

Job # 553 05  
 Recd = 5-2-90  
 New Count = 2112  
 Sample =  $\frac{4}{2,108}$   
 Shelf Count = 854  
 Last INV = 14530  
 Count date = 5-15-90  
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# Oregon Workers' Compensation Insurance

T. Cross and J. Thorpe

## What is it?

With few exceptions, all employers doing business in Oregon are subject to the Oregon Workers' Compensation Insurance law. (This includes farms and ranches that hire labor.) Workers' compensation insurance can be purchased from any commercial insurance company qualified to write workers' compensation insurance, or from the State Accident Insurance Fund Corporation (SAIF). The Department of Insurance and Finance oversees the system.

Workers' compensation coverage provides all medical expenses as well as regular payments to workers who become occupationally injured or diseased and are temporarily or permanently disabled. Payments are made to dependents if the worker dies as a result of occupational injury or disease.

Discounts or dividends may be provided, depending on your accident records.

2. **Workers' compensation tax:** Calculated as 5.5% of your base premium in 1990.
3. **Assessment:** Employers may choose one of two options. *First*, they may choose to withhold from the monies earned by all subject workers \$0.14 per day for each day or part of a day worked. The employer is assessed the same rate of \$0.14 per day for each day or part of a day worked by each employee. *Second*, they may contribute the full \$0.28 per day per employee for each day or part of a day worked.

## Purpose

Workers' compensation coverage is insurance designed to compensate workers injured on the job, at the same time protecting the employer from liability from the employee. When an employer is properly covered, an injured worker must look for indemnification from the insurer solely, and has no right to proceed against the employer unless the injury was caused by a deliberate act of the employer to inflict damage to the worker.

## Filing injury reports

Injuries should be reported using Form 801, *Report of Occupational Injury or Disease*. To assure prompt and accurate filing of reports, instruct employees to report all accidents immediately. Verify all facts concerning an accident before completing the report. If an injured worker required only first aid and did not lose time from work, a report is not filed.

## What are the costs?

Workers' compensation insurance includes three costs:

1. **Premium:** This is a rate set by the insurer for your particular coverage, based on the jobs your employees do. It is based on a dollar amount per \$100 of payroll.

## Keeping records

A record of the date, nature, and treatment of every injury, including minor ones requiring only first aid, should be kept. These records may be useful in case the worker later seeks medical treatment. *The Supervisor's Accident Investigation Report* (Form 1763) may be used to

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document minor injuries. Form 801 must be completed for all cases involving a time loss from work or treatment by a physician.

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## Compensable injury

A compensable injury is an accidental injury or disease occurring in the course of employment that requires medical services or results in death. The following points are particularly important for agricultural employers:

- A previous injury or physical condition, if aggravated by current employment, could result in a compensable claim.
- The absence of witnesses does not prevent an injury from being compensable.
- If a worker does not follow company rules, the claim could still be compensable.

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## Knowledge of an injury

As employer, you are considered to have knowledge of an accident when any one of the following occurs:

1. You or your authorized representative, such as a farm manager or supervisor, sees an accident and knows that a worker was injured as a result of that accident.
2. The worker or someone on the worker's behalf advises you or your representative, orally or in writing, that an on-the-job injury has occurred.

3. The worker notifies you that he or she intends to file a claim for a condition previously not considered work-related.
4. Your insurer receives a *First Medical Report* (Form 827) filled out by the doctor and signed by the worker.
5. The worker or his or her representative tells your insurer, orally or in writing, that an on-the-job injury has occurred.

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## Timely filing

The report of injury (Form 801) must be filed with your insurer within 5 days after knowledge of an injury.

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## For more information

Call or write for these materials; single copies available at no charge:

Department of Insurance  
and Finance  
21 Labor & Industries Bldg.  
Salem, OR 97310  
(503) 378-3655

*What Each Employee Should Know  
About Workers' Compensation*

Oregon Department of Revenue  
P.O. Box 14800  
Salem, OR 97309-0920  
(503) 378-3390

*Information for Oregon Employers*



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*Oregon*  
**EMPLOYMENT DIVISION**  
DEPARTMENT OF HUMAN RESOURCES

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The mission of the Oregon Employment Division is to improve the quality of life of Oregonians by (1) providing qualified applicants for employers; (2) assisting workers in finding suitable jobs; (3) providing unemployment insurance benefits to eligible claimants; (4) supplying labor market information, and (5) participating in the economic development of Oregon.

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