Employee's Rights

1. If you are injured on the job, you may receive medical rehabilitation and income benefits. These benefits are provided to help you return to work. You are entitled to receive medical care, unless the Board has granted an exception. You must accept reasonable medical care from any doctor until the emergency is over, then you must get treatment from a doctor on the posted list.

2. Your authorized doctor bills, hospital bills, rehabilitation in some cases, physical therapy, prescriptions, and necessary travel expenses will be paid if injury was caused by an accident on the job.

3. If you are entitled to weekly income benefits if you have more than seven days of lost time due to an injury. Your first check should be mailed to you within 21 days after the first day you missed work. If you are out more than 21 consecutive days due to your injury, you will be paid for the first week.

4. If you believe you are due benefits and your insurance carrier/employer denies these benefits, you must file a claim within one year after the date of last authorized medical treatment or within two years of your last payment of weekly benefits or you will lose your right to these benefits.

5. You must report an accident immediately, but not later than 30 days after the accident, to your employer, your employer's representative, your foreman or immediate supervisor. Failure to do so may result in the loss of the benefits.

6. If you are a dependent of a deceased employee and your employee's rights are not being respected by your insurance carrier/employer upon change of address or remarriage.

7. No compensation shall be allowed for an injury or death due to your own willfulness or wanton misconduct.

8. If you believe you are entitled to receive benefits, you may file a claim with the State Board of Workers' Compensation at (404) 656-3818. If your claim is denied, you may appeal to an administrative judge of the State Board of Workers' Compensation.

9. If you do not receive benefits when due, the insurance carrier/employer must pay a penalty, which will be added to your payments.

10. Any request for reimbursement to you for mileage or other travel expenses in the course of the treatment for work related injuries. You must accept reasonable medical care from any doctor until the emergency is over, then you must get treatment from a doctor on the posted list.

Employee's Responsibilities

1. You should follow written rules of safety and other reasonable policies and procedures of the employer.

2. You must report an accident immediately, but not later than 30 days after the accident, to your employer, your employer's representative, your foreman or immediate supervisor. Failure to do so may result in the loss of the benefits.

3. You must notify the insurance carrier/employer of your address when you move to a new location. You should notify the insurance carrier/employer when you are able to return to work and report the amount of your weekly earnings because you may be entitled to some benefits even though you have returned to work.

4. No compensation shall be allowed for an injury or death due to the employee's willful misconduct.

5. You must notify the insurance carrier/employer of your address when you move to a new location. You should notify the insurance carrier/employer when you are able to return to work and report the amount of your weekly earnings because you may be entitled to some benefits even though you have returned to work.

6. A dependent spouse of a deceased employee shall notify the insurance carrier/employer upon change of address or remarriage.

7. If you believe you are entitled to receive benefits, you may file a claim with the State Board of Workers' Compensation at (404) 656-3818. If your claim is denied, you may appeal to an administrative judge of the State Board of Workers' Compensation.

8. If you are a dependent of a deceased employee and your employee's rights are not being respected by your insurance carrier/employer upon change of address or remarriage.

9. No compensation shall be allowed for an injury or death due to your own willfulness or wanton misconduct.

10. If you believe you are entitled to receive benefits, you may file a claim with the State Board of Workers' Compensation at (404) 656-3818. If your claim is denied, you may appeal to an administrative judge of the State Board of Workers' Compensation.

11. If an employee unjustifiably refuses to submit to a drug test requiring an on-the-job accident, there shall be a presumption that the accident and injury were caused by alcohol or drugs.

12. You shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than $10,000.00 or imprisonment, up to 12 months, or both, for making false or misleading statements when claiming benefits. Also, any false statements or false evidence given under oath during the course of any administrative or appellate division hearing is perjury.

The State Board of Workers' Compensation will provide you with information regarding how to file a claim and will answer any other questions regarding your rights under the law. If you are calling in the Atlanta area the telephone number is (404) 656-3818, outside the metro Atlanta area call 1-800-533-0682 or visit our website: http://www.sbwc.georgia.gov. A lawyer is not needed to file a claim with the Board; however, if you think you need a lawyer and do not have your own personal lawyer, you may contact the Lawyer Referral Service at (404) 521-0777 or 1-800-237-2629.