Work Safety and Getting Hurt at Work (Workers’ Comp)

If you think the conditions at your job put you in danger of death or serious physical harm that could happen any minute, you can refuse to work under the unsafe conditions. You can get help to make your workplace safer.

What are my rights?
You have a right to:

- Talk about workplace safety and health worries you have with your employer or Minnesota OSHA (Occupational Safety and Health Administration).
- Ask your employer for training if you will be regularly exposed to unsafe conditions.
- Ask for a safety inspection of your workplace. Call Minnesota OSHA at 1-(877) 470-OSHA.

You can’t be fired or get in trouble for trying to get safe working conditions or for refusing to work in conditions that you truly believe put you in danger.

What if I refuse to work in unsafe conditions?
If you refuse to work in unsafe conditions:

- you have to ask your employer to fix the unsafe condition
- you can’t leave the workplace during your work hours
- you have to do any other non-hazardous tasks that your employer gives you

If you are not given other tasks, you have a right to be paid if:

1. you asked for an inspection of the unsafe condition, and
2. the inspector finds that you were in danger from the unsafe condition.
Can I change the safety rules at work?
Yes. Employees can help make or change safety rules. Contact OSHA for advice or help on how to do this. Also, if your employer wants to change a standard or rule that has to do with health and safety, all of the employees must be told.

What if I get hurt at work?
An employee who has a physical injury or disease that is caused or made worse by the job should be covered by Workers’ Compensation or “Workers’ Comp.” Workers’ Comp is a type of insurance that your employer pays for in case someone gets hurt on the job. Workers’ Comp can pay you the wages you lost because you could not work. It can also pay for medical costs and for re-training if you cannot do the job you had because of your injury.

What should I do if I am hurt on the job?
- Report your injury, even if small, to a supervisor as soon as possible. You could lose your benefits if you wait.
- See a doctor.
- Make sure your employer files a Report of Injury with its Workers’ Comp insurance company.
- Keep your employer informed of your condition and any work restrictions you have.
- Keep copies of all documents.

What if my employer says my injury is not work related?
The employer may have you see a doctor that they choose. If the doctor your employer sends you to says that your injury was not caused by your job, you can go to another doctor and get a second opinion. You have to pay the cost of getting another doctor’s opinion.

Does it matter who is at fault?
NO! In most cases it does not matter who is at fault. If you are hurt on the job and you are unsure of your rights, call a lawyer or call the Minnesota State Department of Labor at (651) 284-5005 or 1-(800) 342-5354. Or go to their website at: www.dli.mn.gov.

Find more fact sheets at www.lawhelpmn.org/LASMfactsheets
Find your local legal aid office at www.lawhelpmn.org/resource/legal-aid-offices