

TITLE 4: ECONOMIC RESOURCES
DIVISION 9: LABOR

§ 9309. Compensation for Death.

If the injury causes death, the disability benefits shall be payable in the amounts and to or for the benefit of the persons following:

(a) Reasonable funeral expenses not exceeding \$1,200.

(b) If there be a surviving spouse and no child of the deceased, to such surviving spouse 35 percent of the average wages of the deceased until such time as the surviving spouse remarries, with two years' disability benefits in one sum upon remarriage; and, if there be a surviving child or children of the deceased, the additional amount of 15 percent of such wages for each child. In the case of the death or remarriage of such surviving spouse, if there be one surviving child of the deceased employee, such child shall have his disability benefits increased to 35 percent of such wages; and if there be more than one surviving child of the deceased employee, to such children, in equal parts, 35 percent of such wages, increased by 15 percent of such wages for each child in excess of one; provided, that the total amount payable shall in no case exceed two-thirds of such wages.

(c) If there be one surviving child of the deceased, but no surviving spouse, then for the support of such child 35 percent of the wages of the deceased. If there be more than one surviving child of the deceased, but no surviving spouse, then for the support of such children, in equal parts, 35 percent of such wages increased by 15 percent of such wages for each child in excess of one. The total amount payable under this section shall in no case exceed two-thirds of such wages.

(d) If there be no surviving spouse or child or if the amount payable to a surviving spouse and to children shall be less in the aggregate than 66 and two-thirds percent of the average wages of the deceased, then an amount no greater than the difference between two-thirds of such wages and the amount, if any, payable as hereinbefore provided to the surviving spouse and the surviving child or children shall be apportioned in the following percentages of such wages and in descending order of priority to:

- (1) Grandchildren, 15 percent for each;
- (2) Brothers and sisters, 15 percent for each;
- (3) Parents, if dependent upon the deceased at the time of the injury, 25 percent for each; and
- (4) Grandparents, if dependent upon the deceased at the time of the injury, 25 percent for each.

Source: PL 6-33, § 1 (§ 9309).