PLAINTIFF'S
EXHIBIT
DUP-1639

E. I. DU PONT DE NEMOURS & COMPANY
INCORPORATED
SPRUANCE PLANT
P.O. BOX 27001
RICHMOND, VIRGINIA 23261

TEXTILE FIBERS DEPARTMENT

cc: Spruance PPD - C. Payne
Martinsville - O. Fitzgerald
Waynesboro - D. McDaniel
James River - G. Ball
Front Royal - Safety Supv.
Alan Cropper

July 7, 1981

R. L. RHODES
TEXTILE FIBERS DEPT.
NEMOURS 4448A

PAYMENT OF WORKMEN'S COMPENSATION FOR RETIREES
(ASBESTOS-RELATED LUNG DISEASE)

The question has come up about how to figure the Workmen's Compensation payment for an employee retired more than five years. Should we pay what they were making at retirement, the Virginia state average weekly wage at retirement, or at time of diagnosis? As you know, these amounts vary greatly.

Recently we had such a case at Spruance. The employee involved retired in 1967. I looked at what he was making at the time of retirement and took 66-2/3 percent of it and compared it to the State average weekly wage at the time of diagnosis. I have checked this with Mr. Hiner (Deputy Commissioner). He agrees. He says we can really do it most any way it seems reasonable since we are not required to pay anything. He says we are being reasonable and he can support what we are doing.

If you have any questions about this, please let me know.

T. O. REYNOLDS TOR
SAFETY AND FIRE PROTECTION SUPV.

TOR/kmk

DUP 1154149