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Workers' Compensation: Does It Cover a Car Accident on the Job?



If you are driving a car for a work-related reason and get injured in an accident, would you be covered by Workers' Compensation?

The general answer to this question is "Yes" - but varies by state. Since Workers' Compensation insurance covers you on the job, and as part of your job you were driving for your employer, Workers' Compensation would cover you for those medical expenses related to the accident as well as lost wages - no matter whose fault the accident was.

Here are some scenarios in which you may be eligible for Workers' Compensation payments if you are injured in a vehicle accident while working:

- Making a delivery.
- Running an errand for your supervisor, manager or employer.
- Driving an employee to another work-related site.
- Driving for your employer as part of your regular work duties.
- Traveling for work where you have no regular stationary office, for example a traveling salesperson.

Does Workers' Compensation Cover Commuting?

Generally, you would not be able to collect Workers' Compensation benefits for a vehicle accident that occurred while you were commuting to or from work.

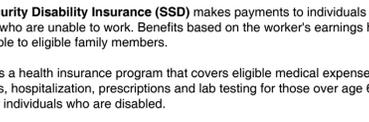
The Workers' Compensation laws in Ohio prevent you from filing a claim based on what is called the "coming-and-going" rule. This rule helps distinguish traffic accidents that arise out of the employment relationship - and are therefore compensable - from those accidents that are solely due to commuting. Generally, an employee who has a fixed place of employment and is injured while traveling to and from that place is not entitled to a Workers' Compensation claim in the event of an injury while commuting.

Making a Claim Against the Third Party At-Fault Driver

In addition to Workers' Compensation benefits that you may receive if you are injured in a work-related car accident, you have the right to sue the entity or person who caused or had fault in causing the accident. This entity is called the "third party" and pursuing legal action against the third party may get you additional compensation, for example for physical and mental pain and suffering, on top of what Workers' Compensation will pay.

Please contact us if you were injured on the job while driving for your employer or boss. We can help you sort out your options for the best outcome for you and your family.

Federal and State Public Benefit Programs Complement Each Other



On the surface, public programs like Social Security, Medicare and Workers' Compensation may seem to offer duplicate benefits. But these programs are carefully designed to complement each other.

Let's look at federal benefits first:

Social Security Retirement Benefits (SSRB) provides payments to eligible workers age 62 and over based on their earnings history. Qualified family members may also receive benefits at various ages.

Social Security Disability Insurance (SSD) makes payments to individuals with disabilities who are unable to work. Benefits based on the worker's earnings history are also available to eligible family members.

Medicare is a health insurance program that covers eligible medical expenses such as doctor visits, hospitalization, prescriptions and lab testing for those over age 65 as well as younger individuals who are disabled.

As a state program, **Workers' Compensation** makes payments to workers who have suffered a work-related injury or illness.

How the Programs Work Together

- The major difference between SSD and SSRB benefits is the earliest payment age: An eligible individual with a disability can collect SSD benefits at any age while SSRB cannot begin until age 62 on a reduced basis.
- Medicare is available at age 65, but for individuals who are disabled coverage may start 24 months after SSD payments begin.
- A worker who is disabled with a work-related illness or injury may be eligible for **both** SSD and Workers' Compensation. Generally, the combined payments will not exceed 80% of the worker's pre-disability earnings.
- When collecting Workers' Compensation benefits, the individual should enroll in Medicare when first eligible. Medicare will then pay medical expenses on a secondary basis.

It's important to seek the advice of an experienced attorney to help structure your claims and advise you as to when you should apply for the various benefits for which you are eligible.

If you or a loved one has been harmed by any type of personal injury or has been denied Worker's Compensation or Social Security Disability (SSD) benefits, it's important to get an attorney experienced in these types of cases involved immediately. Call 1 (800) 589-6611 for your initial, free consultation. Either in our office or in the comfort of your own home. Heller, Maas, Moro & Magill, Co., LPA, a workplace injury and Social Security disability law firm located in Youngstown, can help you navigate the application process for the best possible outcome for you and your family.

Recipe of the Month

Grilled Zucchini Halves with Chopped Tomato-Basil Salsa



Here's a great veggie dish for your next cookout.

Step 1:

Cooking spray
2 medium zucchini, halved lengthwise

Heat a grill pan over medium-high. Coat pan with cooking spray. Add zucchini; cook 4 to 5 minutes on each side.

Step 2:

- 1 cup chopped tomato
- 2 tablespoons chopped fresh basil
- 1 tablespoon chopped fresh chives
- 1 tablespoon olive oil
- 1 teaspoon fresh lemon juice
- 3/8 teaspoon kosher salt
- 1/4 teaspoon freshly ground black pepper

Combine ingredients in a bowl; toss. Spoon salsa evenly over grilled zucchini halves.

Recipe courtesy of www.myrecipes.com

What's Happening In Youngstown, Warren, Salem, Ravenna & Akron

Aug 19
Park N Roll Festival 2017
Munroe Falls Metro Park
Munroe Falls, OH
<http://cleveland.eventful.com/events/park-n-roll-festival-2017-/E0-001-104632928-4>

Aug 30 - Sep 2
Labor Day Festival
Lions Park
Tallmadge, OH
<http://eventful.com/tallmadge/events/labor-day-festival-/E0-001-091441884-6>

Sep 1 - 4
Cleveland Oktoberfest
Cuyahoga County Fair Grounds
Brea, OH
<http://cleveland.eventful.com/events/cleveland-oktoberfest-/E0-001-104173670-8>

Sep 15
Yankee Peddler Festival
Clay's Park Resort
North Lawrence, OH
<http://eventful.com/northlawrence/events/yankee-peddler-festival-/E0-001-095028224-9>

Sep 15
Willie Nelson with The Avett Brothers & Sheryl Crow
Blossom Music Center
Cuyahoga Falls, OH
<http://cleveland.eventful.com/events/willie-nelson-avett-brothers-/E0-001-102265135-4>

Oct 8
2017 Harvest Walk & 5K
Mapleside Farms
Brunswick, OH
<http://cleveland.eventful.com/events/2017-harvest-walk-5k-/E0-001-103993773-9>

Oct 27
Vintage Market Days of Central Cleveland
Cuyahoga County Fair Grounds
Brea, OH
<http://cleveland.eventful.com/events/vintage-market-days-central-cl-/E0-001-104502474-4@2017102710>

Oct 28
Creatures in the Forest 5K Run and 1 Mile Trot for Treats
Cleveland Metroparks West Creek Reservation
Parma, OH
<http://cleveland.eventful.com/events/creatures-forest-5k-run-and-1-mile-trot-treats-/E0-001-103814343-0>

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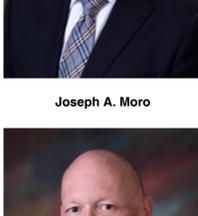
Meet Our Attorneys



Robert L. Heller



Steven D. Maas



Joseph A. Moro



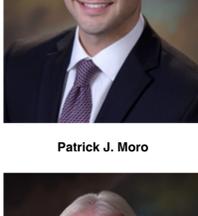
Richard L. Magill



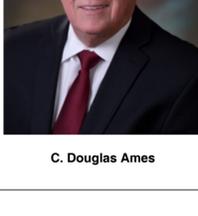
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