



Union Construction Workers' Compensation Program

Administered by Wilson-McShane Corporation

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REPORTING INJURIES: *Don't tell/Don't ask just doesn't work*

I pride myself on being a productive member of the team. My job is a physically demanding trade. I get sore muscles, scrapes and cuts. I take bumps, tough it out, work with the pain and eventually it goes away. If I reported every time I was hurt it would hurt my reputation as the hard worker. I don't think the other workers or the foreman appreciates a guy if he complains of aches and pains. Some pain is just part of the job.

I pride myself on being fair and making sure my crew gets the job done. The jobs are physically demanding and I am sure some of the guys feel some pain once in a while. I was there. I know what it can be like on the job. If I have to fill out papers for every complaint of pain or every "injury" I witness, how would I get the rest of my work done?

A worker lifts up a heavy box of materials on a job site and feels enough pain in his back that he drops the box. His foreman sees it. The worker rubs his back, asks for help with the box, and continues to work. He and his foreman are sure he will be just fine. He doesn't tell anyone what happened to his back. Neither does his foreman.

Over the weekend he rests and takes some over-the-counter pain medication. He is still sore on Monday. He calls his foreman telling him that he will be taking a sick day. On Tuesday he comes into work and asks his foreman if he can take it easy because his back is kind of sore. The foreman doesn't ask about the worker's back, and gives him some light work.

We all hope the worker's back gets better and he can continue doing what he does best: union construction. But what happens if his back gets worse? If, after several weeks of working, his back gets so bad that he can't work? What happens is that everyone is now involved in a workers' compensation mess.

Workers have a legal duty to report all injuries to their employer. A contractor is unable to provide appropriate medical care or appropriate light-duty work if not informed of a work-related injury. A failure to report an injury can cost the worker the right to receive any workers' compensation benefits. Failing to report an injury doesn't work!

Contractors also have a duty to report known work-related injuries to their workers' compensation insurer. Contractors need to look into suspected work injuries that are not reported by the worker. An insurer can only pay for appropriate medical care and wage-loss benefits if they are told about an injury. A failure to report an injury that is either reported by the worker or reasonably apparent to the contractor can expose the contractor to greater liability for workers' compensation benefits. Failing to report an injury doesn't work!

The goal of the Union Construction Workers' Compensation Program is to make sure when a worker gets hurt that benefits are paid, the best medical care is provided, and a safe return to work happens as soon and as safely as possible. This can only be achieved if every participant performs their duty to promptly report work injuries.