

# Work Injuries and Your Rights

## Intro

Workers in Washington State who get hurt on the job or suffer an occupational disease can get workers'



compensation for your injury or illness. This is true whether a worker has legal work documents or is undocumented.

Injured workers may receive:

- payment for medical expenses
- partial compensation for wages lost while you recover
- payments for partial or total disabilities
- vocational counseling
- transitional work opportunities

## I got hurt on the job. What should I do?

If you are hurt on the job or have an occupational disease:

- Get medical attention right away. Let the doctor know you were hurt at work.
- Notify your employer.
- Write down names and phone numbers of any co-workers who witnessed your injury.

## When should I apply for workers comp?

You generally must apply within one year of injury or two years from discovery of an occupational disease. We recommend you **apply as soon as possible**.

## Where can I get the forms to file for workers comp?

Forms for filing a claim for workers' compensation are usually available at hospitals, clinics or doctors' offices.

## Do you have advice for filing a claim?

You must include all dependents including your children and spouse when filing a claim. The number of dependents you list on the claim form determines time loss benefits.

If your employer is self-insured, you should get a Report of Accident form from the employer.

## Does my doctor have to fill out any paperwork?

Yes. Your doctor fills out the "Physician's Initial Report" part of the Report of Accident form. Make sure the doctor submits this form to your employer or their service company.

## What other rights do I have?

You have many. They include:

- Right to choose or change doctors
- Right to receive medical care needed for treatment at no cost

- Right to get time loss benefit payment if unable to work for more than three (3) days
- Right to turn down (decline) light duty work offer unless approved by your doctor
- Right to receive a permanent partial disability payment if your injury is permanent
- Right to be free from retaliation for asserting your rights under worker compensation law
- Right to receive ALL letters, notices and other communications from the Department of Labor and Industries in your native language

**The Department of Labor and Industries said I can work despite my injury or sent me a notice of decision with which I disagree. What can I do?**

You can protest or appeal that decision. In general, you must do so within **60** days or less of getting the decision. **If you do not protest or appeal within the time allowed, you lose your right to do so. THE DECISION BECOMES FINAL.**

**Can I get help with my claim?**

Yes. Call your **claims manager with the Department of Labor and Industries'** service location or call toll free 1-800-LISTENS (1-800-547-8367). Spanish-speaking staff and other services are available for workers with limited English proficiency on the toll- free number.

You can contact **PROJECT HELP** at 1-800-255-9752. You should provide your own interpreter if needed.

You can also contact a **lawyer** knowledgeable in this area of the law.

For more about your rights to workers' comp, or how to protest or appeal a decision, contact **CLEAR** (Coordinated Legal Education Advice and Referral) at 1-888-201-1014.

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- ❖ If your injury is the result of pesticide exposure or you have been fired or suffered retaliation because of your injury or filing of a claim, call CLEAR at 1-888-201-1014.
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