

Workers' Compensation: Employee Injuries & Illnesses

Incident Report Form: [Workers' Compensation: Employee Injuries & Illnesses](#)

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- II. Contacts
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Important Note: Employees must report immediately—within 24 hours—work-related illnesses and injuries, including incidents that almost caused an injury. Notification should be made to employee's supervisor and designated campus staff.

I. Overview

Workers' Compensation insurance (WC) provides benefits to University employees who suffer work-related injuries or illnesses arising out of and during the course and scope of employment, whether on University locations or off premises. These benefits include payment for medical treatment, prescriptions, and other expenses related to the injury or illness. Benefits may also include payment for lost time from work due to the injury or illness, depending on the number of days the employee is out of work. More details on benefits can be found in Sections III and IV below.

The University is self-insured for worker's compensation insurance through a State of Maine approved program. The program is administered by Cannon Cochran Management Services Inc (CCMSI), a third party administrator, with administrative oversight by the System's Risk Manager. Each campus has designated a Workers' Compensation Administrator to manage campus workers' compensation claims. The workers' compensation contacts can be found in Section II below.

II. Contacts

Systemwide Contacts for Workers' Compensation

<p><u>Cannon Cochran Management Services Inc.</u> Loree Libby, Senior Claims Representative UMS, 16 Central Street, Bangor, ME 04401 (207) 262-4386 Toll Free: (866) 787-8894 LLibby@ccmsi.com</p>	<p><u>University System Office</u> Edward Nobles, Risk Manager UMS, 16 Central Street, Bangor, ME 04401 (207) 973-3331 enobles@maine.edu</p>
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Campus Contacts for Workers' Compensation (Campus WC Administrators)

University of Maine	Kathleen Bell	(207) 581-2360	kbell@maine.edu
University of Maine at Augusta University College of Bangor University College Centers	David Lane	(207) 621-3448	dlane@maine.edu
University of Maine at Farmington	Laurie Gardner	(207) 778-7272	lgardner@maine.edu
University of Maine at Fort Kent	Tamara Mitchell	(207) 834-7533	tamara@maine.edu
University of Maine at Machias	Joan Getchell	(207) 255-1220	getchell@maine.edu
University of Maine at Presque Isle	Barbara Lambert	(207) 768-9549	barbara.lambert@umpi.edu
University of Southern Maine	Claire Hassler	(207) 780-5175	chassler@usm.maine.edu
System Office (all locations)	Loree Libby	(207) 262-4386 (866) 787-8894	LLibby@ccmsi.com

III. Process and Guidelines

A. First Steps if an Injury Occurs

A University employee's health and safety should be the primary concern at all times. When an incident occurs, it is important to follow the best course of action given the circumstances. Below are some general guidelines, or first steps, in the event of an incident that causes or almost causes a work injury.

Emergencies: Call 911 whenever appropriate and necessary. If the injury requires immediate emergency medical attention, the employee should go to the nearest Emergency Care facility, utilizing an ambulance service when needed or requested. For an overnight admission to a hospital or if there is a fatality, immediately notify appropriate campus administration.

Non-Emergencies: Minor injuries requiring first-aid only may be treated on-site. However, the campus or System workers' compensation administrator may make the determination that the injured employee needs to see a medical provider; if such a determination is made, the employee must see the University's preferred medical provider. In non-emergency instances, the University has the right to select the medical provider for the first 10 days following the injury. The University's preferred medical providers are listed below. After 10 days, the employee can continue using the University's preferred medical provider or use a provider of the employee's choice.

Important Notes: All injuries, whether covered by workers' compensation or not, must be reported to the employee's supervisor and designated campus staff. The System-wide incident reporting guidelines found in this document are in addition to any local campus-developed guidelines related to injuries, illnesses and incident reporting. Also, any person who knowingly makes false claims or statements, or conceals any material fact in order to receive workers' compensation benefits, may be subject to criminal penalties including jail.

