

## ● ARIZONA WORKERS' COMPENSATION LAW

*STATUTORY CITATION:* Ariz. Rev. Stat. §§ 23-901 – 23-1104

*GENERAL SUMMARY:* The Arizona workers' compensation statute declares the right of covered employees or their survivors to receive compensation for work-related injuries, illness or death, and defines the type and amount of benefits payable. The law places responsibility for payment of compensation on the employer but authorizes the commercial marketing of prescribed workers' compensation insurance policies which will satisfy the employer's liability. An employer subject to the Act who fails to secure workers' compensation insurance coverage and is sued for compensation by an injured employee loses most legal defenses otherwise available under common law. Proof of the employee's injury constitutes prima facie evidence of negligence on the employer's part.

*PROVISIONS APPLICABLE TO AGRICULTURE:* To the same extent as most other employers, the workers' compensation law applies to farm operators and other agricultural establishments who hire one or more workers. Such employers must either cover their employees with a workers' compensation insurance policy, the cost of which may not be deducted from the employees' pay, or furnish proof to the state administering agency that they have the financial ability to pay compensation directly to injured employees in the event of an accident. In either case, agricultural workers who are injured in an accident or disabled by illness arising out of and in the course of their employment (or the dependents of agricultural workers whose death results from such an accident or illness) are generally entitled to receive periodic cash payments or death benefits, medical and hospital services, medicines, and funeral expenses in accordance with detailed specifications and limitations spelled out in the statute.

### *SPECIAL NOTES OR ADVISORIES*

**LIABILITY OF CREW LEADERS AND LABOR CONTRACTORS** — When a farm operator or other agricultural establishment procures work to be done by a contractor over whose work the farm operator retains supervision and control, the contractor and the workers in the contractor's crew are regarded under the workers' compensation law as employees of the farm operator, who is therefore the party liable for coverage.

### *ADMINISTRATION AND ENFORCEMENT*

**PRIMARY ENFORCEMENT AGENCY** — *Claims Division, Industrial Commission of Arizona, Phoenix, Arizona 85007 (602-542-4661)*. The state industrial commission is responsible for monitoring, regulating and adjudicating claims for compensation for work-related injuries, illnesses and death, and for processing and paying claims against uninsured employers. This agency is also authorized to assure compliance by employers subject to the financial liability this law imposes.

**SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY** — *None*.