

What if I am afraid my employer will retaliate against me?

By law, an employer may not fire you, threaten you, reduce your hours, or punish you in any way for reporting an injury or filing a claim. If you think your employer has retaliated against you for reporting an injury or filing a claim, call the Asian Law Caucus: 415-896-1701.

How can I avoid getting hurt on the job?

It's best to *prevent* injuries before they happen. Report unsafe conditions to your employer or union.

Or, call Cal/OSHA, the state agency that enforces health and safety laws:
415-972-8670 or
510-622-2916.

How can I get more information?

If you need help filing a claim, call the state Information and Assistance line: 800-736-7401.

Asian Americans Advancing Justice
ASIAN LAW CAUCUS

55 Columbus Ave.
San Francisco, CA 94111
Phone (415) 896-1701
Fax (415) 896-1702
www.asianlawcaucus.org

The mission of the Asian Law Caucus is to promote, advance and represent the legal and civil rights of the Asian and Pacific Islander communities. Recognizing that social, economic, political and racial inequalities continue to exist in the United States, the Asian Law Caucus is committed to the pursuit of equality and justice for all sectors of our society with a specific focus directed toward addressing the needs of low-income Asian and Pacific Islanders.

We encourage the reproduction of the information contained in this brochure. We only ask that you credit the Asian Law Caucus when reprinting.

Adapted from "Factsheets for Workers Hurt on the Job," by the Labor Occupational Health Program at UC Berkeley; "The Injured Worker," by the California Department of Industrial Relations; "How Anna Won Her Wages" by the Asian Law Caucus.

Last updated: August 2002

Know Your Rights:

Workers' Compensation Insurance



ASIAN AMERICANS
**ADVANCING
JUSTICE**

ASIAN LAW CAUCUS

Serving the community since 1972

What is workers' compensation?

If you get hurt on the job, your employer is required by law to provide workers' compensation benefits. You could get hurt by:

One event at work.

Examples: hurting your back in a fall or getting burned by a chemical.

Repeated exposures at work.

Examples: hurting your wrist from doing the same motion over and over, or losing your hearing because of constant loud noise.

What are the benefits?

Benefits can include:

- **Medical Care** to help you recover from an injury or illness caused by work.
- **Temporary Disability Benefits** if you lose wages because you can't do your usual job while recovering.
- **Permanent Disability Benefits** if you can't recover completely and will always be somewhat limited in your ability to work.
- **Supplemental Job Displacement Benefits** if you have a permanent partial disability and your employer does not offer other work, you may qualify for a non-transferable voucher that can be used to pay for educational retraining or skill enhancement, or both, at state-approved or state-accredited schools.
- **Death Benefits** to the spouse, children, or other dependents of a worker who dies from a job injury or illness.

What should I do if I get hurt on the job?

- **Report the injury to your supervisor.** If your injury or illness developed gradually, report it as soon as you learn it was caused by your job. Reporting promptly helps prevent problems and delays in receiving your benefits.
- **Get emergency medical treatment if necessary.** Tell the doctor or nurse that your injury or illness is job-related.
- **Fill out a claim form.** Your employer must give you a claim form (DWC 1) within one working day after learning about your injury or illness. Fill out and sign the employee portion of the claim form. Describe your injury completely. Include every part of your body affected by the injury. Give the form to your employer.
- **What if your employer does not have worker's compensation insurance?** You may be eligible for benefits from the state's Uninsured Employer's Benefit Trust Fund. Contact ALC for more information.