University's Preferred Medical Providers

Campus	Provider	Phone Number	Address
University of Maine	HealthWorks	(207) 992-0099	133 Corporate Drive, Suite 4 Bangor, Maine 04401
University of Maine at Augusta	Workplace Health	(207) 626-7250	10 Caldwell Rd Augusta, ME 04330
University College of Bangor	HealthWorks	(207) 992-0099	133 Corporate Drive, Suite 4 Bangor, Maine 04401
University of Maine at Farmington	Franklin Memorial Hospital	(207) 779-2367	111 Franklin Memorial Drive Farmington, ME 04938
University of Maine at Fort Kent	NMMC (Northern Maine Medical Ctr)	(207) 834-3155	194 East Main Street Fort Kent, ME 04743
University of Maine at Machias	Arnold Medical Center	(207) 497-5614	70 Snare Creek Lane Jonesport, ME, 04649
University of Maine at Presque Isle	Aroostook Medical Center	(207) 768-4000	140 Academy Street Presque Isle, ME 04769
University of Southern Maine	Bayside Employee Health	(207) 780-6631	50 Sewall St Ste 301 Portland, ME 04102-2624
System Office (Bangor)	HealthWorks	(207) 992-0099	133 Corporate Drive, Suite 4 Bangor, Maine 04401

B. Reporting the Injury

1. Notify Supervisor: An employee who is injured at work must notify their supervisor immediately (within 24 hours) of the injury. In addition, the employee must also report incidents that almost caused an injury, in order to assist the University to possibly avoid a future injury.

2. Complete Incident Report Form: With the employee's assistance, the supervisor needs to complete the workers' compensation incident report form: [Workers' Compensation: Employee Injuries & Illnesses](#) and submit it to the campus workers' compensation administrator (or, at the UM campus, the supervisor reports the incident directly to CCMSI on-line). The Campus WC Administrator is also available to assist the employee or supervisor in completing the form.

3. Notify Campus WC Administrator

At all campuses except the University of Maine, once the incident report form has been completed, provide the form or information to the Campus WC Administrator (see section II). At the University of Maine, the employee's supervisor (UM Supervisor) will report the claim directly using the CCMSI on-line reporting system.

4. Reporting Claims (Notification to State and Third Party Administrator)

The Campus WC Administrator (or UM Supervisor) will notify CCMSI by completing a report through the CCMSI on-line reporting system or faxing in a completed incident report form (see section V below). If there are any questions regarding reporting, contact the on-site Claims Representative, Loree Libby (207-262-4386; or toll free: (866) 787-8894; or email: LLibby@ccmsi.com).

5. Notice or Report Only Claims

If an injury does not require medical treatment or the treatment is first-aid only and no time was lost from work, then the incident does not need to be reported to the State; however, the employee should still notify his or her supervisor and appropriate campus administration regarding the injury, and the incident should still be reported to CCMSI via the on-line reporting system as a report only.

C. The Claim Process

1. Once the claim has been submitted by the campus to the CCMSI, a draft State of Maine First Report of Injury form is sent to the on-site Claims Representative for review. The Claims Representative will obtain any missing information from the employee and/or employee's supervisor, and submit a reportable incident to the State.

2. The Claims Representative will investigate the injury and the circumstances surrounding it to determine if the claim is compensable. If it is determined that a claim is not compensable, the Claims Representative will deny the claim and the employee has the right to challenge this denial.

3. The Claims Representative will contact the employee within 24-48 hours of the injury to discuss the claim and explain the workers' compensation claim process and benefits. The employee will also be mailed a "Release of Medical/Health Care Information Form," a "Statement of Injured Employee Form," a "Mileage Reimbursement Request Form" and, when applicable, a prescription card. The "Release" and "Statement" forms are required to receive WC benefits and must be completed, signed and returned to the Claims Representative. The "Mileage Reimbursement Request Form" is for reimbursement of covered travel; the employee's mileage to and from medical provider's appointments is covered as a benefit at a rate determined by the State. The prescription card is for any medications prescribed as a result of the injury. See Section V below for relevant forms.

4. The Claims Representative will also contact the employee's supervisor to gather additional information on the incident and inform the supervisor of the claim process.

5. The Claims Representative will oversee the employee's claim and treatment. The Claims Representative will follow the State workers' compensation rules and industry standards when administering the claim.

6. If the employee is unable to work due to the injury, the Claims Representative will monitor the situation and work together with the supervisor to have the employee return expeditiously to his or her position, if possible. It is the University's goal to help injured employees return to work as soon as they are ready and able, as determined by the medical provider and Claims Representative. If the employee is released by their medical provider to return to work with restrictions, the employee should provide that notice to his or her supervisor. If the University can accommodate the restrictions, the employee is obligated under the Maine Workers' Compensation Act to return to work

7. If work restrictions cannot be accommodated by the University, and/or the employee is taken out of work completely by the medical provider, there is a 7 day waiting period before weekly lost wage benefits are due to the employee. If the employee is out of work more than 14 days, the first 7 will be paid if the claim is deemed compensable. Per University policy, during the first 7 days of absence from work, an employee must use accumulated disability leave and/or other accrued paid leave. However, if it is clearly apparent that an absence will continue more than 14 days, arrangements can be made to pay the employee workers' compensation from the beginning of the absence.

