



WORKER'S COMPENSATION LAWS

HOSTA Task Sheet 1.2.3

NATIONAL SAFE TRACTOR AND MACHINERY OPERATION PROGRAM

Introduction

In the early years of the Industrial Revolution, laws protecting workers did not exist. To correct this problem worker's compensation laws were passed. Worker's compensation laws provide financial help to workers injured on the job no matter who is at fault.

This task sheet discusses worker's compensation laws. Each state's law may be worded a little differently. Federal Worker's Compensation laws apply only to federal employees.

The Law

Use the Internet to check your state's worker's compensation rules. For example, www.state.pa.us takes you to the Pennsylvania state website. Typing in the keyword, "worker's compensation" leads you to this information. Most states have a minimum level of hours worked or pay received before worker's compensation takes effect.

Regarding agriculture, the Pennsylvania law states, "Any employer employing persons in agricultural labor shall be required to provide worker's compensation coverage for such persons if such employer is covered by the law or

if during the calendar year wages in excess of \$1,200 are paid to one employee for agricultural labor, or employment to one employee in excess of 30 or more days is provided. If such conditions are met, then all employees are to be provided the workmen's compensation coverage."

How the Law Works:

The following information is important for an agricultural employee.

- Compensation for injury, disability, and death is provided as a benefit to employees and their surviving family members by law.
- Employers and employees pay into the Worker's Compensation fund of their home state according to the hours of employment provided.
- Claims are filed with the employer and medical attention is provided by approved providers.
- Depending upon the extent of the injury, compensation during recuperation is paid, but is limited to two-thirds of the statewide average weekly wage.
- Medical checkups may be required to determine the return-to-work date or how long the benefits will be paid.



Figure 1.2.3.a. The Industrial Revolution brought men, women, and children into the workplace with few rules to protect them. Injuries and deaths brought hardships to the worker and their families. Laws to assist the injured worker were later passed.

Worker's
Compensation
laws protect
the worker.

Learning Goal

- To understand worker's rights to compensation when injury and disability and death have occurred at the workplace.

Related Task Sheet:

Safety and Health Regulations 1.2

What You Should Expect

As a beginning worker, these points will help you understand how Worker's Compensation relates to your participation in a work environment.

- Notification of employees rights and filing of claims should be clearly posted for employees to see.
- The notice should state, "Remember, it is important to tell your employer about your injuries."
- Report all injuries no matter how small. For example, a deeply imbedded splinter can

become infected. This could lead to blood poisoning resulting in emergency medical treatment and/or amputation.

- Injuries must be reported within 72 hours of the occurrence to be covered by compensation.
- If the worker has suffered some disability, he/she has the right to be transferred to a different job or a modified job when he/she returns to work.

These points do not represent legal opinions. This may alter the procedures you will encounter if you must file a claim.

No matter how big or how small an injury, notify your employer when you are injured!

Safety Activities

1. Locate a Worker's Compensation Notice at your place of employment and read the notice. If you are not employed, ask any employer to show you one of these documents.
2. Conduct a survey of farm employees or classmates employed by farmers to determine if any of them have received worker's compensation due to injuries in the workplace.
3. Visit your state government website to research the worker's compensation laws. The law may be several hundred pages long; therefore, do not print it.

References

1. Visit www.state.pa.us. Type "Worker's Compensation" in the keyword search. Scroll for information.
2. The website of your state government.

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Credits

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