

Workers' Comp article
500 words

Hurt at Work?

Ten tips to protect yourself if you suffer a job-related injury or illness.

By Attorney Larry Goldstein

- 1) Report your work-related injury or illness, regardless of the nature or severity, to your supervisor immediately. Request an "Employee's Claim for Workers' Compensation Benefits" form from your supervisor.
- 2) Fill out the "Employee" section of the claim form accurately and return it to your supervisor as soon as possible. Be sure to indicate all the parts of your body you feel may be affected or hurt by the work-related injury or illness.
- 3) Keep a copy of the completed claim form as your receipt. Request that your employer return the claim form to you with the "Employer" section filled out. According to the law, your employer has 24 hours to return the completed form to you.
- 4) Advise your supervisor immediately if you need medical care. If you have filed a Personal Physician Pre-Designation form with your employer before the work-related injury or illness occurred, see your own pre-designated treating doctor as soon as possible. If you did not file a Personal Physician Pre-Designation form, request that your employer send you to a treating doctor as soon as possible.
- 5) Accurately describe in detail to the treating doctor how your work-related injury or illness occurred. Tell the doctor about all the parts of your body that have been affected or hurt by the work-related injury or illness.

6) Attend all medical appointments. Keep copies of all medical slips and notes — such as notes excusing you from work — given to you by the treating doctor. Keep copies of all correspondence from your employer or the insurance carrier regarding your work-related illness or injury.

7) Keep accurate records of the following:

- Days off work
- Dates of all medical treatment
- All round-trip mileage incurred for the medical treatment
- Receipts for all out-of-pocket medical and prescription costs.

8) Write down all facts about any injury or illness you suffer at work. You may have a civil action in addition to your Workers' Compensation claim.

9) Review the facts of any work-related injury or illness as soon as possible with an attorney who specializes in Workers' Compensation law. New laws have shortened many deadlines, and early missteps can seriously affect your rights.

10) Do not abuse the Workers' Compensation system. Injuries or illnesses that are not work-related should not be reported. All statements and facts that you provide must be accurate and true. Filing a false or fraudulent Workers' Comp claim is a felony under California law.

BONUS TIP: Beware – Under the new law, do not pick a doctor from a State Panel without first consulting an attorney!

Larry Goldstein is a partner with Gordon, Edelstein, Krepack, Grant, Felton & Goldstein. The law firm has been helping injured union members for more than 30 years on cases involving Workers' Comp and Personal Injury laws, including discrimination on the job. For more information, contact Goldstein at (213) 739-7000.