The weekly workers' compensation benefit is calculated at the rate of 80% of the employee's after-tax average weekly wage, not to exceed the State average weekly wage, determined by the Workers' Compensation Board. An employee may supplement the workers' compensation 80% wage benefit with 20% of earned disability leave in order to receive 100% compensation during a work-related injury absence. If an employee's weekly wage exceeds the State average weekly wage, then the employee can use additional accrued leave to make up the difference, to equal 100%.

8. Campus personnel should treat the injured employee courteously and deal with information regarding the employee's injury in a direct factual manner. The campus should not make a determination on the merits of a claim; the Claims Representative will make this determination. Campus personnel should not challenge the employee about their injury or whether it occurred at work. Any information or problems should be communicated to the Claims Representative.

D. Funding Claims

An employee's lost time pay is funded by the injured employee's department or campus (unless the claim is determined by the System to be a lifetime claim). Settlements, medical, legal and other expenses are funded by the System benefits pool administered by the System Office (the pool is funded by the campuses through an employee fringe benefit percentage assessed against salary and wages).

IV. Facts for Employees about Workers' Compensation in Maine

The information in this section has been prepared for Maine employees by the State's Workers' Compensation Board

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- A. Summary of Workers' Compensation
- B. Questions and Answers
- C. Glossary of Frequently Used Terms

A. Summary of Workers' Compensation

Workers' Compensation is a type of insurance provided by your employer. It provides benefits to employees who suffer injuries on the job. These benefits include:

- *Weekly payments for lost time from work because of an injury.*
- *Payment of medical bills, prescriptions and related costs.*
- *Payment for the loss of a specific body part.*
- *Payment of the cost of vocational rehabilitation (such as job retraining and job placement).*
- *Payment of death benefits to the dependents of a worker whose death was work related.*

There are certain steps you must take if you are injured at work:

- *You must tell your employer (which can mean a supervisor, or someone from management) that you were injured within 90 days of the injury.*
- *If your employer has selected a health care provider, you must go to your employer's health care provider for the first ten days of treatment.*
- *If you want to change health care providers after the first ten days, you must tell your employer that you are going to do that, and tell them who the new health care provider is.*

When you tell your employer you have been injured at work your employer must:

- *Fill out a First Report of Injury and give you a copy.*
- *Pay your claim for lost time within fourteen days; or,*
- *Send a Notice of Controversy to you and to the Workers' Compensation Board if your employer does not want to pay your medical bills and/or lost time benefits.*

If there is a dispute about whether your employer must pay your claim:

- A Troubleshooter will contact you and try to resolve the dispute.
- If the Troubleshooter cannot resolve the dispute, a mediation will be held.
- If mediation does not resolve the dispute, you may request a formal hearing.

Qualified injured workers are entitled to the services of a Worker Advocate. Worker Advocates help injured workers prepare for mediation and formal hearing.

B. Questions & Answers

What should I do if I am injured at work? You must tell your employer (which can mean a supervisor or a member of management) as soon as possible that you have been injured.

When must I tell my employer that I have been injured at work? You must tell your employer within 90 days of your injury, or when you learn of your injury, that you have been injured. If you wait more than 90 days after the injury, you will lose the right to claim workers' compensation benefits.

What should my employer do when I report an injury? Your employer must complete a First Report of Injury within 7 days. Your employer must give you a copy of the First Report of Injury. If you lose a day's work because of your injury, your employer must also file the First Report of Injury with the Workers' Compensation Board. If your employer does not complete the First Report of Injury, you should call a regional office of the Workers' Compensation Board and ask to speak to a Troubleshooter.

Can I get medical help for my injury? Yes. For the first ten days, your employer has the right to select a health care provider to treat your injury. After the first ten days of treatment you may choose a different health care provider. You do this by telling your employer that you wish to have a different person treat your injury.

