

# Hurt At Work Before Punching In? Your Rights Don't Disappear

## Why Many New York Workers Worry After Getting Hurt Off the Clock

Imagine starting your workday like any other. You step out of your car in the company parking lot or walk through the building entrance, planning to punch in and start your shift. But before you ever get to the time clock, you slip on a freshly mopped floor or strain your back lifting a heavy piece of equipment because a supervisor needed urgent help. Now you are in pain, worried about how you will pay medical bills or keep up with expenses if you cannot work.

It is a common misconception in New York that [workers' compensation](#) only kicks in once you have officially punched in. Many people incorrectly believe that if you get hurt before clocking in or after clocking out, you are completely out of luck. This misunderstanding leads far too many injured workers to avoid filing claims they may absolutely deserve.

At [Pasternack Tilker Ziegler Walsh Stanton & Romano LLP](#), our experienced New York workers' compensation attorneys have spent decades helping hardworking individuals secure benefits, even in situations where employers or insurance companies attempt to deny responsibility. The truth is that under New York law, your rights to workers' compensation do not simply disappear because you were not officially on the clock when the injury occurred.

## Understanding Workers' Compensation Coverage Before You Punch In

Workers' compensation is a no-fault insurance system that covers nearly all employees in New York. It is designed to cover your medical expenses and replace a portion of your wages if you are injured while performing your job duties. Unlike a personal injury claim, you do not have to prove that your employer did something wrong to cause the accident. You only have to show that the injury happened in connection with your employment.

This is where many people get confused. "In connection with your employment" does not always mean during the exact hours listed on your timecard. It also does not mean you have to be actively doing your primary work duties at that moment.

Under New York law, workers' compensation generally covers you if:

- You were on your employer's premises, even if you had not clocked in yet.
- You were performing tasks related to your job, even outside of normal work hours.
- You were doing something for the benefit of your employer at their request.

So, if you slip on ice in the parking lot owned or maintained by your employer, twist your ankle walking through the building lobby to reach your workstation, or injure your shoulder carrying a box your boss asked you to move before your shift officially began, you may still be fully entitled to workers' compensation benefits. The key is to report the injury right away, seek immediate medical attention, and consult an attorney to review your legal rights and options.

## Why Being on Your Employer's Premises Matters So Much

One of the clearest protections under New York workers' compensation law is the "premises rule." This rule means that if you are on your employer's property or in an area under their control when the accident happens, your injury is generally covered.

This protection starts the moment you arrive on the premises, not the moment you punch in. It also continues until you leave the property, even if you have already clocked out.

For example, a hotel housekeeper who trips over a broken tile in the hallway on the way to the break room to punch in would be covered. A delivery driver returning to drop off paperwork who falls on the warehouse steps after clocking out would likely also be covered. Even injuries in employer-controlled parking lots, sidewalks, or loading docks typically qualify for workers' compensation benefits.

This is because the law recognizes that simply being present on the property for work puts you at risk, and your employer still owes you a duty of care during that time.

### **Injuries While Performing Job Duties Without Punching In**

Coverage also extends when you are actively doing something for your employer's benefit, even if it is before or after your scheduled hours or before you officially punch in.

Consider a restaurant cook who arrives early to help unload a last-minute delivery, or a retail employee who starts bringing merchandise inside to keep it safe from the weather. If an accident happens during these tasks, the fact that you had not yet clocked in does not eliminate your right to file a workers' compensation claim. In fact, courts in New York routinely side with workers in these situations because they are already engaged in activities tied directly to their employment.

### **Common Situations Where Off-the-Clock Injuries Are Covered**

Our law firm frequently sees cases involving injuries that happened before punching in or right after clocking out. Some examples include:

- [Slips, trips, and falls](#) in hallways, stairwells, or locker rooms on the way to or from a time clock.
- Accidents in company-controlled parking lots, such as being hit by a car or falling on icy pavement.
- Lifting or carrying heavy items at a supervisor's request before your shift formally starts.
- Getting hurt while stopping to fix or inspect equipment on your way to work.
- Being injured by workplace violence or assaults on the premises, even outside scheduled hours.

Each case is unique, but the common thread is that the injury happened on your employer's property or while doing something that clearly benefited your employer.

### **What About the Myth of a 30-Minute Rule?**

Some workers mistakenly believe there is a “30-minute rule” that automatically gives or denies coverage if an accident happens within half an hour of their start or end time. This is simply not true. There is no rigid rule about a specific time frame under New York workers’ compensation law.

Instead, the law focuses on where you were and what you were doing at the time of the accident. Being close in time to your shift may help establish that you were preparing to start work, but it is not the deciding factor. What matters most is whether your injury arose out of and in the course of your employment, not an arbitrary clock window.

### **Employers and Insurers May Try to Fight These Claims**

Despite clear protections in New York law, employers and their insurance companies sometimes look for reasons to deny claims that happen before you punch in. They may argue that you were not yet officially working, that you were on a purely personal errand, or that the injury happened outside areas under their control.

For instance, if you stop at a coffee shop off-site before coming to work and slip on their floor, that probably would not be covered. However, once you enter your employer’s parking lot or building, the situation changes. Because every case has specific facts, it is critical to speak with an experienced New York workers’ compensation lawyer to protect your rights.

### **What About Accidents During Your Commute?**

Many workers wonder what happens if they are hurt while simply [traveling to or from work](#). Generally, under New York workers’ compensation law, the time you spend commuting is not covered. If you are injured in a car accident on your normal route to work or trip home, this is usually considered outside the scope of employment.

However, there are important exceptions. If your employer specifically asks you to run an errand on the way in, such as picking up coffee, bagels, or supplies for the office, your commute effectively becomes part of your work responsibilities for that trip. This is sometimes called being on a “special mission” for your employer. In these situations, if you are injured while completing the task your boss requested, you may still qualify for workers’ compensation benefits.

Because these cases rely heavily on the details — what you were doing, who asked you to do it, and why — it is especially important to document conversations and instructions from your employer. If you were hurt on the way to work while doing something for your job, talk with a New York workers’ compensation lawyer right away to explore your options and protect your right to benefits.

### **How a New York Workers’ Compensation Lawyer Can Help You**

If you were hurt on your employer's premises before punching in, do not let confusion or intimidation keep you from seeking benefits. Filing a claim promptly is essential for preserving your rights. A workers' compensation attorney can help by:

- Investigating exactly where and how the accident happened.
- Gathering security footage, witness statements, and maintenance records to prove your case.
- Handling paperwork and communication with the insurance company to avoid mistakes that could delay or reduce benefits.
- Fighting improper denials or low settlement offers if the insurer tries to minimize your claim.

At Pasternack Tilker Ziegler Walsh Stanton & Romano LLP, we have decades of experience helping New Yorkers who have been injured on the job, including in complex situations where employers attempt to evade responsibility. Our attorneys know how to build strong claims that show why you are entitled to full benefits under the law, even if your accident happened before you officially clocked in.

### **You Do Not Lose Your Rights Just Because You Were Not Punched In**

New York law does not tie your safety to a time clock. If you were hurt at work before punching in, you still have powerful legal rights. You deserve coverage for your medical bills, wage replacement, and other benefits that can help you recover without financial fear.

**Do not take chances with your future. If you have questions about whether your injury qualifies for workers' compensation or if your claim has been challenged because of when it occurred, [contact us today](#) for a free consultation. Our dedicated legal team is ready to fight for the benefits you need and the security you deserve.**