

In Texas, there are two types of work place injury claims. If the employer carries workers compensation insurance, then you should call 800-252-7031 and request paperwork to file a worker's compensation claim. You will need to file a Form DWC 041 with the Texas Department of Insurance: Division of Workers Compensation.

If the employer makes a business decision not to carry workers compensation, they are classified as a "non-subscriber." If your employer is a "non-subscriber" you may have a right to file a personal injury claim or lawsuit against your employer.

This is the case even if your employer pays for your medical care or pays for part of your lost wages. The employer is required by law to notify you they do not carry workers compensation. This may be stated in an employee handbook or posted on the employee bulletin board. You may also see documents known as "Summary Plan Description" or "Occupational Injury Benefit Plan."

If you are unsure if your employer has workers compensation, call 800-252-7031. Provide the name of your employer as stated on your paycheck and the date of your accident.

Regardless of whether or not your employer carries worker's compensation insurance, you should report all workplace accidents or injuries, even minor ones, to your employer. If you do not report the accident, you may not be compensated for your injuries.

If you are asked to give a statement about your accident, we recommend you speak with lawyer before giving a recorded statement. Do not sign any forms or give access to your medical information without speaking to a Texas work injury lawyer.

If you are asked to fill out an incident report, provide as much detail as possible. Remember to identify any witnesses and write down what the employer did wrong to cause the work place injury.

When receiving medical treatment, it is imperative you attend all doctor's appointments and follow their advice and orders. Make sure you explain slowly and accurately how your Texas work accident occurred.

To prevail on a "non-subscriber" personal injury case, one must show the employer failed to provide a safe workplace. Examples of failures to provide a safe workplace can include: (1) failure to warn of dangerous conditions; (2) failure to train; (3) failure to provide adequate manpower; and (4) failure to provide safe work tools or machinery.

Examples of "non-subscriber" work accidents include: forklift accidents, falls from roofs or scaffolding; amputations from unguarded machinery, crane accidents, oil and gas rig accidents, construction accidents, and freight dock accidents.

If one sustains serious and severe "non-subscriber" work place injuries in Texas, compensation may be available for:

1. Medical bills;
2. Future medical care;
3. Lost wages;
4. Inability to work;
5. Pain;
6. Emotional stress;
7. Impairment;
8. Disfigurement

For more free information about Texas job, workplace, and “non-subscriber” injury claims, please click on this link <http://www.kiplawfirm.com> OR send confidential e-mail through our website.