**How Do I File a Workers Comp Claim in Oregon?**

For the most part, filing for workers’ compensation after an injury is a straightforward process. Many hospitals will already have the forms on hand. You can also request the forms from your employer.

Both the 801 and 827 forms should be filed as part of the workers’ compensation process. An 801 form is typically completed by the employee or the employer and the 827 form is usually completed by the physician handling the injury.

**What to Do After a Workplace Accident**

After you have been injured on the job, you should follow these steps:

Seek immediate medical care.

Report the accident to your employer or supervisor.

Collect all of the information you need (the names of witnesses, the cause of your accident, etc.)

Consult with a workers’ compensation attorney to ensure your rights remain protected.

Unfair Claim Denials

Because both employers and insurance companies like to protect their bottom lines, it is common for workers to be denied the workers’ compensation benefits they are entitled to.

**Common tactics by an insurance company include:**

* Denying the existence of an injury
* Downplaying the seriousness of your injury
* Claiming that your injuries were caused outside of work

What happens if you get hurt on the job?

In most Oregon workplace injuries, workers’ compensation will come in to resolve the issues at hand. As an injured worker, you will want to tell your employer about the accident as soon as possible. From there, you will want to file a claim with your employer. You only have 90 days to file your claim, so be hasty!

Stipulations When Filing a Workers’ Comp Claim

If you have been injured on the job, it is important to know what your best course of action is and have a better idea of what route you should take. One thing you must know is that workers’ compensation is an exclusive remedy. This means that you can’t file a workers’ compensation claim and then turn around and sue your employer for the accident. Additionally, under workers’ compensation, you, as an injured worker, are able to pursue compensation for the damages while your employer is barred from taking legal action against you for causing the accident.

If there is a third party who was negligent, however, you may be able to also file a claim against that party. If you have been involved in an accident at work where another party other than your employer could be responsible for your injuries, you will want to work with an attorney who can guide you through the process.

How long can you be on workers comp in Oregon?

Workers’ Compensation should cover the costs associated with your accident. That means that if you need to take time off of work, it will cover you for the time it takes to properly heal. There are points, however, when you will need to pursue another route, such as disability.

The length of time that you can be out of work will depend on the severity of your injuries. Workers’ Comp laws, however, are designed to help give you time and the ability to recover while preventing abusers of the system to get a “free ride.” If you need legal protection regarding your claim, don’t hesitate to reach out to our legal team at once.

Benefits Available in an Oregon Workers' Compensation Case

As an injured Oregon worker, you may be entitled to workers’ compensation benefits that include:

* Medical services
* Time loss
* Temporary disability
* Permanent partial disability
* Total disability
* Vocational retraining

To ensure you obtain 100% of the benefits owed to you, it is a good idea to retain the services of an experienced Oregon workers’ compensation attorney.

What Benefits Am I Entitled to?

One helpful thing about getting the help of a workers’ compensation lawyer, is that he/she will be able to assist you in properly filing your claim and can also walk you through what each benefit entails.

**You may be eligible to receive the following benefits:**

* **Time loss**- This term means that if you had to miss out on work due to your injury, you could be entitled to wage compensation.
* **Medical coverage**-Once your claim is accepted, your employer’s insurance company will reimburse medical providers for the cost of your treatment.
* **Temporary disability**-This term involves the benefits you may be entitled to as you take time off of work to recover. Medical professionals can deem you eligible for “temporary partial disability” benefits in less serious cases or for “temporary total disability” benefits in more serious cases.
* **Permanent disability**-If medical professionals find your whole body impaired and decide that you are unable to return to work, they may award you permanent partial disability or permanent total disability benefits.
* **Death benefits**- The spouses and children of individuals who die on the job are entitled to financial benefits.

What Are My Rights As an Injured Oregonian Worker?

As you traverse through your workers’ compensation case, it is essential to know and understand your rights as an injured worker in Oregon. These rights apply to most workers in the state, but it is important to check with your attorney to see what specific rights you have in your unique situation.

In general, a worker has the right to file a workers’ compensation claim. This means that:

* Your employer is not allowed to coerce you into not filing
* You have the right to claim that your injury occurred at work
* Your employer is required to send your claim to the insurer within five days of having notice of your injury

You also have the right to seek medical help for the injuries you sustained. In some cases, medical care will need to come from a doctor who is included under your employer’s insurance policy, but you can often go to your own personal doctor as well.

You also have the right to return to work when you are released by your doctor. You should feel comfortable returning to work, including having accomodations made for you when that is possible.

Additionally, you have the right to appeal if you do not agree with the decision made about your claim. With the help of an attorney, you can better understand what you are entitled to and ensure that you receive what you deserve.

Make sure that you understand these rights and have an attorney who will go to great lengths to protect them. Our firm is prepared to do what it takes to fight on your behalf for the best possible outcome and the compensation you rightfully deserve.