

On-the-Job

Injuries –

The Good, The Bad, and The Ugly

On-the-job injuries are never convenient for anyone, but they can be especially debilitating (economically and psychologically, that is) for workers who are seriously injured and yet are trying to come back to work. Here are some things you need to know.



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The Good: Under state workers' compensation law, an employee injured on the job is entitled to a "quick" (and I use this term loosely), resolution for their damages-which includes "managed" medical benefits and partial payment of compensation.

The Bad: If you have a permanent injury, you are entitled to only limited payments for that injury -and that's all. **The Ugly:** In Mississippi, your employer might try to terminate you for filing a workers' compensation claim. Is this fair or just? The State of Tennessee says it is not, and that's why it recognizes a cause of action for retaliatory discharge for filing a workers' compensation claim.

So what do you do if you are a Mississippi worker, seriously injured on the job, and then terminated? First of all, contact your state representatives and the governor about your situation--they need to know about it in order to change the law in Mississippi. Next, realize that there may be other laws to protect you from termination or threatened termination based upon your injury. For example, your employer may be obligated to accommodate you in attempting to come back to work under the Americans with Disabilities Act of 1990.

Additionally, your time off of work may be covered under the Family Medical Leave Act of 1993, thus providing you with some additional protection. If you have a disability policy with your employer and they encouraged you to go on disability during your time off for an on the job injury, you may have some protection there. If you are unsure about what to do, contact a lawyer in your area that practices employment law.

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