Can my employer ask me to see another doctor? Yes. Section 207 of the Workers' Compensation Act says that if you are treating with a health care provider of your own choice, your employer can require you to see a different doctor for another opinion. This is not the same thing as an Independent Medical Exam under Section 312, a process that is explained later in this guide.

Will my employer pay for any other medical costs? Yes. Your employer will pay for medicine and for mileage to and from your visits to health care providers. They will also pay for medical aids such as wheelchairs, crutches and hearing aids.

How long may I receive treatment for my injury? You can receive treatment until you recover from your injury. Your employer must pay for reasonable and proper treatment that is related to your injury.

If I need treatment while my employer disputes my claim, will my health insurer pay my bills? Yes. If the workers' compensation insurer will not pay your claim for medical treatment, you can submit the bills to your health insurer for payment. Your health insurer must pay the bills if the workers' compensation insurer is denying your claim and has not made any payments to you based on your claim.

What if I have to miss time from work because of my injury? If you miss more than 7 days of work because of an injury, you are entitled to receive weekly compensation benefits. If you lose between 7 and 13 days, you will be paid for those days. If you miss more than 14 days, you will be paid for all of the days that you have missed. For example, if you miss 9 days of work, you would receive 2 days of benefits. If you missed 16 days of work, you would receive 16 days of benefits.

Will my employer pay me my full salary while I am out? No. If you were injured on or after January 1, 1993, your employer will pay you 80% of your after-tax average weekly wage. This is called your compensation rate. There is a limit on how much you can receive. Currently, the maximum benefit you can receive is \$574.08 per week. If you were injured prior to January 1, 1993, your employer will pay you 2/3 of your gross average weekly wage.

When does my employer have to decide if it is going to pay me for my lost time? Your employer must decide whether or not to pay your lost time claim within 14 days of the time you tell your employer about your injury.

What if my employer does not do anything for the first 14 days? If your employer does not dispute your claim within 14 days, it must begin paying you weekly compensation. Your employer must continue paying you at least until it files a Notice of Controversy.

How will I know if my employer is going to pay my claim? *If your employer decides to pay your claim, it will send you a Memorandum of Payment.*

My Memorandum of Payment says that my claim has been "accepted." What does that mean? *This means that your employer agrees that you have been injured at work, and that you are entitled to benefits.*

My Memorandum of Payment says that my "claim is voluntary payment pending investigation." What does that mean? *This means that your employer is paying your claim even though it is not sure that your injury is work-related. This type of payment is often called "payment without prejudice."*

What if I can work but I can not find a job? *You may be entitled to receive 100% of your compensation rate if your injury stops you from returning to work. You can show that your injury prevents you from returning to work by doing a "work search", in other words, by keeping a list of the jobs that you have applied for but have not gotten.*

What if I can go back to work, but I cannot earn as much as I used to earn? *If you can return to work, but your injury stops you from earning as much as you used to earn, you may receive partial benefits. Partial benefits are equal to 80% of the difference between what your average weekly wage was before your injury and your earnings after you return to work.*

Do I have to do anything when I return to work after an injury? *Yes. If you are receiving compensation for your injury, you must notify the Workers' Compensation Board and the employer you were working for when you were injured that you have returned to work. You must do this within seven days of returning to work.*

How long can I receive benefits for lost time? *Regardless of your date of injury, if your incapacity is total, you may receive benefits for as long as you are unable to work. Total incapacity means that you are unable to work at all because of your injury.*

If your incapacity is partial, and you were injured on or after January 1, 1993, you can, with a couple of exceptions, receive benefits for a maximum of 416 weeks. Partial incapacity benefits are due if you are able to work, but still have some restrictions on what you can do because of your injury. There are three exceptions to the 416 week limit on benefits. First, if your injury has caused more than 15% permanent impairment, you can receive benefits for as long as your injury lasts. Second, if you were injured between January 1, 1993 and January 1, 1998, and your injury has caused permanent impairment of 11.8% or greater, you can receive benefits for as long as your injury lasts. Third, you can ask the Workers' Compensation Board to order the employer to continue paying benefits after the 416 week cap has been reached. To do this, you must prove that you will suffer an extreme financial hardship because you cannot return to work.

If you were injured between October 17, 1991 and December 31, 1992, you may receive partial incapacity benefits for a maximum of 520 weeks. If you were injured between November 20, 1987 and October 16, 1991, you may receive partial incapacity benefits for a maximum of 400 weeks after you have reached maximum medical improvement. (Maximum medical improvement means the date after which further recover is no longer reasonably anticipated.) If you were injured prior to November 20, 1987, there is no limit on the amount of partial incapacity benefits you can receive.

