

Employee rights and duties under Minnesota's workers' compensation system

For more information about workers' compensation or to view this document in Español, Hmoob or Soomaali, visit dli.mn.gov/wceeguide or scan the QR code.



This document is for informational purposes only and briefly explains how current Minnesota laws apply to work-related injuries or illnesses. It is meant to provide basic information about the Minnesota workers' compensation process and benefits. It is not a full description of the workers' compensation system and it is not meant to provide legal advice.

What is workers' compensation?

- Workers' compensation provides you with benefits if you get hurt or become sick on the job. Benefits may be available whether your injury is caused by your job or was a condition you had that was made worse by your job. It does not matter if it was your fault.
- Benefits are paid by the workers' compensation insurer. Unless specifically exempted, all Minnesota employers must have and pay for workers' compensation insurance or become self-insured.
- Your employer is required to post a notice with the name and address of the insurer or that they are self-insured.
- Workers' compensation benefits may include:
 - Paying for medical care related to the injury.
 - Paying for part of earnings you lose because of the injury.
 - Benefits for permanent damage to your body.
 - Vocational rehabilitation assistance if you cannot return to your job, even if your claim is denied.
 - Travel mileage and parking costs to get medical treatment or for certain vocational rehabilitation activities.
- Collecting workers' compensation benefits you are not entitled to is theft, which is investigated by the Department of Public Safety's Bureau of Criminal Apprehension.

What happens after I report my injury to my employer?

- Get any necessary medical treatment as soon as possible. If your doctor restricts your work or takes you off work entirely, request written confirmation of those restrictions. If your employer is not covered by a certified managed care (CMC) plan, you may treat with a doctor of your choice. Your employer must notify you in writing if they are covered by a CMC plan.
- Tell your employer about any work restrictions and if you need time off for medical treatment.
- Tell the insurer about any changes in your ability to work. You should also tell your employer and the insurer when you plan to return to work.
- Your employer must complete a First Report of Injury form and send it to the employer's insurance company within 10 days of learning you were injured and missed time from work.
- The insurer must investigate your claim promptly. You will be provided with a claim number and you may be contacted by an insurance claims adjuster for more information.
- Cooperate with all requests for information about your claim. The law allows the workers' compensation insurer to obtain medical information related to your work injury without your authorization, but they must send you written notification when they request the information. The insurer cannot obtain other medical records unless you sign a written authorization.
- Within 14 days after your employer knew you were off work for three or more days or had lost wages because of your claimed injury, the insurer must file a Notice of Insurer's Primary Liability Determination (NOPLD) form notifying you that it is either accepting or denying your claim.

What happens if the insurer accepts my claim?

- If your claim is accepted, you may be eligible to obtain workers' compensation benefits. Benefits are paid at the same interval as your work paychecks and must be paid on time. Wage loss benefits must start to be paid within 14 days after your employer knew you were off work for three or more days.
- The insurer may ask you to attend an examination by a doctor of its choice, often called an independent medical examination (IME). If you refuse to be examined by the doctor, the insurer could stop your benefits. The insurer must reimburse you for mileage and other costs for attending the IME, including hotels and meals depending on how far you must travel to get there.
- At some point, your employer or insurer may believe you should not receive wage-loss benefits anymore. If this happens, the insurer must give you a Notice of Intention to Discontinue Workers' Compensation Benefits (NOID) form stating when benefits will be stopped and why they will be stopped. If you receive a NOID form and disagree with it, you need to request a conference with a workers' compensation judge within 12 calendar days or there will be a longer objection procedure. Wage-loss benefits usually must be paid until the date of the conference.

What happens if the insurer denies my claim?

- If the insurer denies your claim, the NOPLD form must clearly explain the facts and reasons the insurer is using to deny your claim.
- If your claim has been denied and you need help from a qualified rehabilitation consultant (QRC) to return to work, you may contact the DLI Vocational Rehabilitation unit at 651-284-5038 or 888-772-5500 and ask for a rehabilitation consultation. [Kept first phone number on one line.]
- If you disagree with the insurer's denial, contact the insurance claims adjuster who is handling your claim. If you are not satisfied and still disagree with the denial, you may:
 - Contact the DLI Workers' Compensation Help Desk at helpdesk.dli@state.mn.us, 651-284-5005 (press 3) or 800-342-5354 (press 3) to learn about your options. [Same]
 - File an Employee's Claim Petition form at the Court of Administrative Hearings.
 - Contact an attorney who can explain your rights and file paperwork disputing the denial.

What can I do if I have questions or have problems with my claim?

- Many workers' compensation claims are paid without any problems. However, if your claim is denied, you are not receiving the correct benefits, you are not receiving the correct mileage or expense reimbursement, your benefits have been terminated or you have other questions, you can:
 - Contact the insurance claims adjuster.
 - Contact the DLI Workers' Compensation Help Desk at helpdesk.dli@state.mn.us, 651-284-5005 (press 3) or 800-342-5354 (press 3). [Same]
 - Contact the Office of Workers' Compensation Ombudsman at dli.ombudsman@state.mn.us, 651-284-5013 or 800-342-5354. [Same]
- If you contact DLI about your workers' compensation claim, you may be asked to provide private or confidential data (your Social Security or worker identification (WID) number, a unique nine-digit number DLI assigns to your claim). You may refuse to provide the data, but then DLI may not be able to assist you with your question or problem.
- If you have a dispute that relates to medical or vocational rehabilitation benefits, you can initiate a dispute at DLI in Work Comp Campus at campus.dli.mn.gov/user/login. Workers who are not represented by an attorney can file a dispute in Campus or they can mail a completed form to DLI.
- If your medical benefits are provided through a CMC plan, you must first use the CMC plan's dispute-resolution process to resolve disagreements about medical care.
- Some unions and employers, especially in the construction industry, have specific procedures that must be followed when resolving disputes. Contact your union representative for further information.
- You can contact and discuss your claim with a workers' compensation attorney who can explain your rights. Most attorneys provide a free consultation. Attorneys may only claim a fee if they are successful in resolving a benefits dispute for you.

Helpful hints for injured workers

- You do not ever need to pay anyone to receive your benefits.
- The workers' compensation process generates a lot of paperwork between your employer, the workers' compensation insurance company and DLI. It is important that you keep the following information:
 - Copies of all papers relating to your injury, such as letters, forms, benefit checks, compensation check stubs, medical bills and – especially – the First Report of Injury and NOPLD forms.
 - Your mileage and parking fees for medical visits and other trips relating to your injury.
 - Notes about phone calls you have made or received about your injury and any documentation, including documentation from your employer, the workers' compensation insurance company or DLI.
- More information about workers' compensation is available on DLI's website at dli.mn.gov/workers/workers-compensation-workers, including a detailed employee's guide to the Minnesota workers' compensation system found at dli.mn.gov/wceeguide.
- DLI provides online access to your workers' compensation claim through its online portal, Work Comp Campus. You can get information about your claim online 24 hours a day, seven days a week. To use Campus, you must create an account at campus.dli.mn.gov/user/login. For additional information about Campus, visit dli.mn.gov/business/workers-compensation/work-comp-campus.
- Other than DLI staff members, the contents of your workers' compensation file can be examined by: you (the employee); your employer at the time of injury; your employer's insurer; an agent of the employer or insurer; the dependents of an employee who has died; or anyone else with written permission from you or your dependents. See Minnesota Statutes, section 176.231, subdivisions 9-9b, for more information about who may have access to your workers' compensation file.
- You are not required to call DLI's help desk or ombudsman. The help desk and ombudsman are available if you have issues or questions, but should not be used to confirm receipt of information about workers' compensation in general or your claim.