

# KNOW YOUR RIGHTS

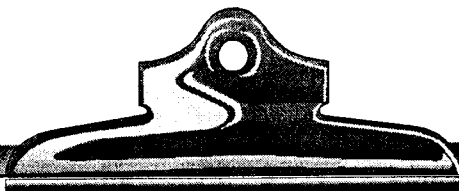
On-the-job injury or illness is often traumatic and never expected. Fortunately, New York State law and DC 37's union contract offer important protections for members who cannot work because they were hurt or made ill at work. But members have to act quickly to protect their right to these benefits—including wage replacement, medical benefits, rehabilitation, extended leave, and continuation of Health and Security Plan coverage.

"Members should immediately get first

## if you're hurt at work

aid or emergency medical treatment," says Lee Clarke, who heads DC 37's Safety and Health Unit. "Then the member must act promptly or risk losing valuable protections. It's up to the worker, not the employer, to file for these benefits."

If you are hurt at work, contact your local union representative as soon as possible. This checklist will help you file for all the benefits you are entitled to. Complete all of the forms, keep copies, and keep a log of who you spoke to and when.



### DC 37 Safety and Health Unit Checklist What to do after a workplace injury/illness

- Get prompt medical treatment for any work-induced injury/illness.**  
Tell the doctor that the injury/illness was sustained at work and you will be filing a Workers' Compensation claim.
- Notify your employer of the injury/illness (Form WCD-23).**  
Request and complete your agency's Employee's Notice of Injury Form (WCD-23) to notify them of your work-related injury/illness. Submit it to your employer as soon as possible—preferably within 24 hours. If you do not hear from the Workers Compensation Division in 45 days, call your union rep, the your agency's Employee Benefit Unit and/or the Workers' Compensation Division at (718) 222-5100 immediately.
- Complete an Employee's Selection of Compensation Option Form (DP2002).**  
This is one of the most important forms that you must complete. Submit it to your employer as soon as possible—preferably within 24 hours. You *must* submit form DP2002 within 7 days in order to select from these union-negotiated options:
  - Option 1.** This allows you may remain on full pay status from the first day of absence, with time charged against your leave and comp time balances. If the Workers' Compensation Board rules in your favor, you will get back a prorated portion of the time used. Option 1 automatically changes to Option 2 when your leave balances are exhausted.
  - Option 2.** If you choose not to use leave balances, you will have to wait for the city's Workers' Compensation Division to send you compensation payments once your case is settled. You will not be in full pay status and or receive an agency paycheck, but you *will* accrue normal annual and sick leave. If you don't select an option or submit form DP2002 after 7 days, you will automatically be assigned to Option 2.
- Apply for additional union-negotiated grants.**  
Ask your local union rep whether you qualify for additional union-negotiated grants, such as: **Extended sick leave**—After all leave is exhausted, agencies can extend sick leave for up to three months to permanent employees with 10 or more years' service. **Additional leave for assault claims**—Members who are assaulted at work are eligible for up to 18 months of paid leave if they did not start or continue the assault unnecessarily.
- File a claim (C-3) with the New York State Workers Compensation Board.**  
Members *must* obtain and file a state claim form (C-3) as soon as possible to trigger their Workers' Compensation claim. Obtain forms from the New York State Workers' Compensation Board, 180 Livingston Street, Brooklyn, N.Y. 11248 (718) 802-6600 or from the DC 37 Safety and Health Unit at (212) 815-1685.
- Notify the DC 37 Health and Security Plan of the injury/illness (form HS:DIS013).**  
Call the Health and Security Plan at (212) 815-1531 and request a Short-Term Disability Claim form (HS:DIS013). Complete and mail the form to be eligible for continuation of most benefits for up to six months.
- Get a Workers' Compensation attorney.**  
Having an experienced representative can help your case. Contact the DC 37 Legal Department at (212) 815-1450 or call the Workers' Compensation Board at (718) 802-6600 to get a list of Workers' Compensation attorneys and licensed representatives.