Can my employer stop paying benefits without my agreement? *Yes. If your claim is "accepted," your employer can stop paying benefits if you return to work for your employer, or if you receive an increase in pay from your employer. Your employer may also file a Petition for Review to stop or reduce your weekly benefits.*

If your claim is being paid without prejudice, your employer can stop paying benefits if you return to work for your employer, or receive an increase in pay from your employer. In addition, the employer can stop your benefits by filing a 21-day certificate of discontinuance.

What is a 21-day certificate of discontinuance? *If your employer is paying you without prejudice, it can notify you that it intends to discontinue weekly benefits no earlier than 21 days from the date that it mailed the notice to you. Your employer must state the reasons it is going to stop your benefits.*

What can I do if I receive a 21-day certificate of discontinuance? *You can file a Petition for Review and request a provisional order. When you file these forms, you will be asking a Hearing Officer to decide, within about 21 days, whether or not the employer should be able to stop your benefits before a hearing is held. You can contact a regional office of the Workers' Compensation Board and speak to a Troubleshooter who will help you fill out these forms.*

What if my injury bothers me in the future? *You can ask that your employer or your employer's insurer pay for more medical care and lost time. You can make a claim only if the statute of limitations on your claim has not run out.*

What is the statute of limitations? *The statute of limitations is the time limit within which you must file a claim for benefits. Once the statute of limitations expires, you cannot make a claim for further benefits. The statute of limitations is different for different dates of injury. If your employer makes a payment for workers' compensation benefits within two years of your injury or the last time they made a payment, your statute of limitations will not expire for at least two years. If they have not, you need to file a petition within two years of the date your employer filed a first report of injury with the Workers' Compensation Board. There are certain cases where a longer period between payments can go by without your statute of limitations expiring. If you have questions about your statute of limitations, you should call a regional office of the Workers' Compensation Board and ask to speak to a Troubleshooter.*

What if my employer refuses to pay my claim? *If your employer refuses to pay your claim they will file a Notice of Controversy. A Notice of Controversy is often called a "NOC". The Notice of Controversy should indicate why the employer is not agreeing to pay your claim.*

What happens if my employer files a Notice of Controversy? *If your employer files a Notice of Controversy, your case will be sent to a Troubleshooter. The Troubleshooter will try to contact both you and your employer and try to resolve the disagreement. If you receive a Notice of Controversy, and you do not hear from a Troubleshooter within 2 weeks, you should call a regional office of the Workers' Compensation Board and ask to speak to a Troubleshooter.*

What if the Troubleshooter cannot resolve the dispute? *If the Troubleshooter cannot resolve the dispute, then your case will be sent to a Mediator. The Mediator will meet with you, your employer and the employer's insurance company. The meeting will be held in an informal setting. The parties, with the mediator's help, will attempt to come to an agreement. The Mediator will not take sides at the mediation. Any agreements you reach must be reached voluntarily.*

If my case is sent to mediation, will someone be available to help me? *Yes. There are Worker Advocates at each regional office who help injured workers with their claims. You can receive assistance from a Worker Advocate if you were injured on or after January 1, 1993, have participated in troubleshooting, do not have an attorney, and request the services of a Worker Advocate. The addresses and phone numbers of the Worker Advocate offices are listed at the back of this guide.*

What will the Worker Advocate do? *The Worker Advocate will help you prepare for mediation, and will attend mediation with you. They will also help you negotiate with your employer to resolve your dispute.*

Can I get a lawyer to help me? *Yes. If you were injured on or after January 1, 1993, you will be responsible for paying your attorney for his or her services.*

If you were injured prior to June 30, 1985, your employer will pay your attorney's fees if you make a claim in good faith, or if your employer begins the process.

What if the Mediator cannot resolve the dispute? *If the Mediator cannot resolve the dispute, then either you or your employer can file petitions that request a formal hearing. There are different petitions which you can use to request different benefits. For example, if you want your employer to pay lost time benefits, then you would file a Petition for Award. If you want your employer to pay medical bills, then you will file a Petition to Fix. These forms are available at the different regional offices.*

After an unsuccessful mediation, you, your employer, or a Hearing Officer may request an independent medical exam. Independent medical exams are explained later in this guide.

