1 A written agreement is made between the employee and the employer (or his carrier) setting forth the amount of benefits, weekly wage, and other pertinent facts This agreement, with the report of accident and medical records, is filed with the board or commission administering the act for its approval

2 The carrier begins payments directly to the injured worker, following the specified waiting period, and files a statement with the board or commission that compensation is being paid, indicating the date on which payment was first made The board or commission then checks the accident report and medical records to see if payments are properly handled

3 In states having monopolistic state funds, the injured worker is required to enter a formal petition for benefits His statements are compared with those of the administrative authority, and if his statements are in order, benefits are paid

4 In contested cases, a hearing or trial is held by the board or commission at which the facts are reviewed, witnesses are heard, and the evidence concerning the case is revealed The board or commission then decides whether to grant or to disallow the benefits The burden of proof is usually on the employee Most acts provide for an appeal by either party on questions of law, and about half the states allow an appeal on questions of both law and fact

In every state, the employer is required to report injuries sustained by his employees in the course of their employment The majority of states require only that injuries which cause disability of a stipulated duration, such as for one day, three days, seven days, or fourteen days, be reported Failure to report can bring penalties fines from $25 to $1,000, and in a few instances, imprisonment

The workmen's compensation law usually requires that the employer be given notice of an accident by the employee within a stipulated time Notice of the accident must give the approximate date and place of the accident, if known, and in most instances may be given either orally or in writing

Generally, unless an employer already knows of the injury, notice of it must be given to him either in person or in writing as soon as practicable or within thirty days Failure to comply with this requirement may be excused by the industrial commissioner under certain special conditions

Inaccuracy or delay in giving notice is no bar to recovery unless the employer was prejudiced thereby Compensation may be reduced or denied to the extent of the justifiable prejudice of the employer or for failure to report the injury within designated limits

The time limit for reporting occupational disease is usually longer than that required for injury The day that disability from occupational disease begins is considered the day of injury for determining when compensation is to begin

The time limits within which compensation may be claimed in the various states range from six months to six years, but one or two years are most frequently specified Some commissions permit tardy claims if justified by the merits of the case

Rehabilitation

The definition of rehabilitation, as given in a report published by the American College of Surgeons, is "the planned attempt through the use of all recognized measures, under skilled direction, to restore those persons who because of disabilities do not assume to the greatest possible extent and at the earliest possible time that place in the productive stream of society which they are potentially capable of assuming "*

Medical rehabilitation generally is considered a part of medical treatment For an employee to be entitled to vocational rehabilitation benefits, the law, as a general rule, must contain specific provisions covering such benefits State laws vary widely on the specific benefits allowed Time and training are required for an injured man to become used to artificial limbs and to be restored to happy and useful citizenship

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*Quotation used with permission, and discussion in several following paragraphs adapted in part from American College of Surgeons, "Essential Features of Workmen's Compensation Laws and Insurance Systems and Comments," *Medical Service in Industry and Workmen's Compensation Laws*, 1946, Chapter IX.