

Workers' Compensation

Workers Feel Lost, Frustrated by Claims Process

A RECENT STUDY found that injured employees are often left feeling frustrated and fending for themselves after they file a workers' compensation claim.

The survey of injured workers by researchers at the University of Waterloo in Ontario, Canada, found that workers reacted in a number of ways when experiencing "procedural" unfairness, frustration in how their claim is being handled, or poor communications from their claims adjuster or employer. Some give up, some react confrontationally, others quit.

The study confirms what other studies have shown: Employers need to be actively involved in helping staff navigate the workers' comp system, keep in touch with them to lend assistance and provide support, including a feasible return-to-work program.

Otherwise, they risk having a disgruntled injured worker who may take longer to recover or secure the services of a lawyer.

And once lawyers enter the picture, the more likely it is that the worker's injury will drag out and the cost of the claim will increase substantially.

Negative feelings

Many claimants have a number of negative emotions when embroiled in the workers' comp claims process, including feeling:

- Confused
- Angry
- Frustrated
- Unsupported
- Abandoned
- Disappointed
- Wary

Others did report some positive emotions, including determination and optimism.

Issues that cause negative feelings

- Uncertainty about how to access work compensation programs.
- Reluctance to speak up for fear of losing their jobs.
- Not receiving adequate modified work so they can return to work early.
- Receiving inadequate medical care.
- Their employer trying to suppress the claim.
- Unresponsive claims adjusters.

What you can do

Throughout the recovery process, communication is the key. Maintaining contact with your employee and keeping in touch with the attending physician about available work will help reduce anxiety about returning to work.

For many workers that may mean modified work with restriction to avoid reinjury. You may also consider having them work from home, if feasible.

Encourage an injured employee to follow through with recommended care to avoid long-term complications whenever possible.

If your worker is not getting a response from their claims adjuster, offer to assist them.

Check in with your worker regularly and let them know their colleagues miss them and are hoping they'll soon be back on the job. ❖



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Carefully Consider Whether You Should Serve Alcohol

Alcohol at parties – Alcohol is a liability, so you should carefully think about whether you should serve it. Consider:

- Hiring professional bartenders who have their own insurance and are certified for alcohol service. Speak with the vendor to determine what protocols it uses to keep from serving minors and others who are visibly intoxicated.
- Offering an array of non-alcoholic beverage choices.
- Not having an open bar. Instead, hand out drink tickets to control consumption.
- Stopping serving alcohol at least at least an hour before the event ends.

- Serving food for party-goers to munch on, in order to slow absorption of alcohol into the bloodstream.
- Giving a supervisor or manager the authority to cut off the serving of alcohol to anyone who is intoxicated.
- Providing alternative transportation, which may include free cab rides.

The takeaway

The holidays are fast approaching, but if you get an early start on planning for them you can keep safety top of mind to ensure nobody gets hurt and your firm doesn't get sued. ❖