

What to Do If You Are Injured

If you are injured – on the job or off - the most important thing you can do is take care of yourself. Make sure you get excellent medical care. But if you think you may have a workers compensation claim or a potential “third party” claim, you should seek legal advice as soon as possible. Evidence, particularly on a construction site, often disappears in a short time.

If preservation of evidence is a problem, contact a lawyer immediately for help. In addition to considering legal advice, you should:

- write down the names, addresses, and phone numbers of all witnesses to the accident or injury;
- photograph and videotape the site of the accident or injury, with particular focus on the cause of the injury and its condition, and all safety violations at the site;
- if possible, secure any defective product or equipment involved in the accident, either by seeking permission to store it or having the employer store it safely;
- find out if similar injuries occurred at the same place or in the same manner and write down the particulars, including the names and addresses of other injured persons;
- if the injury was caused by a product or machine, try to obtain the product literature, bill of sale, and the names of any vendors, suppliers, or repairers of the product;
- photograph and videotape the injured person, showing the injury as clearly as possible;
- give a careful and accurate description of the accident to every doctor who examines or treats you;
- keep careful notes of medical visits, orders, and prescriptions; and,
- report the accident to your supervisor, job steward and employer. Consider carefully any statement you give, especially to insurance representatives who call or visit you at home or in the hospital. Statements will be used in any litigation.