



NEW YORK STATE SENATOR

Terrence Murphy

Senator Murphy's legislation protects death benefits for surviving spouses

[Terrence Murphy](#)

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Albany, NY - Losing a spouse is often a traumatic, life-changing event. When a spouse dies, part of their legacy is the ability to continue to care for their family's financial needs through their workers' compensation death benefits. But those of us fortunate enough to remarry quickly discover that love can be a double-edged sword when their late spouse's death benefits are cut off. Taking a compassionate look at the financial struggles of spouses and their children, Senator Terrence Murphy sponsored and passed S2305, legislation that will allow a surviving spouse and their dependents to receive death benefits even after remarriage.

"Someone looking to remarry should not be forced to choose between their happiness and their family having to take a financial loss. They have already faced a tremendous loss, that of a spouse or a parent," said Senator Murphy. "This legislation will allow for workers' compensation survivor to continue, even in the event the surviving spouse remarries, allowing widows and widowers to move forward as they begin the next chapter in their life."

"We work to provide a stable, favorable lifestyle for our spouse and families. We want to see our children take their first step or get an A on their report card," said Tom Carey, President, Westchester-Putnam Central Labor Body AFL-CIO.

"Unfortunately, some of us don't make it to that point. A continuation of survivor benefits, regardless of remarriage, may help a surviving spouse get through a rough period financially or help your kids have more fulfilling childhoods. Thank you, Senator Murphy, for thinking about the ongoing welfare of our loved ones."

Lou Picani, President of Teamsters Local 456 said, "Workers invest their blood, sweat and tears into building a promising future for their families. The loss of a provider can have a devastating impact on a family. Allowing spouses or their children to continue to receive death benefits gives them the financial stability they may need to move forward. I applaud Senator Murphy for fighting for legislation that supports New York's hardworking families rather than tears them apart."

The current compensation law provides death benefits to a surviving spouse and the dependent minors of a deceased worker. The benefits are based on a percentage of the deceased spouse's wages. These benefits cease upon remarriage and the surviving spouse receives two years compensation in a lump sum.

If a worker dies from a job-related injury, the surviving spouse or minor dependents are then entitled to the deceased's death and survivor benefits. Funeral expenses are also taken into consideration, payable up to statutory maximums.