

## ☉ WORKER'S COMPENSATION ACT

*STATUTORY CITATION:* Wis. Stat. §§ 102.01 – 102.89

*GENERAL SUMMARY:* With some exceptions, the Worker's Compensation Act requires employers who regularly have 3 or more employees, or who pay wages amounting to \$500 or more in any calendar quarter, to carry workers' compensation insurance in case of an employee's injury or death in the course of employment. Employers with 3 or more employees must obtain insurance immediately upon employing a third person, while an employer who pays \$500 or more in a calendar quarter must obtain insurance by the 10th day of the first month of the next calendar quarter.

Among the benefits to which covered employees are entitled in the event of a work-related injury are (1) coverage of all reasonable and necessary medical costs, (2) cash payments for temporary loss of wages while the employee is recovering from the injury, (3) cash payments for permanent disability if the employee does not fully recover from the injury, (4) vocational rehabilitation, and (5) death benefits and payment of burial expenses if death occurs as a result of the injury.

An employer who does not comply with the responsibility to insure the payment of compensation is subject to a civil penalty and possible closure of the business, and becomes personally liable for uninsured benefit claims for which the injured employee is eligible.

*PROVISIONS APPLICABLE TO AGRICULTURE:* A farm operator or other farming establishment that employs 6 or more employees at one or more locations, working on the same day for 20 or more days during a calendar year, is required to secure workers' compensation insurance within 10 days after the 20th such day.

### *ADMINISTRATION AND ENFORCEMENT*

*PRIMARY ENFORCEMENT AGENCY* — *Worker's Compensation Division, Wisconsin Department of Workforce Development, Madison, Wisconsin 53707 (608-266-1340).* It is the Department's duty to see that all employers subject to the Worker's Compensation Act secure coverage for the protection of their employees, and that claims are processed and benefits are paid in conformity with statutory standards.

An injured employee should give notice to the employer within 30 days of any injury, or, in the case of an occupational disease, within 30 days of the time the employee becomes aware of the disability and its relation to the employment. If notice is not given within 30 days, the worker may give notice anytime within 2 years of the date the injury occurred, the date of the onset of the disease, or the date the worker first realized that such injury or disease was caused by his or her work.

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