

WORKERS' COMPENSATION FAQ

Do I need a lawyer to file a workers' compensation claim?

You are not required to have a lawyer, but the insurance company has one. A lawyer helps protect your medical care, benefits, and settlement.

What if my employer says the injury was my fault?

Fault does not matter in workers' compensation. You can still receive benefits even if the accident was your mistake.

Can I be fired for filing a workers' compensation claim?

No. It is illegal for an employer to fire or punish you for filing a workers' compensation claim.

Who chooses my doctor?

In most cases, the employer's insurance company chooses the doctor at first. Disputes over medical treatment is common.

What if the insurance company delays or denies my treatment?

Delays and denials can often be challenged. A lawyer can file motions and force the insurance company to approve care.

What if my employer says I'm an independent contractor?

Many workers are misclassified. Even if your employer calls you a contractor, you may still be legally covered.

Can I receive workers' compensation if my injury happened over time?

Yes. Injuries that develop over time, such as back, shoulder, or repetitive stress injuries, may still be covered.

What if I return to work but earn less money?

You may still qualify for partial wage benefits if light duty or restricted work pays less than your regular job.

Do I have to accept the insurance company's settlement offer?

No. You are not required to accept a settlement that does not fairly compensate you.

Can I have both a workers' compensation claim and a personal injury case?

Yes. Some work injuries involve both claims. These cases must be handled carefully together.

Do I have to pay a workers' compensation lawyer upfront?

No. Workers' compensation lawyers are paid only if benefits are awarded. There are no upfront fees.

Workers' Compensation Vs. Personal Injury – Quick Answers

What is the main difference between workers' comp and personal injury?

Workers' compensation does not require proof of fault. Personal injury cases do.

Can I recover pain and suffering in a workers' comp case?

No. Pain and suffering is not available in workers' compensation, but it may be available in a personal injury case.

Why does this distinction matter?

Some injured workers qualify for **both** claims. Handling them correctly protects your total recovery.

What To Do After a Work Injury

If you are hurt at work, take these steps:

1. Report the injury to your employer as soon as possible
2. Ask for medical treatment
3. Follow all doctor restrictions
4. Keep copies of paperwork and medical records
5. Do not assume the insurance company is protecting you
6. Speak with a workers' compensation lawyer before signing anything

Small mistakes early can cause big problems later.

We Offer Free Consultations

If you were injured at work:

- Do not guess
- Do not wait
- Do not trust the insurance company to protect you

A short conversation can make a big difference.

 Call now (732) 481-9100

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