

These guides and the information contained within do not constitute or are intended as legal advice. Please consult a licensed private attorney for specific help with your case.

THE RIGHT TO WORKERS' COMPENSATION

If you are hurt on the job, you should immediately inform your employer and ask your employer for [a Form 801 "Report of Injury or Illness at Work"](#) in order to start a worker's compensation claim. Each worker that suffers from an injury at work has the right to:

1. Choose or change their doctor.

Unless your insurance company has signed you up for Managed Care Organization (MCO), you can be treated by any doctor that qualifies as a *primary physician* under the law in Oregon. You can only have one doctor at a time. If you change doctors, you have to fill out Form 827 in the new doctor's office.

2. Receive necessary medical care without cost.

If you receive medical attention due to your at-work injury, inform your doctor or nurse that you were hurt while at work. You and your doctor can fill out [Form 827 "Worker's and Health Care Provider's Report for Workers' Compensation Claims."](#) If your claim is accepted, the workers' comp insurance agency should pay for the medical treatment related to the injury; transportation, meals, and lodging necessary for you to attend the doctor's appointments; and medicine received, with some exceptions.

3. Receive pay for lost time (temporary disability).

You will receive from the workers' comp insurance company payment for lost time if your doctor authorizes time off from work or modified work (also called "light duty") that results in a decrease in wages. The payment for lost time from work will be equal to 2/3 of your gross salary, provided it is not more than the maximum allowed by law. If your work hours are reduced or if your modified work pays less than your normal wages, the insurance company will send you payment for lost work time in order to replace part of your lost wages.

4. Return to work, after the doctor has given permission.

The insurance company will send you a notice in writing when your doctor has given you permission to return to work. You should ask your employer for your job, or an equivalent job, within seven calendar days from receiving the notice. If the doctor says that you do not have the ability to do your former job, but says you can do modified work and your employer offers you a modified job, you should accept the job or your benefits for lost work could be reduced or suspended.

5. Receive compensation if you have a permanent partial disability.

If you have a permanent partial disability (that is, your injury resulted in your inability to return to normal or to the condition you had before the injury), you have the right to receive payment from your insurance company for your disability. The quantity of the disability compensation will depend on the seriousness of the disability.

For more information about your rights, please visit the [Workers' Compensation Division website](#).