

# Union Employees' Guide

## Iron Workers Negotiated Workers' Compensation Program

### What It Is

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The District Council of Iron Workers of the State of California and Vicinity and its affiliated Local Unions have entered into an agreement with their signatory employers to establish a Workers' Compensation Program that will provide additional benefits, procedures and services to Iron Workers working in California who have been involved in a workplace injury. A list of the Employers signatory to this program can be obtained from your Local Union. The Program will be administered by the same Trustees who represent you on your Health & Welfare, Pension and other Trust Funds.

The Ironworkers Worker's Compensation Program does not totally replace the normal state system. In addition to the rights you have under the current California system, the Ironworker's program will include the following additional benefits:

- *Injured workers will receive 110% of the weekly temporary benefits from the insurance carrier*
- *Injured workers can contact a union program administrator to help answer questions*
- *Injured workers will be treated by authorized board certified medical providers in their specialty*
- *An independent case nurse will be available to answer your medical questions*
- *Resolution of claim disputes through a special mediation and arbitration process using arbitrators and mediators selected by the Union*
- *You have the right to seek the advice of an attorney at all times throughout this process*

### Labor and Management Cooperation

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It is the intent of the labor and management to improve the delivery of benefits and resolution of disputes for workers who claim Workers' Compensation benefits under the laws of the State of California and to reduce the waste and excessive costs that have historically been associated with the delivery of those benefits. Nothing in this Agreement diminishes the entitlement of an employee covered by this Addendum to compensation payments for total or partial disability, vocational rehabilitation, medical treatment and other benefits as required by California law fully paid for by the employer.

### The Program Administrator (Ombudsman)

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The Ironworkers Workers' Compensation Trustees have appointed union representative Gene Vick as the Program Administrator. Once he is notified, Gene will make an initial contact with each injured employee. Additionally, he will be available to answer your questions and help resolve any problems you have related to your claim by calling him toll free at 1-888-615-4766. The Program Administrator's job does not include giving advice or telling you what to do. What the Program Administrator can do is listen to your concerns and try to get them fixed to your satisfaction. However if this cannot be done you are free to move on to the next step which is mediation.

**Program Administrator -Toll-Free (888) 615-IRON**

## **Reporting Injuries**

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In the event that you are injured on the job, you are required to immediately report all injuries to your foreman or superintendent, in addition to the job steward. Your failure to timely report an injury may result in the denial of a claim. Upon notification of any injury your employer will provide you with a workers' compensation claim reporting form and call their insurance company to ensure that you receive proper medical care. Under the Ironworkers' Program your employer will also notify the Program Administrator and the Case Nurse of your injury.

## **Quality Medical Care**

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The medical care you receive is provided through a network of authorized health care providers established by the Trustees specifically for this program. Unless you have pre-designated your personal physician to treat your injury the authorized health care providers will be the exclusive source of all medical treatment. You are permitted to choose from among all the doctors in the network. If you are unhappy with your choice, or with a specialist to whom you have been referred, you are free to change doctors once. All authorized providers must be board certified in their respective specialties.

## **The Claims Adjuster**

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After you report your injury or illness, you will be contacted by a claims adjuster several times while your claim is open. The claims adjuster is responsible to ensure that you receive all the benefits you are entitled to under the law and will provide you with their name and telephone number. If you have any questions regarding those benefits please call the claims adjuster.

## **Case Nurse**

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In addition to the phone calls from the program administrator and claims adjuster, you will also be contacted by a case nurse who is assigned to assist you with your claim. The case nurse is an independent patient advocate paid for by the Ironworkers Workers Compensation Trust and is available to assist you 24-hours a day seven days a week. If you need to select or change your treating physician, or if you have any questions or concerns about your medical care you may contact a case nurse at (888) 668-9897.

## **The Mediation Process**

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If the Program Administrator does not resolve the problem to your satisfaction within five working days of contacting him, you can request mediation. A request for mediation must be made no later than sixty (60) days after the expiration of the five-day period and any agreed extension thereto. The mediator will meet with you and the insurance carrier and attempt to resolve matters regarding your workers' compensation claim. The Mediator cannot force you to accept his or her recommendations or require that you sign any documents giving up your rights. He or she can only make suggestions.

## **The Arbitration Process**

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If the mediation is not successful your dispute will be referred to an arbitrator that has been agreed to by the Ironworkers Workers' Compensation Program Trustees. A hearing will be held so that you or your attorney can present evidence regarding your claim. The arbitration must be requested within (60) days after the mediation process and a decision reached within (10) days following the conclusion of the arbitration.

## **Safety Standards and Performance**

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In an effort to increase safety performance and prevent job site injuries, the Ironworkers Workers' Compensation Trust Fund created a safety program policy for contractors who elect to participate in this collectively bargained workers compensation program. Before contractors are allowed to participate in this program, they must pass a complete safety audit that includes unannounced job site safety inspections and a review of safety and programs.

During the course of participation, contractors are required to comply with any applicable federal, state, or local statutes pertaining to employer safety requirements. Routine job site safety inspections will be conducted to evaluate contractor safety performance. In the event of non-compliance with the Program Safety Policy, the Ironworkers Workers' Compensation Trustees reserve the right to seek any remedy necessary to rectify substandard safety performance.

## **Pre-Designating Medical Providers**

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You have the right to have your personal physician treat you should you become injured. However you must pre-designate in writing the name, address and telephone number of your physician **prior** to your becoming injured. If you wish to have your personal physician treat you in case of injury you must fill out the form below, sign and date it, and return it to your employer.

## **Projects Not Covered by This Program**

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OCIP and CCIP Projects - The Iron Workers Collectively Bargained Workers' Compensation Program (ADR) does not include Owner Controlled Insurance Programs (OCIP) or Contractor Controlled Insurance Programs (CCIP).

# Employee Personal Physician Pre-Designation Form

I, \_\_\_\_\_ pre-designate the following personal physician to provide treatment in the event of a work related injury.

Employee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name of Physician: \_\_\_\_\_

Address of Physician: \_\_\_\_\_

Telephone of Number of Physician: \_\_\_\_\_

Fax Number of Physician: \_\_\_\_\_

(Cut out along lines)