


Georgia Workers' Compensation


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Ramos Law Firm
A Georgia Workers' Compensation Firm




Class PARA 2231 – Clayton State

Administrative Law



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Workers' Compensation

Workers' Comp

- Video Lects
- Need Injuries
- Check & Check Claims
- How to Handle
- Review Cases
- How to Estimate
- Partly
- Check
- Administrative Law
- How to Handle

Protecting Workers' Rights

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Statutory History and Social Context


- What was going on in the late 18th and 19th Centuries in America?




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Industrial Revolution




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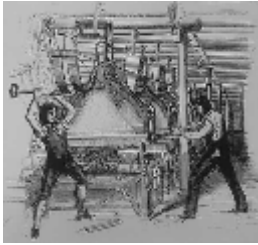
INDUSTRIES IN AMERICA

- Fulton? Clermont?
- Textiles
- Automobiles and Transportation
- Steel
- Communication
- Mill towns

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Injuries



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Remedies?

Legal Defenses:

- Assumption of the Risk
- Contributory Negligence
- Fellow Servant Rule



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When The Worker Wins?



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Quid Pro Quo

- Worker: No Fault System for Occupational Injuries.
- Employer: Insulation against negligence suits.



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Exclusive Remedy



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Employees and Employers



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At Work



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Injuries



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Employee Benefits

- Weekly Money Benefits:
- Total, Partial, Permanent
 - Medical Benefits
 - Rehabilitation

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Employers Duties

- Immediate medical treatment (controlled)



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Medical Panel of Physicians

- Posted in conspicuous places
- Contain at least 6 different medical facilities
- Employees must be trained as to how to use
- May be "conformed"
- May be "managed care organization"

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The Georgia Workers' Compensation Act



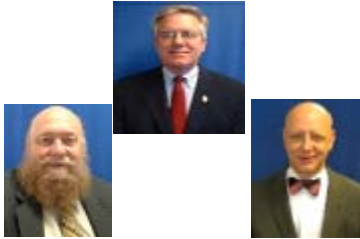
State Board of
Workers' Compensation
Service Because We Care

Legislature → Executive → Quasi-Legislative → Quasi-Judicial

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The Full Board



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Administrative Law Judges

- Hearing officers throughout the State
- Atlanta: 8
- Dalton, Albany, Augusta, Savannah: 1 each
- Columbus, Macon, Dalton: 2 each



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ALJ Powers

- Subpoena witnesses;
- Officiate discovery;
- Administer oaths; and
- Take testimony in workers' compensation cases
- Cannot deprive liberty (jail folks)

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Review: *The Basics*

- Generally, an injured employee must show that the Employer was negligent before she can recover workers' compensation benefits?
- What must the injured employee show?
- Can the injured employee sue the Employer outside of workers' comp?
- If I contract with someone to mow my lawn, and he injures himself, do I need to provide him workers' comp benefits?
- What benefits can an injured worker receive?
- How big is the jury panel in my workers' comp case?

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Practice, Practice, Practice

- Statute of Limitation
- Discovery
- Mediation
- Hearings
- Appeals



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Statute of Limitations



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WC-14

- Initiating Trial Document
- Provides notice to all parties
- Notice of issues to be adjudicated
- Provides for Notice of Claim

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Other Important Board Forms

- WC-1 – First report of injury
- WC-2 – Commencement of Benefits notice
- WC-3 – Controvert – CONTESTING
- WC-207 – Medical release form
- WC-102 – Notice of Representation - others

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Discovery



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Mediation - ADR



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Hearing - TRIAL



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Appeals



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Questions?

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Knowledge. Innovation. Resolution.

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