



COOK & JAMES ATTORNEYS AT LAW



WORKERS' COMPENSATION

Workers' compensation is a state-mandated insurance program that provides compensation to employees who suffer job-related injuries and illnesses. In general, an employee with a work-related illness or injury can get workers' compensation benefits regardless of who was at fault -- the employee, the employer, a coworker, a customer, or some other third party.

Georgia law requires any business with three or more workers, including regular part-time workers, to have workers' compensation insurance. However, several categories of workers are specifically exempted from the Workers' Compensation law: federal government employees, railroad employees, farmers and farm hands, domestic servants, business partners, some corporate officers, and independent contractors.

Your employer is required by Georgia Law to carry insurance that will cover your medical bills and pay a portion of your wages when you are injured at the workplace and unable to return to work. Workplace injuries can include lower back or spinal cord injuries, shoulder or back injuries, joint or knee injuries, hand injuries, carpal tunnel syndrome, chemical exposure, occupational diseases, or even preexisting conditions that have been made worse by job duties. You may be entitled to weekly benefits while you are permanently or temporarily disabled and unable to work. You may also be entitled to payment of medical expenses and may receive a lump sum payment for partial or total disability resulting from a work related injury.

If you suffer an injury on the job, you should report the injury to your employer immediately.

Although workers' compensation covers most on-the-job injuries, there are some exclusions. Generally, injuries that occur because an employee is intoxicated or using illegal drugs are not covered by workers' compensation. Coverage may also be denied in situations involving:

- self-inflicted injuries (including those caused by a person who starts a fight)
- injuries suffered while a worker was committing a serious

WHAT YOU NEED TO KNOW

The longer you wait to contact an attorney the less likely you are to receive a favorable settlement.

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- crime
- injuries suffered while an employee was not on the job, and
- injuries suffered when an employee's conduct violated company policy.

The system in Georgia works well for minor injuries. The worker typically gets treatment through physicians or a plan administrator designated by the company with relatively little paperwork involved.



Serious injuries are a different matter. The administrative hoops that an injured worker must jump through can be confusing, and the failure to negotiate them can result in the loss of benefits. At Cook & James, L.L.C., we're familiar with the regulations of the Board of Workers' Compensation. We can guide you through the maze, and, just as important, make sure that your employer complies with the regulations, just as it will insist that you do.

They might contend, for example, that your injury was not directly related to your employment, or that it occurred because you violated safety rules. And they might argue that you forfeited those benefits by not complying strictly with state law or the board's regulations.

You have the right to contest a denial of benefits and request a hearing before an administrative law judge. If the judge decides in favor of your employer, you may request a review by the board's appellate division or pursue a further appeal in the court system.

The employer will have lawyers who are very experienced in workers' compensation law and procedures to represent them at those proceedings. You will be at a great disadvantage if you don't have someone just as competent on your side. We want to ensure you receive all the benefits that you deserve.

We do not charge any up-front fees to represent you in workers' compensation case. Cook & James represents our clients on a contingency fee basis. This means that our fee is paid based upon a percentage of the money recovered for you. Our consultations are free. If we do not recover any money for you, you are not charged for any of the professional time spent on your case.

At Cook & James, we believe our innovative approach to law will make you very happy. Competency is not linked to the rigid confines of typical law firms. They really have nothing to do with each other. Our success has proven that. We are not for everyone, but we aren't concerned with everyone. We just care about you.

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