

# Workers' Compensation

If you are injured on the job, or develop a medical or physical condition as a result of the job, you may be entitled to Workers' Compensation.

## How does it work?

1. Fill out the school's First Report Injury Form. This will be the school system's only official report of your injury or condition.
2. Call your UniServ director, the association staff member assigned to your school.
3. The UniServ director will discuss your claim and what contract benefits are available to you.
4. If you need medical care immediately, visit the emergency room or your own physician. If a supervisor attempts to prevent you from seeking medical attention, immediately call your UniServ director to inform them and seek advice.

## Remember, if injured on the job:

1. Fill out a First Report Injury Form, the employer's claim report, at your school. If you call in your information to the school while you are home recuperating, ask your school to send you a copy.
2. Call your local association for a copy of the Employee's Report.
3. Use your own doctor for medical assistance. You may be required to go to a certain medical facility to preserve your contractual benefits, however, you should follow up with your own doctor as well.
4. Keep copies of all reports, medical reports and names & telephone numbers of those you talk to about your case.
5. Talk with your local association before you discuss information with the school system's insurance company.

## What happens next?

The UniServ director will refer you to one of our recommended Workers' Compensation lawyers (unless you have your own), who you can talk to for clarification and to arrange the filing of your claim with the Workers' Compensation Commission Office.

**Note:** *It is not always necessary to file this claim immediately. It generally should be filed as soon as practical after the incident to protect your rights.*



## Red Flag

If the school system or insurance company questions your claim, or gives you an indication that it is refused, immediately contact the attorney to whom you were referred or file your own claim with the Workers' Compensation Commission. Do not give a recorded statement to a representative of the board of education or its insurance company.

## Caution

It is fine to use your own lawyer; however, if they are not familiar with compensation claims with boards of education, consider one of our recommended lawyers.

# Workers' Compensation Basics

As an educator, you're covered by Workers' Compensation insurance from your first day of employment. This insurance covers you for any injuries that occur while on the job or driving from one work location to another.

While the law protects your ability to see your own doctor—and it is highly recommended that you do—in order to qualify for some contractual benefits, you may need to see the doctor or facility recommended by your local board of education.

Your UniServ director can ensure that you receive all benefits provided for under the collective bargaining agreement, which may include sick leave, assault leave, and/or injury on the job leave. Protect yourself and call your UniServ director as soon as possible following an injury.

## **If you think an injury that should be covered under Workers' Compensation has occurred, you should:**

- Immediately report the injury to your supervisor and contact your local UniServ director for assistance.
- File a claim with the Workers' Compensation Commission within 60 days after an injury. (Under certain circumstances a claim may be filed up to two years after an injury.)
- You or your attorney usually file the claim.

*Note: Just because you have prepared an incident report does not mean that a formal claim has been filed with Workers' Comp.*

- Enlist the help of your local association to assist with the claim process, including recommending an experienced Worker's Compensation attorney. Until the claim is approved by Workers' Comp with an Order from the Commission, no payments for medical treatment, lost time, or any other matter will be provided.

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