

## Are attorneys allowed to represent injured workers, and, if so, how do they pay their attorneys?

The law allows an injured worker to employ an attorney to assist him or her in recovering benefits. The law further states that an attorney generally is allowed to receive twenty-five percent (25%) of the monetary benefits he is able to recover for the injured worker. If no benefits are recovered, the attorney generally does not charge the client.

## Is there anything else I need to know about Mississippi Workers' Compensation law ?

There is much more information, but there is not enough space to include all of it in this brochure. Workers' compensation is designed to provide you medical benefits so that you can become well enough to re-enter the work force. For the time that you are off work, benefits are paid to assist you in meeting your basic needs. Once your doctor releases you from his care, you are required to return to your job or to find other work you can do based on your age, education and work history and the degree of recovery from your injury.

If you disagree with the opinion of your treating doctor regarding your ability to return to work or regarding his opinion of the extent of the disability you have suffered because of your on- the-job injury, you have the right to request a hearing before the Mississippi Workers' Compensation Commission. You also have the right to request a hearing if your employer denies that your injury or medical condition is job-related.

For further information regarding on-the-job injuries, please feel free to contact The Evans Law Firm at 601-855-2255 or a law firm of your choice.

## The Evans Law Firm

"Family of Attorneys, for Your Family"



Jessie L. Evans (seated), Wesley T. Evans (standing right), Dana H. Evans (standing left)

## Areas of Practice

Personal Injuries

Bankruptcy

Workers' Compensation

Family Law

Criminal Law

\*Listing of the previously mentioned areas of practice does not indicate any certification of expertise therein.

### Contacting the Firm:

Office Hours: Monday through Friday  
8:30 a.m. to 5:00 p.m.

(Lunch hour appointments are also available. While walk-ins are certainly welcome, we are able to serve you more promptly and efficiently if you first set up an appointment through Ms. Walton.)

Phone: (601) 855-2255

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## WORKERS' COMPENSATION



**The Evans Law Firm**

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**Canton, MS 39046**

**601-855-2255**

# The Evans Law Firm



## WORKERS' COMPENSATION

### FREQUENTLY ASKED QUESTIONS

#### ***If I am injured on a job, what are my rights?***

If you work for an employer that employs five or more people, including yourself, you may be entitled to benefits under the Mississippi Worker's Compensation Law. Each employer in Mississippi is required to carry insurance to protect its workers when they are injured on the job.

#### ***Will workers' compensation cover any job injury?***

In order to be covered, the injury must arise out of and during the course of your employment. Generally, if you are on your employer's premises and are injured, even from a fall while you are at lunch, you are covered under workers' compensation. However, some job injuries, such as those sustained while engaged in horseplay on the job, are not covered.



**601-855-2255**

#### ***What kind of injuries may be covered?***

Injuries received when using a machine that malfunctions or injuries that may even be your fault are covered under the law in Mississippi. Also occupational injuries that gradually develop from repetitive work such as assembly line work can be covered.

#### ***Whom shall I notify if I am injured on the job?***

Generally, if time allows, you should notify your supervisor so that you can receive prompt medical attention.

#### ***When should I notify my employer of my injury?***

The law requires that a report of injury be made within thirty (30) days of the date of injury. In a number of instances, an employee will be able to give immediate notification. In others, the employee, because of the nature or seriousness of the injury, may not be able to give notice until he is well enough to do so; however, every effort should be made to give notice of injury within the time required by law. *You should also make sure your employer fills out a written report of your injury.*

#### ***Can I choose my own doctor to begin my treatment following my injury?***

The law gives you the right to select the doctor of your choice and any doctor that your treating doctor refers you to, such as a specialist. If you allow the employer to choose your first treating doctor, then you generally are required to complete your treatment under the employer-selected doctor as well as any specialist that the employer selected

#### ***How much in medical expenses can I incur for my job related injuries?***

There is no limit to the expenses you can incur so long as the injury you are being treated for is job related and the medical services are deemed reasonable and necessary for your recovery.

#### ***Am I entitled to any other benefits if I have to be off work?***

Once an injured worker has been off work for fourteen (14) consecutive days, he is generally entitled to weekly benefits at the rate of two-thirds of his weekly wage beginning with the first date that he is off work.

#### ***If I reach maximum medical improvement and I am still disabled because of my job injury, can I receive additional benefits?***

If at the end of your treatment, your doctor gives an opinion that you have sustained either permanent partial disability or permanent total disability and, further, that you have suffered a partial loss or a full loss of wage earning capacity, you will be entitled to additional benefits at the rate of two-thirds of your average weekly wage up to a certain limit set by law.

#### ***How long can I receive weekly workers' compensation benefits?***

The law allows an injured worker to receive benefits for a period of 450 weeks.