SCHAFFER & ASSOCIATES LPA
schafferlawyers.com // (419) 350-8277 // summer 2022 newsletter

# Schaffer & Associates LPA



## Top 8 Workers' Compensation FAQs

Learn the answers to these common questions

## Local Organization Aides Ukrainian Refugees

WAC-NWO delivers Kandygrams4Kids to Poland

# Summer 2022 Newsletter

3130 Executive Pkwy, Suite 910, Toledo, OH, 43606
Representing Clients Throughout Northwest Ohio and Southeast Michigan

# Top 8 Ohio Workers' Compensation FAQs

A serious injury is the last thing anyone wants or expects to happen to them. A bodily injury can be painful, debilitating, expensive, and even traumatic. Such an injury occurring at work only complicates matters further. Filing and managing a claim with the Ohio Bureau of Workers' Compensation (BWC) is often a lengthy and rocky process. If you've found yourself in this situation, you might be asking yourself some of these top questions about workers' comp. At Schaffer & Associates LPA, we want you to be empowered and informed during the whole life of your claim.

## 1. Why is it important to report an injury at work?

While an injury may seem like no big deal at first, there is a chance it could turn into a larger problem down the road. Reporting an injury is the start of a paper trail that can help support your claim.

## 2. Do you need a lawyer to file a workers' comp claim?

You are not required by the BWC to retain an attorney before filing a claim. However, it's never a bad idea to seek counsel. The claims process can be tumultuous, overwhelming, and even intimidating. Your employer may argue the legitimacy or your injury; you may be denied reimbursement for medical treatment. Certain claims can be active for decades.

The job of a workers' compensation attorney is to manage the ins and outs of this process so you don't have to. At Schaffer & Associates, we keep tabs on your claim activity while simultaneously keeping you informed of your rights and entitlements.

We offer free consultations, and our experience and expertise allows us to help you decide whether or not you need legal services.

## 3. How do you file a claim for a work injury?

It is absolutely essential to have a medical diagnosis that supports your injury claim. A doctor who examines and diagnoses you after your injury can help you fill out a First Report of Injury, Occupational Disease or Death (FROI) form. While you can also fill out an FROI online for yourself, it can be beneficial to contact an attorney to help you begin the claims process. Our attorneys at Schaffer & Associates have a multitude of experience filing FROIs, and would be happy to assist you with filing your claim.

Once filed, the BWC will review your FROI and either deny or allow your claim. If you receive a denial, you have fourteen days to file an appeal. Once appealed, the BWC will send it to the Industrial Commission for a formal hearing. In addition to helping you complete the FROI, a Schaffer and Associates attorney would also appeal any denials and represent you at any hearings.

## 4. Who pays workers' compensation in Ohio?

Most employers pay into the Ohio state fund, the BWC, who then pays your compensation. Some companies, usually those who are very large, will receive permission to opt out of the state fund. These are called self insured employers. In this case, they are responsible for paying your compensation from an allowed claim.

## 5. How is the amount of a workers' comp payout calculated in Ohio?

The BWC uses their own formulas to calculate what you are owed. There are several factors that go into these calculations and/or determine your eligibility. These factors include but are not limited to what types of medical treatments you need, if your injury leaves you temporarily or permanently disabled, how long your injury keeps you from working, etc.

This highlights another benefit to retaining an attorney to handle your workers' compensation claim. At Schaffer and Associates, we make sure you receive all benefits to which you are entitled, and the amounts of these payments reach their highest potential.

## 6. Can you receive workers' compensation while working?

If the circumstances allow it, yes. On a case by case basis, our attorneys can help you receive medical treatment reimbursement, temporary or permanent disability payments, and/or claim settlements. Some injured workers may be eligible to receive supplemental pay (called working wage loss) if their injury leaves them unable to continue performing regular job duties or hours.

An allowed claim is not a guarantee of a large payment. The best way to find out what compensation you are eligible for is to have an attorney review your case.

## 7. Are there injuries the Bureau of Workers' Compensation won't cover?

The BWC may be less inclined to allow an injury if it was related to a pre existing condition, or if you were under the influence of drugs or alcohol during the time of injury.

If you presume the BWC may not allow your injury, it's always a good idea to speak to an attorney. Attorneys at Schaffer & Associates have experience dealing with difficult claims. We'd be happy to review your case and give you a plan of action.

## 8. Can the Bureau of Workers' Compensation ask for money back?

In some situations, yes. This most typically occurs when you are awarded compensation on an allowed condition that is successfully appealed by your employer. The BWC will then keep 40% of any compensation later awarded, until the balance is paid off.

More rare instances of the BWC taking funds back include fraudulent activity, such as collecting compensation under the guise of a disability while still working elsewhere. This behavior can lead to criminal charges.

It's also worth noting that any workers' compensation you receive is tax exempt.

If you've read through this FAQ and still have questions, we'd love to help. Please send us a message or call us at 419-350-8277. We offer free consultations five days a week, from 8:30 a.m. until 5 p.m., as well as extended availability to meet your needs.

At Schaffer & Associates, you're in good hands. Let one of our experienced work injury attorneys handle your claim so you can concentrate on healing and recovering. You don't have to do this alone.

# WAC-NWO Provides Local & Foreign Aide

WORLD AFFAIRS COUNCIL of NORTHWEST OHIO

Our team at Schaffer & Associates was recently delighted to help sponsor the World Affairs Council of Northwest Ohio's Kandygrams4Kids project. These care packages were gifted to displaced Ukrainian children in Transcarpathia. Additional funding was used to provide lunches to the refugee children in Krakow as well as provide food, medicine, and gasoline for refugees in the Rivne region.

Local teacher and WAC-NWO founder/president Bill Hilt himself traveled to Poland to work on the care packages and meet with European counterparts and refugees.

WAC-NWO also brings amazing programs to our local area. They have directly engaged over 5400 K-16 students in such programs, which include cultural awareness education, exposure to international visitors, youth exchanges, and international goodwill projects.

Additionally, they provide professional development and cultural training to adults who work with youth.

If you're interested in donating as well, their next large project is to develop a curriculum focused on providing trauma-informed teaching to those who will be working with displaced refugee children from Ukraine.

For more information visit WAC-NWO's website worldaffairsnwo.org or their Facebook group. There you can stay current on upcoming events and fundraisers. They also share images of their works including delighted children receiving their "kandygrams".