



TEN COMMON EMPLOYEE QUESTIONS IN PENNSYLVANIA WORKER'S COMPENSATION CASES

1. What do I do if I have an accident and there is no one around to see it?

Immediately after the accident, contact your supervisor and request to have an accident report filled out. If there is no supervisor available, notify the most senior person available and then notify your supervisor as soon as possible (via telephone from home, if necessary).

2. What should I do if I am unable to keep working right after an accident?

If you are hurt badly enough that you cannot continue working, notify your supervisor and request permission to go home. If permission is denied, reiterate to your supervisor that you have a work injury and then go home if you need to do so. You should seek medical attention as soon as possible after any injury which prevents you from continuing with work.

3. What medical providers can I treat with after my injury?

It is very important that you seek medical treatment after your work injury. Your employer must provide you with a list of at least 6 medical providers for the first 90 days after your injury. After 90 days have passed, you can go to any doctor you choose. (However, you may want to choose one that is covered by your health plan in the event your condition is later found not to be work related.) You must give your employer 5 days notice before you visit your own doctor, or else your employer will not have to pay for the visit.

4. What if I would prefer to treat with a chiropractor instead of a medical doctor?

Chiropractors are considered to be acceptable medical providers for purposes of worker's compensation treatment. However, if your employer disputes your eligibility for benefits, you should have at least one appointment with a medical doctor to support your claim. Medical doctors are usually considered more persuasive than chiropractors in their opinions as to disability.

5. How soon after my injury can I receive worker's compensation benefits?

If your employer does not dispute your claim, your benefits should begin about two weeks after your injury. You cannot receive compensation for the first seven days after the injury, unless your disability lasts longer than 14 days. If you are told that your claim has been denied (either by your employer or the insurance company), you should contact your union representative to put you in touch with an attorney. The attorney will interview you and possibly file a Claim Petition to obtain your benefits. Because the Claim Petition process can take months to complete, you should contact an attorney as soon as you receive notice of a claim denial.

6. How much will my worker's compensation benefits be?

As a general rule, your benefits will be about 2/3 of the average weekly wage you have earned over the last year. If you had a very highly weekly wage (over \$500/week), your benefits may be less than 2/3, and if you had a very low weekly wage (under \$200), your benefits may be 90% of your wage instead of 2/3. In addition, all medical expenses associated with your injury will be paid.

7. Will my worker's compensation checks be affected by any unemployment benefits I may receive?

For injuries which occur on or before August 30, 1993, there is no offset for unemployment benefits. For injuries after that date, your worker's compensation may be offset against any unemployment benefits you receive.

8. Can I qualify for worker's compensation if I have a non-work related medical condition, such as arthritis, which my doctor now tells me is getting worse from the kind of work I am performing?

It is possible that you may qualify for worker's compensation benefits. If your doctor is able to say with a reasonable degree of medical certainty that your work is making your condition worse and that you are disabled from performing your usual work, then you are eligible for benefits. If you think this is the case, it is important to contact your union representative immediately so that an opinion from your doctor may be obtained.

9. What if I have a medical condition or injury which I think is related to work, but is not so serious that I have had to miss work?

In this situation, you should notify your employer as soon as you suspect that your condition is related to work. You should then make an appointment with a medical provider on the list of 6 which your employer has provided to see if your suspicions are confirmed. If you disagree with that doctor's opinion, after 90 days you should see your own doctor for a second opinion. (Be sure to give your employer 5 days

notice of this visit). It is important to have an opinion from your doctor should your condition later become serious enough so that you can no longer work.

10. If I am currently receiving compensation, or have a claim pending, and I receive notice that my employer has scheduled me for a medical examination, do I have to go?

Your employer has a right to have you examined periodically during a worker's compensation case. As a general rule, you cannot be required to have these exams more often than every six months, and they must be in a location which is reasonably accessible to you. If you feel you have a valid objection to the exam, you should contact your union representative or your attorney.