

### **WHAT IS WORKERS' COMPENSATION?**

Workers' compensation is an accident insurance program paid by your employer which may provide you with medical, rehabilitation and income benefits if you are injured on the job. These benefits are provided to help you return to work. It also provides benefits to your dependents if you die as a result of a job related injury.

### **HOW LONG DO I HAVE TO WORK TO BE COVERED UNDER WORKERS' COMPENSATION?**

You are covered from the first day on your job.

### **HOW DO I KNOW IF THE COMPANY I WORK FOR IS COVERED BY WORKERS' COMPENSATION?**

The law requires any business with three or more workers, including regular part-time workers, to have workers' compensation insurance. Coverage can be verified by going to [www.sbcw.georgia.gov](http://www.sbcw.georgia.gov) and click on "How Do I verify an employer's workers' compensation insurance coverage".

### **WHEN SHOULD I REPORT AN ACCIDENT THAT HAPPENED ON THE JOB?**

You should report any accident occurring on the job to your employer (boss, foreman, or supervisor) immediately. If you wait longer than 30 days, you may lose your benefits.

### **WHAT DO I DO ABOUT A DOCTOR?**

Your employer is required to post information identifying medical care providers. Your employer may satisfy this requirement in one of the following ways:

1. Post a Traditional Panel of Physicians consisting of a minimum of six doctors. You may choose any one of the six. However, the Board may grant exceptions to the required size of the panel where it is demonstrated that six physicians or groups of physicians are not reasonably accessible. The panel must include one orthopedic physician and not more than two industrial clinics. Where possible a minority physician must be included. You may make one

change to another doctor on the list without the permission of your employer.

2. Post the name of the Workers' Compensation Managed Care Organization (WC/MCO) certified by the Board which your employer has contracted with to provide medical services. Your employer must give you a notice of the eligible medical service providers and post a 24 hour toll free number for the managed care organization. A managed care representative will assist you in scheduling an appointment with the eligible medical provider of your choice. You may make one change to another eligible physician at any time, without the permission of your employer.

### **WHO PAYS FOR THE DOCTOR?**

Your company's workers' compensation insurance carrier will pay for your authorized medical treatment, if the treatment was for an on-the-job injury.

### **WHAT MEDICAL TREATMENT WILL BE PAID?**

All authorized doctor bills, hospital bills, physical therapy, prescriptions, and necessary travel expenses if the injury or illness was caused by an accident on the job. All injuries occurring on or before June 30, 2013 shall be entitled to lifetime medical benefits. If your accident occurred on or after July 1, 2013 medical treatment shall be limited to a maximum period of 400 weeks from the accident date. If your injury is catastrophic in nature you may be entitled to lifetime medical benefits.

### **WHEN DO I GET MY BENEFITS?**

You are entitled to weekly income benefits if you are unable to work for more than 7 days. Your first check should be mailed to you within 21 days after the first day you missed work. If you miss more than 21 consecutive days, you will be paid for the first week.

### **HOW MUCH WILL MY WEEKLY BENEFITS BE?**

You will receive two-thirds of your average weekly wage, but not more than \$575.00 per

week for an accident which occurred on or after July 1, 2016.

### **WHAT IF I AM ABLE TO RETURN TO WORK BUT CAN ONLY GET A LOWER PAYING JOB AS A RESULT OF MY INJURY?**

You will receive a reduced benefit based upon your earnings for a maximum of 350 weeks from the date of injury. This benefit will not exceed \$383.00 per week, if your accident occurred on or after July 1, 2016.

### **HOW LONG WILL I RECEIVE WEEKLY BENEFITS?**

If your accident occurred on or after July 1, 1992, you are entitled to benefits for up to 400 weeks. If your injury is catastrophic in nature you may be entitled to lifetime benefits. In certain circumstances, your benefits may be reduced after you have been released to return to work with limitations or restrictions, or suspended if you are released to return to work with no limitations or restrictions.

### **WHAT IF MY INJURY KEEPS ME FROM GETTING A JOB?**

Under the law, if you sustain a catastrophic injury, you are entitled to receive help in getting another job or learning to do another job. If you need help in this area, call the State Board of Workers' Compensation at (404) 656-0849.

### **WHAT KIND OF BENEFITS WILL I RECEIVE IF I HAVE A PERMANENT DISABILITY?**

You will receive weekly benefits based on the type and extent of your permanent disability. The authorized treating physician determines ratings based upon Guides to the Evaluation of Permanent Impairment fifth edition, published by the American Medical Association.

### **WHAT BENEFITS WILL I RECEIVE IF I LOSE A LEG, ARM OR OTHER PART OF MY BODY?**

You will receive benefits based upon an amount set by law. For example, if you lost an arm or leg you will receive benefits of 225 weeks.

### **CAN I BE COMPENSATED FOR LOSS OF SIGHT OR HEARING?**

Yes.

### **CAN I RECEIVE BENEFITS IF I HAVE LOST THE USE OF A PART OF MY BODY?**

Yes. Benefits are based upon the extent of loss of use of a part of your body as determined by the authorized treating physician.

