

Employer Fact Sheet – Caring for Injured Workers



If you have an employee injured on the job your first concern should be to get treatment for the employee immediately. It is advised that you or a site supervisor take the injured worker immediately to the physician/clinic selected from the State Fund Medical Provider Network. If you do not know about the Medical Provider Network, please contact your local State Fund District Office Claims Department or the State Fund website, www.scif.com where you will find information concerning the Medical Provider Network and how it can save claims cost to everyone. Go to the “Employer” tab on the website for detailed information.

Most workers who get injured do not know how the workers’ comp. system works. It is the employer’s responsibility to provide information to the injured worker. The more information you can provide them, the less fearful they will be. The injured employee needs assurance that medical help will be provided and everything is being done to get him/her healthy and back on the job.

An accident investigation/on-site safety survey should be conducted and documented as soon as possible to eliminate any potentially dangerous conditions and to comply with your Injury and Illness Prevention Program. Interviewing the injured worker and witnesses while the accident is fresh in their memory will help uncover most factors leading up to an accident.

As an employer, you should inform the injured employee that all they need worry about until he/she returns to work, is working with the medical provider, following the medical provider’s recommendations, and keeping you up to date with their progress.



After the initial treatment, consider the reporting responsibilities associated with a work-related injury:

- 1) A claims report must be filed with your Workers Compensation Insurance Carrier for any injury beyond first aid within 5 days of injury. You can fax the claim paperwork (DWC 1 and Employer’s Report of Occupational Injury or Illness) to the local State Fund office or call the Claims Reporting Center at (888) 222-3211.
- 2) Any injury or illness requiring treatment beyond first aid or that results in lost time, must be reported on the OSHA 300 log (Employers with 10 employees or less are exempt from this requirement).
- 3) Any injury that (a) results in death, (b) requires hospitalization for more than 24 hours for other than medical observation, (c) involves the loss of any member of the body, or (d) results in permanent disfigurement, must be reported to the nearest office of Cal/OSHA within 8 hours of employer knowledge, by telephone or telegraph.
- 4) If an injured individual dies as a result of a previously reported injury or illness, the employer must file an amended report indicating death to Cal/OSHA within 5 days of knowledge. A failure to report often results in substantial penalties.



"Stay in the loop" during the period of treatment and recovery. It is important to take a proactive approach to your employee’s medical care, follow-up, and status of their workers’ comp. claim.

If the doctor determines that the injury is "first aid" in nature. You have the option to pay for first aid treatment. In doing so, you prevent the injury from affecting your Workers’ Compensation Insurance premiums in the future and you curtail any requirements of recording the claim on the OSHA 300 log, as long as it remains first aid in nature. Only the doctor can determine whether the injury is first aid in nature. For non-first aid injuries the following methods can be used to manage the claim process:

- 1) **Maintain contact with the doctor** to ensure the employee is meeting their scheduled appointments for treatment.
- 2) **Maintain contact with the Claims Adjuster.** This will give you some idea of how soon the employee can safely return to work. If you are willing to provide modified work, let the Adjuster know (See #4 below). This type of program has proven beneficial for all concerned.

3) **The most important key**, is to maintain contact with your injured employee. Determine what immediate concerns your employee may have as a result of the injury. The employer should be willing to assist and counsel the injured employee as much during their period of recovery. Be genuinely concerned so you are not perceived as the opposition. Check in with the injured worker periodically to make sure they are progressing, making it to their appointments, see if they need anything, etc.

Make certain that the employee knows who to contact within your organization if they are frustrated in dealing with the medical provider or the workers compensation claims unit. Help to eliminate the frustration or assist in the resolution of the misunderstanding. Helping an injured worker understand they are a valuable asset to your organization and you want them back as soon as physically possible, helps the injured worker's morale and can get them back to work sooner.

4) **A Return to Work Program** set up by the employer and sanctioned by the medical provider, is another method of cost savings to the employer. Studies indicate the injured employees recover faster when they return to work sooner. By implementing a Return to Work Program you can:

- Improve morale among all employees
- Increase potential for positive resolution of the claim
- Reduce or avoid permanent disability and reduce temporary disability payments.
- Reduce medical costs
- Reduce or avoid litigation
- Discourage fraudulent claims
- Avoid replacement and training cost of new hires
- Identify cross-training opportunities
- Increase awareness of safe work practices

For more information on developing a Return to Work Program, consult your State Fund Claims Adjuster.



Workplace injuries can affect an employer's future cost of conducting business. These costs may include:

- Increased workers compensation rates
- Increase in your California Experience Modification Rating Factor (EMR)
- Bad public image in instances of serious accidents
- Possible loss of future bids due to poor public image and high EMR
- Low employee morale
- Additional hiring and training costs for replacements
- Possible loss of workers compensation insurance merit discounts
- Possible loss of Group Insurance discounts due to losses
- Cost involved in not meeting production deadlines
- Production stoppage and possible fines/citations due to Cal/OSHA enforcement activities
- Costs related to legal representation
- And, in a worse case scenario, loss of business

These are just a few of the negatives associated with an injury, there are also, of course, the human factors involved. Employers can reduce accidents by utilizing an active safety program as outlined in the mandated Injury and Illness Prevention Program. Contact your local State Fund Loss Control Unit or your local Builders Exchange for assistance in setting up or enhancing your safety program.



*This fact sheet was created by the Golden State Builders Exchange (GSBE) Safety Committee for distribution to GSBE members and members of Builders Exchanges. GSBE membership represents over 17,000 contractors. **North Coast Builders Exchange** is a proud member of GSBE.*

The information contained herein is not intended to supersede any information provided by your insurance carrier nor is it intended to be legal advice.



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