Will the Worker Advocate be able to help me after the mediation? *Yes. If your claim goes to formal hearing, the Worker Advocate will help you prepare for the hearing, and will attend the hearing with you.*

What is a formal hearing? *The formal hearing is your opportunity to present your case to a Hearing Officer. The Hearing Officer will listen to your evidence, and the evidence that your employer wants to present. After the Hearing Officer has heard all of the evidence, the Hearing Officer will write a decision. The decision is binding on you and your employer.*

What if I disagree with the Hearing Officer? *You may appeal the decision of the Hearing Officer to the Supreme Judicial Court of Maine. (The Supreme Judicial Court is also known as the "Law Court".) The Supreme Judicial Court does not have to hear your appeal. They can choose which cases they want to hear.*

What is an independent medical exam? *When a request for an independent medical exam is granted, the Workers' Compensation Board will ask a doctor to examine you, and whatever records you and your employer want him/her to. The independent medical examiner will write a report that explains whether or not your injury is related to work. The independent medical examiner's decision will be binding on you and your employer if you agreed on an examiner. If the*

Workers' Compensation Board appointed the examiner, the examiner's decision will be binding unless there is clear and convincing evidence that the examiner's findings are wrong.

What is the difference between an independent medical exam under Section 312 and a medical exam under Section 207? *An examination under Section 207 is an examination by a doctor that your employer has chosen. The doctor's medical opinion is not binding on the parties. An independent medical exam is an exam under Section 312 by a doctor that the Workers' Compensation Board has chosen. Unlike a Section 207 exam, the findings of an independent medical examiner are binding unless there is clear and convincing evidence that the examiner's findings are wrong.*

Does my employer have to give me my job back? *If you are able to return to work, and your job is open, your employer must offer you your previous job. If your old job has been filled, or if your injury prevents you from doing that job, your employer must give you a job that you can do even with your injury. Your employer must also make reasonable accommodations for your injury. That means that your employer must make changes to a job that will allow you to return to work, as long as the changes would not impose an undue hardship on your employer.*

What if I cannot return to my old job, and there is no other work at my employer's business? *If you cannot return to your old job because of your work related injury, you may be entitled to receive vocational rehabilitation. Vocational rehabilitation may include job retraining and job placement.*

What if my employer will not pay for vocational rehabilitation? *If your employer will not voluntarily pay for vocational rehabilitation, you can ask the Workers' Compensation Board to recommend a vocational rehabilitation plan. If your employer refuses to pay for the plan, the Workers' Compensation Board will pay for you to go through with the rehabilitation plan. You will not be responsible for any of the cost of a plan that the WC Board pays for.*

Can my employer discriminate against me if I file a workers' compensation claim? *No. Your employer cannot discriminate against you for filing a workers' compensation claim. Your employer cannot discriminate against you for testifying in a workers' compensation claim. If you think your employer has discriminated against you because you filed a claim or testified, you can file a Petition to Remedy Discrimination.*

Are there penalties in the Workers' Compensation Act? *Yes. Employers and employees can be penalized for not filing required reports and forms, and for not filing required reports and forms, and for willful violations of the Workers' Compensation Act, fraud or intentional misrepresentation. Employers can be penalized for making late payment of benefits.*

Where can I get more information? *You can get more information at any one of the regional offices listed at the front of this guide.*

What are the addresses and phone numbers of the worker Advocate offices? *The addresses and phone numbers of the Worker Advocate offices are listed below. If you have not spoken to a Troubleshooter, please use the addresses and phone numbers listed at the beginning of this guide. If you have already spoken to a Troubleshooter, and need to contact a Worker Advocate, please use the addresses and phone numbers listed below.*

AUGUSTA
24 Stone Street, Augusta, ME 04330-5220
(207) 287-2266 1-888-645-2266 (Maine Only)

LEWISTON
36 Mollison Way, Lewiston, Maine 04240-7761
(207) 753-7700 or 800-400-6857 (Maine only)

BANGOR
106 Hogan Road, Bangor, ME 04401-5640
(207) 941-4556 1-888-594-4556 (Maine Only)

PORTLAND
62 Elm Street, Portland, Maine 04101-0840
(207) 822-0840 or 800-400-6858 (Maine only)

CARIBOU
One Vaughn Place
10 Washburn Ave, Suite 110, Caribou, Maine 04736-2347
(207) 498-6428 or 800-400-6855 (Maine only)

