

## Where to get help

- Your employer should not try to talk you out of reporting the accident or refuse to sign the Notice of Accident form.
- If your employer or insurer does not agree that your claim is covered, you might not receive any benefits.
- If either of these situations happens, or if you have questions, contact an ombudsman in the Workers' Compensation Administration or a lawyer for help.
- “Ombudsman” means a government official who investigates problems and helps resolve them without taking one side or another. The ombudsmen are experts in workers' compensation claims. If you need legal assistance and you have not retained an lawyer, you can ask for one at your local Workers' Compensation Administration office.
- If your workers' compensation claim is denied or you want representation, you can contact a workers' compensation attorney. You can look in the phone book yellow pages for attorneys who practice “employment law” or “workers' compensation” or contact

the State Bar for a referral at 1-800-876-6227.

**TIP: Remember to save all documents: receipts, pay stubs, medical history, records, and letters about your case.**



## Workers' Compensation Administration Offices

Albuquerque Office  
2410 Centre Ave SE, Albuquerque, NM 87125  
505-841-6000  
In-state Toll Free: 1-800-255-7965

Farmington Office  
2700 Farmington Ave., Bldg. E,  
Farmington, NM 87402  
505-599-9746  
In-state Toll Free: 1-800-568-7310

Las Cruces Office  
1120 Commerce Dr., Suite B-1, Las Cruces,  
NM 88011  
575-524-6246  
In-state Toll Free: 1-800-568-7310

Las Vegas Office  
32 NM 65 Las Vegas, NM 87701  
505-454-9251  
In-state Toll Free: 1-800-281-7889

Lovington Office  
100 West Central, Suite A, Lovington, NM  
88260  
575-396-3437  
In-state Toll Free: 1-800-934-2450

Roswell Office  
Penn Plaza Building 400 N. Pennsylvania Ave.,  
Ste. 425 Roswell, NM 88201  
575-623-3781  
In-state Toll Free: 1-866-311-8587

Santa Fe Office  
810 West San Mateo, Suite A2, Santa Fe, NM  
87505  
505-476-7381

**Workers' Compensation  
HELP HOTLINE:  
1-866-967-5667**

## Workers' Compensation

*Who qualifies?*

*What to do if you are injured at work.*



**NM center on law and poverty**

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## Who Qualifies?

Anyone who **works** for an employer with three or more workers except:

Employees who work in private domestic work, or real estate agents.

Anyone who works doing **construction** is covered regardless of the number of employees the employer has .

- Workers who are injured or die **as a result** of an accident at work (including illnesses like lung cancer and injuries like a broken leg) can be covered by workers' compensation. The injury must have a **direct connection** to the work and this must be verified by a doctor.
- You **can qualify** for workers' compensation **regardless of your immigration status**. You do not need a Social Security number to qualify.
- To file a complaint without a Social Security number you will need to show a valid state ID card to the WCA.
- If you are undocumented, **NEVER** tell anyone (except your lawyer) your immigration status.

## What are the benefits?

Workers' compensation is a system of insurance that helps take care of people when they are injured at work, become sick as a result of work, or die because of a work related accident. If this happens, the employer must provide:

- health care for the injury or illness;
- if the worker cannot work for a period of time because of the injury or illness, money directly to the worker as a partial substitute for lost wages.
- When there is a death of a worker: payment of all medical care, survivor benefits to dependent family members, and an allowance for funeral expenses.

----- **TIP:** All benefits (other than medical) are called indemnity benefits.

### Good to Know

- If your employer has provided a safety device and you did not use it, you could lose part of the indemnity benefits.
- If you have an accident under the influence of drugs or alcohol, or cause an accident on purpose, you could lose part or all of the benefits, both medical and indemnity.

## Injured on-the-job?

- In an emergency, **go** and **get** the medical care you need wherever it is available.
- In non-emergencies, find out the proper procedure before you receive medical care. If your employer or claims representative tells you which doctor to see, **follow** the instructions. If an emergency room doctor advised you to go to another doctor for follow-up care, you should check with your employer or claims representative before going to that doctor.
- *If you have been instructed by your employer to go to one doctor and you go to a different doctor, you could be responsible for paying for your own medical care.*
- **Tell** all doctors this was a work-related injury.
- You **must notify** your employer or supervisor about any accident or illness.
- **Fill out** a Notice of Accident form within 15 days of the accident. Forms should be provided by your employer and posted where you work or you can get them from the Workers' Compensation Administration. Sign and date the form and ask your employer to sign and date the form. You keep one copy of the form and your employer keeps one copy. **Save** this piece of paper, you may need it to prove you reported the accident. If your employer and the insurer agree that a claim is covered and that you are entitled to benefits, you do not have to do anything further.
- If after turning in the Notice of Accident form, your employer denies compensation, you will need to file a complaint at your local workers' compensation office within one year.