

ALABAMA: SUMMARY OF WORKERS' COMPENSATION PROVISIONS

MISCELLANEOUS

Alabama Department of Labor Forms: Alabama Department of Labor, Workers' Compensation Division:
649 Monroe Street Montgomery, AL 36131 | 334.242.2868 | 1.800.528.5166 | <http://labor.alabama.gov/wc>

Commonly Used Forms: available on the AL DOL website: www.labor.alabama.gov/wc/workers-compensation.aspx include:

- **State of Alabama Employer's First Report of Injury or Occupational Disease** (WC Form 2)
- **WC Supplementary Report** (WC Form 3)
- **WC Claim Summary Form** (WC Form 4)
- **WC Combination Supplementary & Claim Summary Form**
- **WC Assessment Form** (WC Form 10)
- **WC Application for Certification for Bill Screening** (WC Form 50)
- **WC Application for Self Insurance** (WC Form 18)

Mileage Reimbursement: Set yearly. 65.5¢ a mile effective Jan. 1, 2023. (58.5¢ for 2022, 56¢ for 2021, 57.5¢ for 2020, 58¢ for 2019, 54.5¢ for 2018, 53.5¢ for 2017, 54¢ for 2016, 57.5¢ for 2015 and 56¢ for 2014).

Insurance Premiums: Five percent premium discount for drug-free workplace program implementation, approved by the Alabama DOL. § 25-5-332.

Time Deadlines:

1. First Report of Injury (FROI) (WC Form 2): Due to DOL 15 days after employer on notice. [Ala. Code § 25-5-4](#).
2. Uncontroverted first payment due within 30 days. [Ala. Code § 25-5-59](#).
3. If first compensation payment not made within 30 days after notice, employer must file a report within 10 days after that 30-day period, stating the reason for non-payment. [Ala. Code § 25-5-7](#).
4. If any compensation installment not paid within 30 days after due, a 15 percent penalty may be due if no good cause.
5. After first payment, the Combination Supplementary & Claim Summary Form must be filed within 10 days. [Ala. Code § 25-5-7](#).
6. After termination of compensation: 10 days to report (use [Combination Supplementary & Claim Summary Form](#)). [Ala. Code § 25-5-7](#).
7. Report of settlement of claim, other than court approved or via ombudsman: 10 days. [Ala. Code § 25-5-5](#).
8. Three-day temporary total disability (TTD) wait period initially; initial three days then due and payable if TTD lasts 21 or more days.

State Maximum and Minimum Compensation Rates: (See Annual State Max and Min rates on back). The minimum compensation rate does not apply to permanent partial disability (PPD) or body as a whole (BAW), nor temporary partial disability (TPD). Also, the minimum will never be higher than the employee's average weekly wage (AWW) (no "raise" for being off on comp). Max and min is set as of date of injury and do not change over course of claim.

Insurance: Employer may secure its workers' compensation liability by self-insuring or purchasing and maintaining insurance coverage through an insurance company, risk pool or self-insured group, as long as same is approved by the Alabama Department of Insurance. [Ala. Code § 25-5-8](#).

Failure to Secure Coverage: An employer failing to secure coverage shall be liable for two times the compensation otherwise payable (and shall also be guilty of a misdemeanor). [Ala. Code § 25-5-8](#).

Workers' Compensation Fraud: *Class C felony* (up to 10 years prison and a \$5,000 fine).

STATE OF ALABAMA: AVERAGE WEEKLY WAGE



On May 20, 2022, in accordance with the provisions of Section 25-5-68(c), Code of Alabama, 1975, as last amended, the Secretary of Labor determined that the State's AWW for calendar year 2021 was \$1,026.07.

For injuries occurring on and after July 1, 2022:

- Maximum workers' compensation payable = \$1,026 per week
- Minimum workers' compensation = \$282 per week

Previous years' maximum and minimum compensation payable as provided under Section 25-5-68 are as follows:

WEEKLY COMPENSATION				
Calendar Year	State's AWW	Effective Date	Maximum	Minimum
2004	\$629.48	7-1-05	\$629	\$173
2005	\$651.32	7-1-06	\$651	\$179
2006	\$682.09	7-1-07	\$682	\$188
2007	\$705.68	7-1-08	\$706	\$194
2008	\$729.04	7-1-09	\$729	\$200
2009	\$740.14	7-1-10	\$740	\$204
2010	\$755.46	7-1-11	\$755	\$208
2011	\$770.80	7-1-12	\$771	\$212
2012	\$787.59	7-1-13	\$788	\$217
2013	\$794.27	7-1-14	\$794	\$218
2014	\$812.96	7-1-15	\$813	\$224
2015	\$831.86	7-1-16	\$832	\$229
2016	\$842.79	7-1-17	\$843	\$232
2017	\$865.79	7-1-18	\$865	\$238
2018	\$891.68	7-1-19	\$892	\$245
2019	\$920.07	7-1-20	\$920	\$253
2020	\$983.06	7-1-21	\$983	\$270
2021	\$1,026.07	7-1-22	\$1,026	\$282
2022	\$1,084.38	7-1-23	\$1,084	\$298

Every case is different. For further questions, please contact:

Carl "Trey" K. Dowdey 205.314.2409 trey.dowdey@swiftcurrie.com
 Amanda C. Goozée 205.314.2402 amanda.goozee@swiftcurrie.com



SWIFT, CURRIE, MCGHEE & HIERS, LLP
 1901 6TH AVENUE NORTH, SUITE 1100 • BIRMINGHAM, ALABAMA 35203 • 205.314.2401
 1420 PEACHTREE STREET, NE, SUITE 800 • ATLANTA, GEORGIA 30309 • 404.874.8800
 www.swiftcurrie.com