

# Workers' Compensation Insurance

T. Cross and J. Thorpe

OREGON

NOV 14 1989

LIBRARY

With few exceptions, all employers doing business in Oregon are subject to the Oregon Workers' Compensation Insurance law. (This includes farms and ranches that hire labor.) Workers' compensation insurance can be purchased from any commercial insurance company qualified to write workers' compensation insurance, or from the State Accident Insurance Fund Corporation (SAIF). The Department of Insurance and Finance oversees the system.

Workers' compensation coverage provides all medical expenses as well as regular payments to workers who become occupationally injured or diseased and are temporarily or permanently disabled. Payments are made to dependents if the worker dies as a result of occupational injury or disease.

## Purpose

Workers' compensation coverage is insurance designed to compensate workers injured on the job, at the same time protecting the employer from liability from the employee. When an employer is properly covered, an injured worker must look for indemnification from the insurer solely, and has no right to proceed against the employer unless the injury was caused by a deliberate act of the employer to inflict damage to the worker.

## What are the costs?

Workers' compensation insurance includes three costs.

1. Premium—this is a rate set by the insurer for your particular coverage, based on the jobs your employees do. It is based on a dollar amount per \$100 of payroll.

Discounts or dividends may be provided depending on your accident records.

2. Workers' compensation tax—calculated as 5.5% of your base premium in 1989.

3. Assessment—employers may choose one of two options. First, they may choose to withhold from the monies earned by all subject workers \$0.14 per day for each day or part of a day worked. The employer is assessed the same rate of \$0.14 per day for each day or part of a day worked by the employee. Option two allows the employer to contribute the full \$0.28 per day per employee for each day or part of a day worked.

## Filing injury reports

Injuries should be reported using Form 801, *Report of Occupational Injury or Disease*. To assure prompt and accurate filing of reports, instruct employees to report all accidents immediately. Verify all facts concerning an accident before completing the report. If an injured worker only required first aid and did not lose time from work, a report is not filed.

## Keeping records

A record of the date, nature, and treatment of every injury, including minor ones requiring only first aid, should be kept. These records may be useful in case the worker later seeks medical treatment. *The Supervisor's Accident Investigation*

Timothy L. Cross, Extension economist, farm management, and Jim Thorpe, former district farm management Extension agent, Oregon State University



OREGON STATE UNIVERSITY EXTENSION SERVICE

OR HE0/Ex8 .4049 :1335 c.3  
Cross, Timothy L.  
Worker's compensation  
insurance

Report (Form 1763) may be used to document minor injuries. Form 801 must be completed for all cases involving a time loss from work or treatment by a physician.

### Compensable injury

A compensable injury is an accidental injury or disease occurring in the course of employment that requires medical services or results in death. The following points are particularly important for agricultural employers:

- A previous injury or physical condition, if aggravated by current employment, could result in a compensable claim.
- The absence of witnesses does not prevent an injury from being compensable.
- If a worker does not follow company rules, the claim could still be compensable.

### Knowledge of an injury

As employer, you are considered to have knowledge of an accident when any one of the following occurs:

1. You or your authorized representative, such as a farm manager or supervisor, sees an accident and knows that a worker was injured as a result of that accident.
2. The worker or someone on the worker's behalf advises you or your representative, orally or in writing, that an on-the-job injury has occurred.
3. The worker notifies you that he or she intends to file a claim for a condition previously not considered work-related.

4. Your insurer receives a *First Medical Report* (Form 827) filled out by the doctor and signed by the worker.
5. The worker or his or her representative tells your insurer, orally or in writing, that an on-the-job injury has occurred.

### Timely filing

The report on injury (Form 801) must be filed with your insurer within 5 days after knowledge of an injury.

### For more information

Call or write for these materials; single copies available at no charge:

Department of Insurance  
and Finance  
21 Labor & Industries Bldg.  
Salem, OR 97310  
(503) 378-3655

*What Each Employee Should Know  
About Workers' Compensation*

Oregon Department of Revenue  
P.O. Box 14800  
Salem, OR 97309-0920  
(503) 378-3390

*Information for Oregon Employers*



Extension Service, Oregon State University, Corvallis, O.E. Smith, director. This publication was produced and distributed in furtherance of the Acts of Congress of May 8 and June 30, 1914. Extension work is a cooperative program of Oregon State University, the U.S. Department of Agriculture, and Oregon counties.

Oregon State University Extension Service offers educational programs, activities, and materials—without regard to race, color, national origin, sex, age, or disability as required by Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, and Section 504 of the Rehabilitation Act of 1973. Oregon State University is an Equal Opportunity Employer.