

Workers' Compensation Laws

Presenter: Jeff Shultz, Attorney

The information contained in this outline is not intended to be a complete explanation of the material presented in this seminar. The information contained in this outline is for discussion purposes only. Users of this information should always contact an attorney when determining how to manage labor and employment issues.



OSHA
Approved?

Benefit Rate

- 66 2/3 of all weekly wage for the 52 weeks preceding the injury
- Includes all overtime pay at the straight time rate
- Maximums & minimums are adjusted annually based upon a statutory formula



South Dakota Workers' Compensation Rates

Period	Maximum	Minimum
7-1-07 to 6-30-08	571	286
7-1-08 to 6-30-09	597	299
7-1-09 to 6-30-10	620	310
7-1-10 to 6-30-11	630	315
7-1-11 to 6-30-12	648	324



National Commission on Compensation Insurance

- Auto Accidents



Deaths on the Job Tick Up in South Dakota

– *Argus Leader*, 11.13.2011

South Dakota closely tracks a national trend regarding transportation fatalities. Nationwide, 21% of the 4,547 people killed on the job last year died in highway accidents. The nine highway deaths in South Dakota represents 25% of the total work related deaths.



National Commission on Compensation Insurance

- Auto Accidents
- *South Dakota Public Entity Pool v. Winger*, 1997 S.D. 77
- Motorcycle accident in Rapid City



Next time
install the light,
then fill the
pool.



Mudlein v. Hills Materials, 2005 S.D. 64

- Single vehicle accident on the way from the shop to the work site



Lloyn v. Byrne Brands, 2011 S.D. 2008

- Single vehicle accident on the way home from Omaha



Questions?

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The information contained in this outline is not intended to be a complete explanation of lending issues. The information contained in this outline is for discussion purposes only. Users of this information should always contact an attorney when determining how to secure assets and enhance loan documents in any specific situation.