



EMPLOYER ENGAGEMENT QUICK GUIDE

WORKER'S COMPENSATION

WHAT IS WORKER'S COMPENSATION?

Workers' compensation is a type of insurance that is available in some form in all 50 states. This insurance covers workers who have an injury or suffer an illness while performing duties at work. Injured employees can recover lost wages, medical expenses, disability payments, and costs associated with rehabilitation and retraining. It can also pay dependents of a worker who dies because of a work-related illness or accident, to help cover loss of earnings and other post-mortem costs they may incur.

The Workers' Compensation system is administered by each state (there are no federal standards or oversight) and is financed by mandatory employer contributions. It typically also includes an employer's liability insurance, which protects the employer from a lawsuit claiming a worker was injured by the employer's negligence. If an employee sues, it can help pay for:

- » Attorney's fees
- » Court costs
- » Settlements or judgments

STATE SPECIFIC RESOURCES

Workers employed by private companies, states, or local governments should contact their state workers' compensation board for specifics about coverage.

Rules vary from state to state, such as whether there are caps on settlements and benefits to injured employees. Some states exempt certain categories of workers such as agricultural employees, seasonal employees, domestic employees, and independent contractors. Other states require coverage only if an employer employs a minimum number of employees.

Even if an employer does not meet the size requirement in order to be mandated to provide Workers' Compensation, it is strongly recommended that employers carry the insurance in order to mitigate their potential risk.

To locate state-specific Workers' Compensation agencies:

www.dol.gov/agencies/owcp/dfec/regs/compliance/wc

To locate state-specific Workers' Compensation laws:

www.nfib.com/content/legal-compliance/legal/workers-compensation-laws-state-by-state-comparison-57181/

OFFICE OF WORKER'S COMPENSATION PROGRAMS (OWCP)

The US Department of Labor's Office of Workers' Compensation Programs www.dol.gov/owcp/ (OWCP) is a federally operated agency that administers four major disability compensation programs:

- » [Federal Employees' Compensation Program](#)
- » [Longshore and Harbor Workers' Compensation Program](#)
- » [Federal Black Lung Program](#)
- » [Energy Employees Occupational Illness Compensation Program](#)



Federal employees and the employees in the other three specific groups listed above, are provided the following benefits if they are injured on the job or acquire an occupational disease:

- » Wage replacement benefits
- » Medical treatment
- » Vocational rehabilitation
- » Other benefits

RESOURCES TO MITIGATE INJURIES

The Department of Labor has several programs designed to prevent work-related injuries and illnesses. More information may be found at [DOL's Workplace Safety and Health page: Workplace Safety and Health | U.S. Department of Labor \(dol.gov\)](#)

Steps to Reduce Workplace Injuries:

www.iii.org/article/steps-to-reduce-workplace-injuries

ADDITIONAL RESOURCES

For more information on what may be covered by Workers Compensation, etc. view this Find Law article: www.findlaw.com/injury/workers-compensation/workers-comp-benefits-explained.html

The Program on Innovative Rehabilitation Training on Employer Engagement is a project of ExploreVR at the Institute for Community Inclusion, UMass Boston. ExploreVR offers VR agencies easy and convenient access to a range of VR research, related data, training and tools for planning, evaluation, and decision-making. Funding for this project is provided by the Rehabilitation Services Administration (RSA) Grant #H263C190012.