

Employer Responsibilities under the Oregon Workers' Compensation Law

An employer must accept notice of a claim for workers' compensation benefits from a worker.

- An employer must provide the worker with a Form 801, "Report of Job injury or Illness," immediately upon request, and upon receiving notice or knowledge of an accident that may involve a compensable injury.

An employer (other than self-insured) must report a claim to its workers' compensation insurer no later than five days after the date the employer has notice or knowledge of the claim or any accident that may result in a compensable injury.

- The date an employer has the degree of knowledge that triggers its claim reporting obligation is the earliest date that any supervisor or manager has enough information to reasonably conclude that workers' compensation liability is a possibility.

An employer is required to assist its insurer in the processing of workers' compensation claims.

An employer is not permitted to induce or influence workers to:

- Fail to report accidental injuries
- Collect workers' compensation claim benefits as off-the-job injury claim benefits (for example, using health insurance coverage to get medical treatment for workers' compensation injuries or diseases)
- Accept less than the compensation that is due under the law

An employer is not permitted to direct or interfere with a worker's receipt of medical or health care for a workers' compensation injury.

An employer is required to facilitate the worker's prompt receipt of appropriate medical or health care for a workers' compensation injury.

An employer may not:

- Restrict a worker's choice of health care or medical service provider
- Restrict a worker's access to any category of medical service provider
- Restrict the ability of a medical service provider to refer a worker to another provider

Failure to meet these requirements can subject an employer to civil penalties imposed by the Department of Consumer and Business Services.



For more information, contact:

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WORKER PROTECTION

