

## Manager/Supervisor Risk Management

#25– 2/2/12

A twice weekly e-mail training for YCPARMIA members

### TOPIC: WORKERS' COMPENSATION – 5 MISCONCEPTIONS

We are postponing the planned topic, “Injuries”, to summarize an e-article that came in today from our excess workers' compensation group's broker, Alliant, entitled “Top 5 Misconceptions Surrounding Workers' Compensation.”

The discussion was prefaced by the following: “Below we discuss the top 5 misconceptions surrounding the mysterious world of workers compensation. Not all of these will apply exactly to every jurisdiction, but are general (truths)...”

1. Workers' Compensation is not Welfare; (comment: WC is a defined benefit system)
2. Nobody gets rich from Workers. Compensation; (benefits are determined and capped by statute)
3. Workers' compensation benefits will be stopped if the worker declines reasonable employment; (the employee normally has no say in the type, time or place of modified work)
4. Workers comp fraud is extremely low; (normally we are looking at exaggeration rather than the rare totally faked injury)
5. The vast majority of workers' comp claims are paid, and do not go to court.

The article concluded with a summary:

“Everyone may have heard of someone that tried to get away with milking the comp system. Most of these people are caught through good investigation, and their cases get resolved. The stereotype of work comp being a total pain can be true in some cases, but for the most part, work comp claims are legit, paid, and the worker returns back to work. There are always some exception, but if all parties communicate, know what their rights are, and know what they can and cannot do, their claims are resolved as quickly as possible and everyone can move on with their respective lives.”

YCPARMIA's editorial comment:

The system can be a “pain,” and for most employees it is not an area where they have comfort or experience. The State mandated letters do nothing to enhance the injured worker's sense of security. The injured worker is forced to participate in a system that is created and defined by the Labor Code, deal with medical providers that are not their regular physicians, and communicate with examiners that they have never met. YCPARMIA is sensitive to, and tries to minimize the “pain.” We have a staff nurse whose entire job is to monitor the injured worker's satisfaction with the process and services provided by the doctors and claims examiners, and to intercede as needed to enhance the injured worker's comfort level with the process and results – the desired result on any WC file is a fully recovered employee working full duty.

Next topic: Workers' Compensation – Injury