

EMPLOYMENT LAW SUMMARY

Connecticut: Workers' Compensation - Employer Responsibilities



Workers' compensation is a system of no-fault insurance that provides medical and monetary benefits to employees (or their survivors) who sustain work-related injuries, diseases or death. Workers' compensation is governed by state law.

The Connecticut Workers' Compensation Act (WCA) outlines employers' responsibilities relating to workers' compensation in the state. The Connecticut Workers' Compensation Commission ([Commission](#)) administers the workers' compensation system and enforces employer responsibilities under the WCA.

COVERAGE REQUIREMENTS

The WCA requires all employers to maintain adequate workers' compensation coverage for their employees. "Employer" is defined as any person or organization that uses the services of one or more employees for pay.

An employer may meet the coverage requirement by either obtaining coverage from an insurance company or becoming self-insured. Employers may also use a combination of insurance coverage and self-insurance or a substitute system of insurance if the Commission approves it.

A self-insured employer uses its own assets, rather than an insurance policy, to insure against its obligations under the WCA. Employers must obtain the Commission's approval to self-insure. If the Commission approves an employer for self-insurance, the employer is only authorized to self-insure for a one-year period and must apply for renewals each year.

Employers that obtain a workers' compensation policy through an insurance carrier must file a copy of the policy with the Commission or provide other written evidence of WCA compliance.

COVERAGE NOTICE REQUIREMENTS

Employers must post and maintain a printed [notice](#) regarding their workers' compensation coverage in each workplace where their covered employees work. The notice must be posted in a place that is readily accessible to all employees. Employers are responsible for keeping the notices current and revising them each time a new workers' compensation policy is issued.

INJURY REPORTING REQUIREMENTS

Employers must notify the Commission of any injury or disease that causes an employee to miss at least one day of work due to incapacity.

The notification must be submitted on an Employer's First Report of Occupational Injury or Illness form within **one week** of when the employee first reports the injury. Employers must also give the injured employee a copy of the completed form.

PROVIDING MEDICAL CARE

Employers must pay for all medical treatment that an approved physician, surgeon or advanced practice registered nurse deems reasonable or necessary to treat a work-related injury. All medical bills, including costs of prescription medications, are payable directly to the medical providers.

An employer may designate a physician, surgeon or advanced practice registered nurse to provide the initial medical treatment. After the initial treatment, the employee may choose his or her own physician, surgeon or advanced practice registered nurse to provide ongoing care.

However, employers may exert some control over their employees' treatment by establishing a managed-care plan before an injury takes place. An employer that has an established managed-care plan must provide injured employees with a list of approved providers within **two days** of an injury, and the injured employee must then receive treatment from one of the listed providers.

In addition to the medical expenses, employers are responsible for paying an injured employee's full hourly wages for any time the employee spends receiving medical treatment. This is not required if the employee is eligible for other workers' compensation benefits at the time of the medical treatment.

TRANSFER TO SUITABLE WORK

If an employee's injury disables him or her from performing his or her customary or most recent work, the employer must transfer him or her to full-time work suitable to the employee's physical condition. This requirement applies throughout the time the employee is under medical treatment or rehabilitation for a work-related injury or disease.

VOLUNTARY AGREEMENTS

If an employee sustains an injury that results in temporary disability for more than three days and the employer accepts it as compensable, the employer must prepare a [voluntary agreement](#) and present it to the employee. The agreement should outline all the temporary or permanent disability payments the employer agrees to make for the compensable injury.

The employer must submit the signed agreement to the Commission within **three weeks** after first having actual knowledge of the injury and the fact that the disability would extend beyond three days. The agreement becomes binding for all parties once the Commission issues a statement of approval.

An employer that wishes to discontinue or terminate payments that it had agreed to make under a voluntary agreement must first provide written notice to the Commission and the employee. The notice must specify the reason for the proposed discontinuance or reduction and the date it would commence. Employers may not actually discontinue or reduce the payments until after the Commission grants permission in writing.

PAYING COMPENSATION BENEFITS

When an employee files a properly drafted and served claim notice with the Commission (or the employer), the employer must either begin paying any monetary benefits due or send a written Dispute Notice ([Form 43](#)) to both the Commission and the employee **within 28 days** of the claim notice. If an employer fails to timely commence payments or send the dispute notice, the Commission will conclude that the employer has accepted compensability of the claim, and interest may begin accruing on the past-due benefit payments.

If a physician determines that an employee has sustained a permanent partial disability (PPD) as a result of a compensable injury, the employer must begin paying PPD benefits **within 30 days** of the determination. Any ongoing disability benefits must be paid to the injured employee at least monthly.

REDUCING THE COST OF WORKERS' COMPENSATION INSURANCE

Workers' compensation insurance premiums are determined primarily by the employer's industry. For example, workers' compensation insurance premiums are more expensive for a construction or manufacturing company than for a professional services firm. However, employers across all industries can take steps to reduce the cost of maintaining workers' compensation insurance.

SAFETY PLANS

The easiest and often most effective way to reduce frequent workers' compensation claims is implementing a quality safety program. Safety programs can help employers identify safety issues that employees face on a daily basis. Safety programs should also establish safe work practices and educate employees on how to reduce risk. When creating a safety plan, employers should analyze the factors that cause frequent claims.

For some employers, the WCA imposes an affirmative obligation to establish and administer committees that promote health and safety in their places of employment. This requirement applies to employers that:

- Have 25 or more employees (including temporary and seasonal workers) working at a single worksite; or
- Have less than 25 employees working at any given worksite but have an above-average incident rate for work-related injuries and illnesses.

REPORTING FRAUD

Fraud is expensive and can drastically raise premiums. If an employer suspects that an employee has submitted a fraudulent workers' compensation claim, the matter should be promptly reported to the Connecticut [Workers' Compensation Fraud Unit](#) within the Division of Criminal Justice, for an investigation.

MORE INFORMATION

Contact Heffernan Insurance Brokers or visit the Commission [website](#) for more information on workers' compensation laws in Connecticut.

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