

Work Comp Insights

Pelnik Insurance - Your Workers' Compensation Partner

Determining Whether Employees' Injuries and Illnesses Are Work-related

Navigating employee injuries and illnesses (and subsequent workers' compensation claims) can be very complex and overwhelming to many employers. As such, it is important that employers understand how to determine whether their employees' injuries and illnesses are work-related or not.

After all, such a distinction plays a critical role in determining whether employees' injuries and illnesses will be compensable under workers' compensation insurance. Fortunately, workers' compensation state-specific laws can help employers make this important distinction.

Review the following guidance to help you determine if an injury is work-related under the state's workers' compensation regulations.

State Workers' Compensation Laws

Each state has a similar analysis to determine whether an employee's injury is work-related. In particular, workers' compensation covers injuries or illnesses that arise out of employment and occur during the course of employment.

This can be interpreted in many different ways, but it essentially means that, if an employee becomes ill or injured on the job while participating in or completing their assigned work tasks, workers' compensation insurance should cover the resulting expenses. Some states utilize different wording within their legal definitions of work-related injuries and illnesses, but most states' definitions incorporate the aforementioned elements.

The application of workers' compensation coverage can be quite simple and straightforward for certain employees' injuries and illnesses. For example, if an employee hammered a nail as part of an assigned task at work and accidentally hit their finger with the hammer causing a contusion, it would be relatively simple to identify that such an injury is work-related and thus compensable under workers' compensation coverage.

On the other hand, some injuries and illnesses can be harder to distinguish. Namely, injuries and illnesses that occur within the scope of work, but away from the workplace, can be difficult to classify in terms of work-relatedness and subsequent compensability. For example, let's say an employee leaves work to run an errand for their employer, but makes a personal stop while running that errand. If that employee were to get into a car accident and suffer several injuries, deciding whether the employee's injuries are work-related could be a tricky feat.

The important question in such a scenario would be what exactly the employee was doing when they got involved in the accident, as this activity would need to be considered an assigned job task in order to qualify the injuries as work-related.



Overall, employees' injuries and illnesses must be analyzed from many different angles to determine whether they are work-related (and compensable) or not. The insurance company will ultimately make the final decision of compensability after completing a separate investigation.

When to Report Employees' Injuries and Illnesses

Apart from determining whether employees' injuries and illnesses are work-related and compensable, employers need to understand when these ailments should be reported. Workers' compensation laws have distinct reporting requirements in each jurisdiction.

Employers are required to report their employees' injuries and illnesses to their insurance company. If employers are self-insured, they must report injuries and illnesses to their respective state workers' compensation divisions within a designated time frame.

Generally speaking, the usual time frame for reporting injuries and illnesses to a workers' compensation insurance company is seven days. These time frames vary depending on the state in which the business is located. Employers should check with their insurance company to determine how long they have to report such information.

Employers who are self-insured should check with their particular state to see how long they have to report this information. The typical reporting deadline for self-insureds to report employees' injuries and illnesses to their state workers' compensation division is 14 days.

It is important for employers to report work-related injuries and illnesses to their workers' compensation insurance carriers or state divisions as needed. Failing to do so could result in fines and legal action.

In summary, employers can utilize the regulations provided by state-specific workers' compensation laws and their insurance carriers

to determine when employees' injuries and illnesses are work-related. This information can, in turn, help employers navigate both the compensability of such injuries and illnesses.

Contact Pelnik Insurance with any questions or to discuss your workers' compensation needs.



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