average Weekly Wage |
| 4 | Spouse and five (5) or more Children | Spouse: $\$1038.31 \times 70\%$ | \$726.82 | \$1,038.31 |
| | | Children: (Employee's Average Weekly Wage x 30%) ÷ (# of children) = Benefit Per Child | Determined by divisor | Determined by Employee's Average Weekly Wage |
| 5 | No spouse, one (1) or two (2) children | $\$1038.31 \times 50\%$ to each child | \$519.16 | \$1,038.31 |
| 6 | No spouse, three (3) or more children | $\$1038.31 \div (\# \text{ of children}) = \text{benefit per child}$ | Determined by divisor | \$1,038.31 |
| 7 | No spouse or children, actually dependent beneficiary | $\$1038.31 \times 25\% = \text{benefit per beneficiary}$ | | |

- The Workers' Compensation Commission determined on 10/18/19 that 85A O.S. § 2(24) requires that the effective date of the average weekly wage is January 1 of the year following the determination of the rate by the Oklahoma Employment Security Commission, rather than November 1 of the current year. For example, the rate for 2019 becomes effective January 1, 2019, rather than November 1, 2018.
- Note 2024 Statutory change for children in families of more than (1) child See 85A O.S. § 47 (c)(2).
- For compensation to alien nonresidents, see 85A O.S. §11.

| Lump Sum Death Benefits - 85A O.S. § 47(c) | | |
|--|--|--|
| | Beneficiary or Beneficiaries | Benefit Amount |
| 1 | Spouse Only | \$100,000 |
| 2 | Spouse and one (1) child | Spouse: \$100,000 |
| | | Child: \$25,000 |
| 3 | Spouse and more than one (1) but less than five (5) children | Spouse: \$100,000 |
| | | \$25,000 per child |
| 4 | Spouse and five (5) or more children | Spouse \$100,000 |
| | | Children \$100,000 divided equally |
| 5 | No spouse, up to two (2) children | \$25,000 per child |
| 6 | No spouse, more than two (2) children | \$25,000 per child, up to a maximum of \$150,000 divided equally |
| 7 | Spouse, upon remarriage | Two (2) years' indemnity benefit in one lump sum |

- In all cases, the employer shall pay actual funeral expenses, not to exceed Ten Thousand Dollars (\$10,000)