

# Worker rights and responsibilities under the Oregon workers' compensation law

## Reporting responsibility:

### Notice of accident or occupational disease

- The reporting does not have to be in any particular form, but must be in writing and must state when, where, and how an injury has occurred
- Notify your employer as soon as possible and request a Form 801
- Seek prompt medical or other health care attention with a provider of your choice and tell the provider you were injured on the job

## Worker rights

- To be given a Form 801 by your employer, upon request
- To be informed of your employer's workers' compensation insurer
- To receive an acceptance or denial of your claim from the employer's insurer or claims processor within 60 days of your employer's notice or knowledge of your claim
- To be paid temporary disability benefits within 14 days of your disability if your medical or health care provider authorizes payment of benefits, unless the insurer denies your claim within the first 14 days

## Right to file a claim

An employer is not permitted to induce or influence workers to:

- Fail to report accidental injuries
- Collect workers' compensation claim benefits as off-the-job injury claim benefits (for example, using health insurance coverage to obtain medical treatment for workers' compensation injuries or diseases)
- Accept less than the compensation that is due under the law

## Right to choose medical provider

- Your employer may not direct you to a particular medical provider, although the employer may have a right to obtain a drug screen under certain circumstances. You do not have to get medical treatment for your injury at the drug screen facility.
- Your employer may not interfere with your receipt of appropriate and timely medical care for your injury.
- You may receive treatment from your own personal physician in many cases.

- Your claim may be enrolled in a managed care organization (MCO). You have to treat with a provider that is a member of the MCO provider panel, but you also may be able to treat with your own personal physician that has treated you prior to your injury.

**An employer may not retaliate against a worker** because the worker has applied for, or is receiving, benefits under the workers' compensation law. Complaints alleging employer retaliation should be directed to the Bureau of Labor and Industries, Civil Rights Division.



## For more information, contact:

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## WORKER PROTECTION



**community**  
Workers' Compensation