

Francine Perkins Colón
Chief Administrator
Payroll Administration

Workers' Compensation Unit
65 Court Street, Room 1400
Brooklyn, NY 11201

+1 718 935 2213 tel
+1 718 935 3329 fax

The Division of Financial Operations (DFO) is committed to providing supports and services to schools, Children First Networks, clusters, central and field offices, and all DOE employees.

As part of this commitment, the Workers' Compensation Unit within DFO created the following list of frequently asked questions from employees concerning the workers' compensation claims process.

Workers' Compensation: Frequently Asked Questions from Employees

Eligibility

Q. I got injured on the job but I did not go to the doctor or take time off of work. Do I still qualify for workers' compensation?

A. Yes! Every accident/injury must be reported to your supervisor immediately. An injured employee who fails to inform his/her employer in writing – by submitting an Employee Claim (C-3 form) – may lose the right to workers' compensation benefits.

Claim Processing

Q. What forms do I need to complete in order to file a claim for workers' compensation?

A. The following forms, obtained from your payroll secretary or timekeeper, must be completed:

- Employee Claim (C-3 form)
- Employee Notice of Injury (WCD23 form)
- Election of Rate of Charge Against Annual and/or Sick Leave Balances (DP2002 form)
- Comprehensive Injury Report (administrative employees only)

Once completed, return these forms to your payroll secretary/timekeeper.

Q. What should I do if I learn that my payroll secretary has not yet submitted the C-2 form to the New York City Law Department, as required, and school is currently closed?

A. You should complete the Employee Claim (C-3 form) and mail a copy to the New York City Law Department for processing. Once school reopens, request that your payroll secretary submit the school's C-2 form online and then forward a copy to the New York City Law Department.

Q. How do I obtain a carrier case number?

A. Once the New York City Law Department receives your Employee Claim (C-3 form) plus other related documentation from your payroll secretary/timekeeper, and it deems that your injury is compensable, it will notify you by mail of your carrier case number as well as the name of the benefits examiner assigned to your case. Your attending physician will need your carrier case number in order to continue treating you.

Q. How do I request a hearing?

- A. You can request a hearing by calling the New York State Workers' Compensation Board: (800) 877-1373.

Medical Treatment

Q. Where can I obtain a list of participating workers' compensation doctors?

- A. Visit the New York State Workers' Compensation Board [website](#) to obtain a listing of participating physicians. This information can also be obtained over the telephone at (800) 781-2362.

Q. My treating physician has asked for authorization/payment for services. What do I do?

- A. If your physician requests any authorizations for medical services or payment for services already rendered, refer these issues to your benefits examiner at the New York City Law Department.

Q. Who pays for my medical expenses (e.g., surgery, x-rays, prescriptions, etc.) relating to my accident?

- A. The New York City Law Department is the insurance carrier. Employees must not use their personal insurance for any expenses related to the accident. Your physician must submit a Doctor's Initial Report (C-4 form) for reimbursement to:

New York City Law Department
Workers' Compensation Division
350 Jay Street, 9th floor
Brooklyn, NY 11201

Q. I have an old work-related injury and I need further medical attention, but I believe my case is closed. What do I do?

- A. Contact your benefits examiner at the New York City Law Department to see if your case is still open. If your case is open, your examiner will advise you about what steps to take in order to continue receiving medical attention. If you learn your case is closed, call the New York State Workers' Compensation Board – (800) 877-1373 – to request a hearing to re-open your case.

Absences and Leaves

Q. How will my absences relating to the injury be treated?

- A. The date of the accident is a regular paid day. You are entitled to receive up to five consecutive days off immediately following the date of accident without deduction from your accrued annual or sick leave. To be eligible to receive these days, you must submit, to your payroll secretary/timekeeper, either an [Application For Excuse Of Absence For Personal Illness \(Sick Leave\)](#) (OP 198 form; for school-based employees) or an [Application For Excuse Of Absence With Pay for Administrative Employees](#) (PD 19 form; for administrative employees), as applicable, along with a doctor's note.

For any additional absences, you have the option to either use your annual leave (option 1) or go without pay (option 2). If you choose option 2, the New York City Law Department will compensate you until you return to work at the rate determined by the New York State Workers' Compensation Board.