### **IF I DIE AS THE RESULT OF AN ON-THE-JOB ACCIDENT, WHAT BENEFITS WILL MY DEPENDENTS RECEIVE?**

Your dependents will receive two-thirds of your average weekly wage or a maximum of \$575.00 per week for death on or after July 1, 2016. Your dependents are your surviving spouse, children or dependent stepchildren. A widowed spouse with no children is limited to a total amount of \$230,000.00, unless he or she remarries or cohabitates in a meretricious relationship.

### **CAN I BE PAID SOCIAL SECURITY AND WORKERS' COMPENSATION AT THE SAME TIME?**

Yes, but social security benefits may be reduced.

### **WHAT IF I DON'T RECEIVE MY WORKERS' COMPENSATION BENEFITS?**

You must file a claim to protect your rights within one year from the date of your accident. This is accomplished by filing Form WC-14 with the State Board of Workers' Compensation.

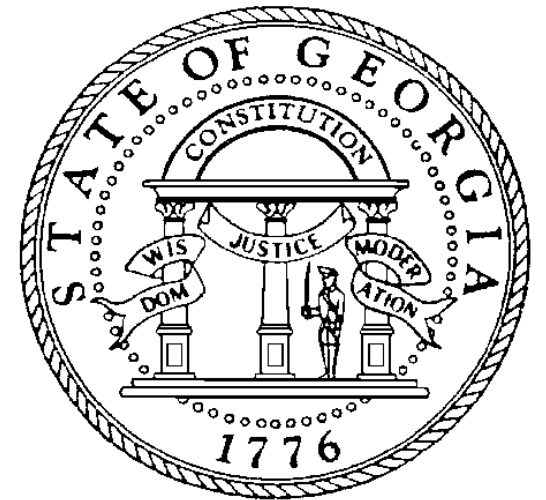
### **HOW DO I FILE A CLAIM?**

The State Board of Workers' Compensation will provide you with Form WC-14 to file a claim. In the metro Atlanta dialing area call (404) 656-3818 and outside the metro Atlanta area call 1-800-533-0682, or write the State Board of Workers' Compensation at:

State Board of Workers' Compensation  
270 Peachtree Street, NW  
Atlanta, GA 30303-1299

You may also obtain a Form WC-14 from the State Board of Workers' Compensation website [www.sbcw.georgia.gov](http://www.sbcw.georgia.gov).

# Questions & Answers About Georgia's Workers' Compensation Law



State Board of Workers' Compensation  
270 Peachtree Street, NW  
Atlanta, GA 30303-1299

## WHAT HAPPENS AFTER I FILE A CLAIM?

If you do not receive any benefits, you may request a hearing before the State Board of Workers' Compensation at the above address. A hearing is like a trial in the courts of Georgia. Your claim will be decided by an Administrative Law Judge who listens to both sides of the claim and determines what benefits, if any, you should receive. The judge's decision will be based on the law and the facts involved.

## WHEN WILL THE HEARING TAKE PLACE?

The hearing generally will be scheduled within 60 days from the time the judge receives the Form WC-14.

## WHERE WILL THE HEARING TAKE PLACE?

The hearing will generally be held in or near the county where you were injured.

## DO I HAVE TO HAVE A LAWYER REPRESENT ME AT THE HEARING?

Everyone has the right to represent him or herself. However, your employer may be represented at the hearing by a lawyer. You may need help from a lawyer in order to present your claim properly.

## WHAT IF I WANT TO HIRE A LAWYER BUT I DO NOT KNOW ONE?

You may call the Atlanta Bar Association Lawyer Referral Service by dialing (404) 521-0777. You may also call the Georgia Bar Association at 1-800-334-6865 or check your telephone directory for the number of a local lawyer referral service.

## HOW MUCH WILL MY LAWYER CHARGE ME?

The attorney fee will be based on an agreement between you and your lawyer, subject to the approval of the State Board of Workers' Compensation if the fee is greater than \$100.00. No fee greater than 25% of the employee's award of weekly benefits or settlement shall be approved.

## CIVIL PENALTIES

Any person who knowingly and intentionally makes a false or misleading statement for the

purpose of obtaining or denying benefits or payment under the law may be assessed a civil penalty of not less than \$1,000.00 or more than \$10,000.00 per violation. The Board may assess a penalty of not less than \$500.00 nor more than \$5,000.00 per violation for an employer's failure to be insured for workers' compensation.

## CRIMINAL PENALTIES

In addition to civil penalties, a person, firm or corporation who makes false and misleading statements or representations may face criminal sanctions by imprisonment not to exceed 12 months.

Any employer who refuses or willfully neglects to have workers' compensation insurance shall be guilty of a misdemeanor.

## ENFORCEMENT DIVISION

An Enforcement Division has been established at the State Board of Workers' Compensation. You may report fraud, including the failure to secure workers' compensation coverage, by calling (404) 657-7285.

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If you still have questions, call (404) 656-3818 in the Atlanta area or 1-800-533-0682 outside the Atlanta area, or visit our website at [www.sbwg.georgia.gov](http://www.sbwg.georgia.gov).

TO: