



WORKERS'
COMPENSATION

Facts About Workers' Compensation in Delaware

Did You Know?

What is Workers' Compensation?

Workers' Compensation is mandatory in the state. It supports employees injured or sick due to work-related injuries or illnesses. It offers medical care and also provides compensation for lost wages and permanent injuries or death.

In Delaware, every employer must have Workers' Compensation insurance. This is true if they have one or more employees. Federal workers, such as postal employees and longshoremen, have their own federal laws.

Facts for Employees:

- **Act now.** Tell your employer about any work injury or illness within 90 days.
- **This includes medical care.** Lost wages are also covered (total temporary and partial temporary). It may also include permanent impairment, disfigurement, and death benefits.
- **Your rights are protected.** It's illegal for employers to punish you for filing a Workers' Compensation claim. If you face discrimination, you have rights.

Learn more: Scan the QR Code on the right.

Information for Employers:

- **Insurance is required.** Not having Workers' Compensation insurance can lead to substantial fines and legal penalties. Ensure your policy is always up to date.
- **Reporting is key.** You must report all employee injuries within 10 days after notification from the employee. Use the First Report of Occupational Injury or Disease Form.
- **Preventing Abuse.** Reporting an injury does not admit liability. It's a necessary step in the process that cannot be used against you in a contested claim.
- **Out-of-State Considerations.** Employers based outside of Delaware but with employees working in the State must have a Delaware Workers' Compensation policy or applicable endorsements.

Benefits and Compliance:

- **Temporary Total Disability:** Employees can receive benefits from the fourth day of injury. If the disability lasts more than seven days, the employee is compensated a portion of their weekly wage, up to a maximum, from day one.
- **Penalties for Non-Compliance:** Employers risk fines of \$100 to \$250. They get fined for not filing the first injury report, no matter how severe the injury.
- **Special Cases:** Volunteers, interns, non-profits, and seasonal workers have specific coverage requirements. Exclusion forms are needed for certain roles. This includes immediate family members in the business.
- Exclusion Form can be found by scanning the QR Code, and submitting via email to: dol_dia_wc_compliance@delaware.gov

How to Get Help:

If issues arise or you need process clarification, both workers and employers can get help from the Delaware Office of Workers' Compensation. You may want legal help. This is especially true in contested cases or if the claims process gets complex.

Remember:

Workers' Compensation ensures safety. It provides support for everyone at work. Compliance isn't just a legal requirement, it's a commitment to your team's well-being.

Where Can I Learn More?

Contact Our Main Office:

(302) 761-8200

Are you an employer with questions?

dol_dia_wc_compliance@delaware.gov

For all other work injury questions:

dol_dia_workcomp@delaware.gov

Scan QR code for access to further information, office contact details, forms, and direct contact options:



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DIVISION OF
**INDUSTRIAL
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