

EMPLOYMENT LAW SUMMARY

Minnesota: Workers' Compensation – Claims Process



Because You're Different

Workers' compensation is a system of no-fault insurance that provides monetary and medical benefits to employees, or their survivors, for work-related injuries and illnesses.

Minnesota's workers' compensation laws govern the claims process for individuals who sustain work-related injuries. The [Division of Workers' Compensation](#) (DWC), part of the Minnesota Department of Labor and Industry, investigates and handles worker's compensation claims throughout the state.

This Employment Law Summary provides a brief overview of the claims process in Minnesota. The claims process typically begins with a notice of injury and may end up in administrative or judicial appeal.

NOTICE OF INJURY

Employees must notify their employers, in writing, of any work-related accident and resulting injury or illness, **within 14 days** of the event. Failing to report an injury can delay the claims process and could result in a denial of the claim altogether. Some exceptions are possible if an employee has a reasonable excuse and if the DWC is satisfied that the employer is not adversely affected by the lack of notice.

The notice must include, in ordinary language:

- The employee's name;
- The time and place of the accident; and
- A description of the injury.

Minnesota suggests the following model language for notifying an employer of a work-related injury:

You are hereby notified that an injury was received by [name], who was in your employment at [place], while engaged as [kind of work], on or about the [number] day of [month], [year], and who is now located at [address]; that, so far as now known, the nature of the injury was [injury nature], and that compensation may be claimed therefor.

Dated _____ (signed) _____ (address) _____

Variations on this language are acceptable, as long as they convey the minimum information described above.

CLAIM DENIALS

Employers must investigate the eligibility of each employee to receive benefits for reported injuries and, at the earliest practicable time, admit or deny their employees' claims. The DWC may impose reasonable sanctions on employers that do not notify affected parties of their intention to admit, deny or begin payments on a claim **within 45 days**.

DISPUTED CLAIMS

Employees are encouraged to try to resolve any claim disputes directly with their employer and the employer's insurance carrier (if applicable). If matters involving insurance coverage and right of contribution remain unresolved, the parties can file a written petition to initiate proceedings with the DWC.

Eligible injured employees may be referred for rehabilitation consultations and services even if there is a dispute regarding medical causation or regarding the relation of a condition to the employment. After a claim has been settled, the party liable for the injury is responsible for the costs of any rehabilitation services.

SETTLEMENT CONFERENCE

Minnesota has an administrative workers' compensation court system. Compensation judges in these administrative courts have the authority to settle workers compensation claims.

Within 180 days of filing a claim, a compensation judge will first schedule the dispute for a settlement conference. Settlement conferences will also be set within 45 days for disputes over discontinuance of benefits and requests for formal hearings. All parties to the dispute must appear at the settlement conference, be prepared to discuss and present evidence on their arguments and have the authority to settle the matter.

If a settlement is reached, and when appropriate, the compensation judge may issue a written summary of the issues and the determination of each issue **within 10 days**. A summary decision is final unless any party files a written request for a formal hearing **within 30 days**.

HEARINGS

If a settlement is not reached, the dispute will be scheduled for a formal hearing within 90 days. Formal hearings will be scheduled with a compensation judge other than the one who conducted the settlement conference. All hearings before a compensation judge are public.

INVESTIGATIONS

Compensation judges may conduct independent investigations of the facts alleged in a disputed claim before, during or after any hearing.

As part of the investigation, the compensation judge may appoint one or more neutral physicians or surgeons to examine the injury and report on it. Other experts may also be employed to conduct investigations. The results of any investigation will become part of the case record and will be open to inspection.

APPEALS

A final DWC or compensation judge decision may be appealed to the Workers' Compensation Court of Appeals (and subsequently to the Minnesota Supreme Court) **within 30 days**. The 30-day filing period may be extended if necessary. An overturn on appeals may be granted only if:

- The final decision does not conform with Minnesota's workers' compensation laws;
- The DWC or the compensation judge committed an error of law;
- The final decision was supported by clearly erroneous findings of fact and not by substantial evidence in view of the entire record (as submitted); or
- The final decision was based on findings of fact that were obtained by fraud, coercion or any other improper conduct by an interested party.

MORE INFORMATION

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

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