

FROM THE GROUND UP

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It's All About Workers' Compensation

What is Workers' Compensation?

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Workers' Compensation (WC) is a benefit to employees in the event that an injury by accident occurs during the course of employment. Benefits are also available to employees who become ill with an occupational disease. In cases where the injuries are fatal, there is a provision for compensation to the next of kin.

Are all businesses in NC required to carry WC insurance?

In North Carolina, businesses who employ 3 or more on a regular basis are required to purchase WC insurance as specified by the Workers' Compensation Act. Agricultural employers who employ 10 or more workers (or any H-2A workers) are required to carry WC insurance. However, businesses that use radiation or have the presence of radiation in their premises are required to carry insurance even if they employ less than 3. Domestic employees are exempt. The employer pays the premium based on the employee payroll.

What are the WC benefits in NC?

WC covers medical expenses and lost wages due to the injury or occupational disease. The employee is entitled to Temporary Total Disability at 66 2/3% of their average weekly wages following a 7-day waiting period. The waiting period begins from the first day of disability. They are calendar days and they do not have to be consecutive. Any day that the employee does not earn a full day's wages are counted as one day. If disability continues for 21 days or more, the employee will receive

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Farm work is one of the most dangerous occupations in the U.S.; farmworkers experience many injuries working alongside farm machinery. Photo courtesy of Chris Johnson.

NCOSH Provides Information about Workers' Compensation

BY KAMILAH EXUM
NCOSH INTERN

NCOSH, North Carolina Occupational Safety and Health Project, is a non-profit organization that, among other things, fights for workers' compensation rights for all North Carolina workers. Although agricultural workers contribute \$46 billion annually to the state revenue and are an invaluable component of the workforce, most are not covered by workers' compensation. Because a large portion of NCOSH's work focuses on workers' compensation, it is only able to provide agricultural workers with information rather than its full array of services.

When an injured worker contacts NCOSH to discuss workers' compensation, NCOSH will explain the law, help gather evidence for workers' compensation claims, and assist in filing claims.

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