

Nevada
Workers' Compensation Law Blog
NEWS & UPDATES ON WORKERS' COMPENSATION LAWS & HELPFUL INFORMATION ON THE CLAIMS PROCESS

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Uninsured Employers

The penalties for employers who fail to purchase workers' compensation insurance are high if they get caught, but as the economy continues to tank, more employers are going bare. If you are injured on the job and then discover that your employer doesn't have a workers' compensation policy in effect, do the following:

1. Complete a Claim for Compensation form (C-4 form) the same way you would for an insured work-related injury at a medical clinic or emergency room if necessary.
2. If you do not have a private attorney to help you, go to the [Division of Industrial Relations](#) to complete the forms to elect to receive workers compensation benefits under the Uninsured Employers' Claim Account. The DIR will contact your employer and decide whether or not you were in fact an employee that should have been insured. That is the only issue DIR decides. If DIR decides that you satisfy the legal definition of employee, then DIR will assign the claim to a third-party administrator to handle the claim. If you were paid cash only and there is no documentary proof that you were an employee on the day you were injured, you may have difficulty showing that you were an employee. The address for the DIR in Las Vegas is 1301 N. Green Valley Parkway, Ste. 200. Phone is (702) 486-9080.

3. The third-party administrator who will be handling uninsured claims for the next three years until June 2013 is Sierra Nevada Administrators, Inc. That company will handle the assigned claim as if it were an insured claim, first making a determination whether it should be accepted or denied. If it is accepted, then the benefits payable will be the same as if the employer had insurance. Because the claim must first go to DIR to decide whether or not you are an employee, it takes much longer to get a claim accepted. The injured worker should therefore get the paperwork done quickly at DIR so that benefit checks and medical care aren't delayed.