Q. If I decide to use my accrued sick time to cover my absences, how can I have my sick time restored?

- A. Your benefits examiner at the New York City Law Department will review your case to ensure that you have up-to-date medical records on file as well as documentation from the DOE Workers' Compensation Unit concerning your absences (as reported on the Employer's Report of Injured Employee's Change in Status or Return to Work (C-11 form)). Depending on the documentation received, the examiner will determine if your sick time can be restored. Restoration decisions are mailed to the DOE's Workers' Compensation Unit for processing.

Q. How do I file for a leave of absence without pay for workers' compensation?

A. To request a leave of absence without pay, complete one of the following forms:

- [Family Paraprofessional & Hourly Non-Competitive Employee Leave Application](#)
- [Educational Paraprofessionals Leave Application](#)
- [Application for Leave of Absence for Health Reasons \(PD 6 form\)](#) (administrative employees only)

Depending upon your personal circumstances, your payroll secretary/timekeeper may recommend submitting one or more of the following forms as well:

- [Health Benefits Report Inquiry \(Form 1054\)](#) (paraprofessional titles only)
- [COBRA Continuation of Coverage for Healthcare Application](#) (if desired)

Forward the completed form(s) to your payroll secretary/timekeeper for processing (note that the Workers' Compensation Unit does not process these requests). Should you have questions regarding the leave of absence process, please call HR Connect: (718) 935-4000.

Compensation

Q. If I elect to take a leave of absence without pay, how much money can I expect to receive from the New York City Law Department?

A. Workers' compensation payments are paid based upon your degree of disability (total, moderate, mild, etc.) and your average weekly wage, not to exceed the maximum amount set by the New York State Workers' Compensation Board. For example, claims submitted from employees who have been determined to be totally disabled which occurred on or after July 1, 2013 cannot receive more than the maximum weekly rate, currently set at \$803.21 per week. Once the State Workers' Compensation Board calculates the rate, the New York City Law Department must adhere to this rate.

Q. I have been on a leave of absence without pay due to a work-related injury and have not received a check from the New York City Law Department. Who do I call?

A. Contact the DOE Workers' Compensation Unit – (718) 935-2213 – to make sure our records reflect that you are on a leave without pay.

Once your leave status is confirmed, contact your benefits examiner at the New York City Law Department to inquire about your payment.

Additional Information

Q. Where can I obtain additional information about workers' compensation?

A. Additional information can be found on the New York State Workers' Compensation Board [website](#).

Web links referred to in this document:

- Find a workers' compensation doctor: <http://www.wcb.ny.gov/content/main/Workers/Workers.jsp>
- Application For Excuse Of Absence For Personal Illness (Sick Leave) (OP 198 form):
<http://schools.nyc.gov/NR/ronlyres/7AE40A8E-6F04-471D-A506-91C2CCA5AFFA/0/OP198.pdf>
- Application For Excuse Of Absence With Pay for Administrative Employees (PD 19 form):
http://schools.nyc.gov/NR/ronlyres/67B49C8D-4492-41FC-8BD0-F4812D888F5E/0/PD19_LeaveofAbsencewithPayforAdminEmployees.pdf
- Family Paraprofessional & Hourly Non-Competitive Employee Leave Application:
<http://schools.nyc.gov/NR/ronlyres/2C0341F5-759F-4471-9BDF-66AC13F3B885/0/FamilyParaandHourlyLeaveApplication.pdf>
- Educational Paraprofessionals Leave Application: <http://schools.nyc.gov/NR/ronlyres/951E74B7-BD26-4341-BFB8-FC1353CA2507/0/EduParaLeaveApplication.pdf>
- Application for Leave of Absence for Health Reasons (PD 6 form):
http://schools.nyc.gov/NR/ronlyres/A36C6FAD-3E35-4720-8851-0E819CA0B8D0/0/PD6_ApplicationforLeaveofAbsenceforHealthReasons.pdf
- Health Benefits Report Inquiry (Form 1054): <http://schools.nyc.gov/NR/ronlyres/15639041-EF71-4159-A785-4A581E256783/0/HealthBenefitsReportInquiry.pdf>
- COBRA Continuation of Coverage for Healthcare Application:
<http://schools.nyc.gov/NR/ronlyres/C9580F5B-6866-4E91-ADCE-18508DE8965C/0/CobranoticeofrightswithARRA.pdf>
- New York State Workers' Compensation Board: <http://www.wcb.ny.gov/>