C. Glossary of Frequently Used Terms

Average Weekly Wage: *In most cases the average amount of money you earned each week for the 52 weeks prior to your injury. Special rules apply to employees who customarily work less than 26 weeks per year, or who work in certain kinds of jobs. Fringe benefits may also be included in your average weekly wage.*

Compensation Rate: What injured workers are paid for time they have missed from work because of an injury. The compensation rate equals 80% of the injured worker's average weekly wage after taxes have been taken out. Currently, the maximum compensation rate is \$574.08

Compensable: The word compensable can describe an injury that is related to work. It can also describe a medical bill or a claim for lost wages that your employer must pay.

First Report: A written report prepared by the employer for any work-related injury a worker reports. The report must be completed within seven days after you have notified your employer of an injury. Your employer must give you a copy.

Health Care Provider: Any doctor, nurse, chiropractor, physical therapist or other person who provides medical treatment.

Hearing Officer: An employee of the Workers' Compensation Board who holds hearings and writes decisions which resolve disputes between workers and employers.

Insurer: An insurance company that pays workers' compensation claims for employers. They also represent employers when disagreements occur between workers and employers.

Lost Time: A phrase used to refer to the fact that an employee has missed time from work because of an injury.

Lost Wages: A phrase used to refer to earnings that are lost because an employee has missed time from work because of an injury.

Mediator: An employee of the Workers' Compensation Board who holds conferences to help injured workers, insurers and employers voluntarily resolve disputes.

Memorandum of Payment: Often called a "MOP." A written notice sent from an employer to an injured worker and the Workers' Compensation Board to notify the worker that a payment for lost time has been made.

Notice: When you tell your employer (which can mean a supervisor, or someone from management) that you are injured and that your injury is related to your job, you give notice of your injury. You must give notice of your injury to your employer within 90 days of your injury.

Notice of Controversy: Often called a "NOC" (pronounced "knock"). A form sent from an employer to an injured worker and the WC Board to let an injured worker know that the employer is denying their request for benefits.

Payment without prejudice: Your employer may pay you benefits without being certain that your injury is related to work. These payments are made without prejudice. In other words, they are voluntary.

Petition: A written request by a party asking that a hearing officer hold a formal hearing. Common petitions include:

Petition for Award: Used to demand payment of lost wages.

Petition to Fix: Used to demand payment of medical bills and expenses.

Petition for Reinstatement: Used to demand that your employer give you a job.

Petition to Remedy Discrimination: Used to demand relief for discrimination related to a workers' compensation claim.

Petition for Review: Used by employees to request that a Hearing Officer review a suspension of benefits. Used by employers to end or reduce payments for lost time.

Statute of limitations: If you are injured at work, there is a time limit within which you must file a claim. This is called the statute of limitations. If you do not file a petition, or your employer does not pay benefits for a two-year period, you may lose your right to claim benefits in the future.

Troubleshooter: An employee of the WC Board whose job is to resolve disputes between workers and employers. The troubleshooter also provides assistance and information to parties who use the workers' compensation system.

Weekly compensation benefits: If you miss time from work because of an injury, you will receive benefits to replace some of your lost wages. These payments are called weekly compensation benefits.

Worker Advocate: An employee of the Workers' Compensation Board who helps injured workers prepare for mediation and formal hearing, and also attends mediation and formal hearing with injured workers.

Workers' Compensation Board: *The state agency that oversees the workers' compensation system. The Workers' Compensation Board helps injured workers and employers resolve disputes about workers' compensation benefits.*

V. Forms and Links

Incident Report Form: [Workers' Compensation—Employee Injuries and Illnesses](#)

[Release of Medical/Health Care Information Form](#)

[Statement of Injured Employee Form](#)

[Mileage Reimbursement Request Form](#)

Maine Workers' Compensation Board: <http://www.maine.gov/wcb/index.html>

Maine Workers' Compensation Law: <http://janus.state.me.us/legis/statutes/39-A/title39-Ach0sec0.html>

Maine Workers' Compensation Board Publications: <http://www.maine.gov/wcb/departments/publications.htm>

University of Maine Employee Accident Reporting: <http://www2.umaine.edu/SEM/accident.htm>

University of Southern Maine Employee Accident Reporting: <http://www.usm.maine.edu/hrs/benefits/>