

Program Name: Worker's Comp

Worker's Compensation

Agency: Office of Claims Administration, Department of Industrial Accidents (DIA)

Description: Employer Insurance funded & state administered program to monetarily compensate workers who are injured on the job or compensate their families if killed.

Website: www.mass.gov/lwd/workers-compensation/ click on "Injured Workers" on left bar

Client Eligibility:

If worker is injured on the job and loses more than 5 partial or full working days to the injury, employer must file accident report within 7 business days after the 5 days.

Availability/Limitations:

Employer must carry Worker's Compensation insurance by law, but some don't. If employer does not have insurance, worker can "file a claim" against the Worker's Compensation Trust Fund at DIA to get equivalent compensation, as well as sue the employer. If disabled for less than 5 days, one will be eligible for payment of medical bills but not lost pay.

If employer does not file report promptly, worker can file with the company's Worker's Compensation insurer; look for workplace poster to get details.

Immigrants: Yes, covers immigrant workers of all statuses.

Amount:

There are several levels of compensation: Temporary, total incapacity=60% of gross weekly wage for up to 156 weeks; Permanent, total incapacity=67% of last year's average wage as long as disabled; Permanent partial incapacity= 60% of the difference between weekly wage before injury and after for up to 260 weeks. If die on job, surviving spouse receives 67% of gross weekly wage until remarries and dependent children receive \$60/week. Can instead collect a lump sum settlement. Also get \$4000 in burial expenses.

Worker's Comp may also cover payment of medical bills, reasonable cost of travel to and from medical visits, as well as other benefits (if recipient is ultimately found disabled).

How to Apply:

Call the Department of Industrial Accidents at 1-617-727-4900 or 1-800-323-3249. Or go in person to the office at 1 Congress Street, Suite 100 Boston, MA 02114-2017.

Linked Services? None.

Right to appeal? Yes, although there are multiple types of hearings/conferences & appeal times.

Retroactive? Yes, to 5 days after injury. May file for up to 4 years after accident.

Other Benefits

Veterans' Services