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WORKERS' COMPENSATION PRACTICE
CASE UPDATE

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New Workers' Compensation Regulations Require Providing Additional Information To Claimants At Time Of Hire And Time Of Injury

By: **Gregory J. Fischer, Esq.**

The recent amendments to the Workers' Compensation Regulations include yet another requirement regarding information that must be provided to claimants both at the time of an employee's hire and at the time of a work injury (or as soon thereafter as is practical under the circumstances). These Regulations, which became effective in June 2007, include the newly added Section 121.3b, which provides the specific information that an employer must provide to employees, as well as the Bureau contact information to assist employees with general workers' compensation issues. We have taken the opportunity of preparing the Workers' Compensation Information sheet that must be provided to employees as an attachment to this correspondence. It is suggested that employers provide the Workers' Compensation Information sheet to employees at the time of hire and at the time of injury along with the employer's panel physician list (if applicable) and a Verification acknowledging the employee's receipt of this documentation. While the Regulation at Section 121.3b does not indicate what, if any, penalty is imposed on an employer for failing to provide this information at the time of hire and at the time of injury, it is most certainly better to be "safe than sorry" in following this Regulation as part of the employer's obligations for providing workers' compensation information to claimants.

Should you have any questions regarding this issue or the new Regulations in general, please feel free to contact our office.

If you would like to be added to or removed from our electronic mailing list, please let us know by e-mailing us at INFO@PBandG.com or by calling 412.263.2000. Please specify your preference. While this general e-mail address is monitored on a daily basis, it is not intended for time-sensitive matters. If you require immediate attention, please contact your attorney directly.

WORKERS' COMPENSATION INFORMATION

To all employees:

The workers' compensation law provides wage loss and medical benefits to employees who cannot work, or who need medical care, because of a work-related injury.

Benefits are required to be paid by your employer when self-insured, or through insurance provided by your employer. Your employer is required to post the name of the company responsible for paying workers' compensation benefits at its primary place of business and at its sites of employment in a prominent and easily accessible place, including, without limitation, areas used for the treatment of injured employees or for the administration of first aid.

You should report immediately any injury or work-related illness to your employer.

Your benefits could be delayed or denied if you do not notify your employer immediately.

If your claim is denied by your employer, you have the right to request a hearing before a Workers' Compensation Judge.

The Bureau of Workers' Compensation cannot provide legal advice. However, you may contact the Bureau of Workers' Compensation for additional general information at:

Bureau of Workers' Compensation
1171 South Cameron Street, Room 103
Harrisburg, Pennsylvania 17104-2501
Telephone No. within Pennsylvania: 800-482-2383
Telephone No. outside of this Commonwealth: 717-772-4447
TTY-800-362-4228 (for hearing and speech impaired only);
www.state.pa.us, Pa keyword: workers' comp.

Also attached to this sheet is a complete list of panel physicians and medical providers for your reference.

I, _____, employee of _____ (employer),
certify that I have been provided with, read and understood the information set forth above consistent with the requirements of the Pennsylvania Workers' Compensation Act.

Date: _____