

Injured at Work?



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One of the most troubling times in any workers' life occurs when they are injured while performing their job. Most individuals don't know what to do, which way to turn and whom to trust. However, it is a simple fact that at the moment of injury a worker needs the most guidance. Recognizing this need, the SSSA has instituted a Workers' Compensation program for its members, putting in place disability counsel that will guide you from the moment of your injury, answer you disability questions and vigorously represent you in your Workers' Compensation, NYCERS Disability Pension and Social Security Disability claims. I and my partners at McIntyre, Donohue, Accardi, Salmonson & Riordan, LLP are extremely honored to work with the SSSA to ensure that every member enforces all their legal rights when injured.

In the coming month the SSSA will be hosting a Workers' Compensation Workshop so that we can fully instruct the membership on the necessary steps one must take when they are injured on the job. This forum will be a great opportunity to give SSSA members an inside look of what happens in a Workers' Compensation case from beginning to end. However, I think it's vitally important to begin the process of education as soon as possible so that members understand exactly what to do when they are hurt at work. That said, here are 5 immediate steps everyone should take whenever they are injured:

Notify Your Employer – Regardless if the injury is small or large, fill out the Transit Authority

Injured Employee Paperwork as soon as possible. Far too often members sustain what they consider minor injuries and fail to fill out the internal agency paperwork. This paperwork can be vital for statute of limitations issues related to Workers' Compensation and for any potential NYCERS disability claim that may later be necessary

Seek Medical Care – If you are hurt you should seek medical care for evaluation of your injury. This medical care should not cease at an emergency room, but instead you should see a private physician for full evaluation. Emergency room evaluations tend to stop when it is determined that an individual does not have a broken bone or critical injury. Private doctors are charged with fully evaluating your problem and will diagnose what is causing your pain or other symptoms

Contact Your Attorney – Filing your internal agency injury reports does not start a NYS Workers' Compensation claim. Instead, a C3 report must be filed by the injured work with the NYS Workers' Compensation Board. This is your additional opportunity to fully explain the circumstances leading to your injury and begins the processing of your claim with the NYS Workers' Compensation Board. A trained Workers' Compensation attorney should file this paperwork with the Board on your behalf so it is imperative that you sit and discuss your claim with your attorney as soon after the injury as possible.

Follow Up With Medical Care & Workers' Compensation Case – I often hear workers state that they believed their Workers' Compensation case was over once they returned to work. This isn't true, if you return to work you may still seek medical attention for the injury you sustained and your Workers' Compensation case may still have an economic benefit payable to you. Keep an open line of communication with your attorneys and doctors regarding your work status so that they may properly guide you through the process.

Speak to Your Attorney if You are Out of Work For a Long Period of Time – The Transit Authority can,

and will, medically separate you from employment with the agency after you have been out of work for 12 full months. That said, as members of the SSSA you have disability pension rights via your membership in the New York

City Employees' Retirement System ("NYCERS"). If you find yourself out of work for a period of 6 months or greater you should immediately consult your attorney about a potential NYCERS disability claim. You may also have a Social Security Disability claim which your attorney should evaluate at that time.

If you have any questions or concerns regarding your Workers' Compensation, NYCERS Disability Pension or Social Security case the SSSA has set up a hotline number for members to call. The number is **1-866-697-4983**. You can also reach me personally at any time at 646-831-6229. I look forward to working with you all!

