

VOLUME II

APPENDIX 4

PERMANENT DISABILITY

EVALUATION SCHEDULE – #39.10

EXPLANATION OF THE SCHEDULE

This is the Schedule used for guidance in the measurement of partial disability ~~using the physical impairment method~~ **under section 23(1)**. The Schedule attributes a percentage of total disability to each of the specified disablements. For example, an amputation of the arm, middle, third of humerus, is indicated to be 65%. When that percentage rate is applied, it means that a claimant will receive by way of pension 65% of ~~75~~**90%** of average **net** earnings as determined by the Act.

The Schedule does not necessarily determine the rate of pension. The Board is free to take other factors into account. Thus, the Schedule provides a guideline or starting point for the measurement rather than providing a fixed result.

Only a minority of disabilities are listed in the Schedule. In other cases, however, a Schedule can still be of some guidance value if the injury is similar to one that is listed.

Where a ~~claimant~~ **worker** is over the age of 45 at the effective date of the award, the percentage rate is increased by 1% of the assessed disability for each year over 45 up to a maximum of 20% of the assessed disability. For example, if the claimant were aged 55 at the effective date of the award and the rate indicated in the Schedule for the particular disablement is 50%, the age adaptability factor would be 10% of 50%, making an overall disability rating of 55% of total disability.