

What to Do if Your Workers' Compensation Check Is Late in New York

Know your legal options when your benefits don't arrive on time

When you're injured on the job and unable to work, receiving timely [workers' compensation](#) checks isn't just important—it's essential. These payments help cover your lost wages and medical expenses while you focus on healing. But when a check is delayed or doesn't arrive at all, it can throw your entire life into chaos.

At [Pasternack Tilker Ziegler Walsh Stanton & Romano LLP](#), we've seen how late workers' comp payments can cause unnecessary stress for New Yorkers already dealing with serious injuries. If your workers' compensation check is late, you may have options to hold the insurance company or employer accountable and get your benefits flowing again. Here's what you need to know.

Why Workers' Comp Payments Might Be Delayed

Workers' compensation benefits in New York are supposed to be paid promptly, but several things can lead to delays. Understanding the potential reasons can help you pinpoint what's going wrong and determine your next steps.

- **Administrative Errors:** Simple mistakes, such as a typo in your address or a missing signature, can disrupt payments.
- **Disputes Over Eligibility:** If your employer or their insurance company is contesting your claim, they may delay payment until the issue is resolved.
- **Late Filings or Missed Deadlines:** If required forms weren't submitted on time by your employer, the insurer, or even your treating doctor, that could pause your checks.
- **Changes in Medical Status:** If there's a question about whether you're still eligible for benefits based on a new medical evaluation, payments may stop pending review.
- **Insurance Company Tactics:** Some insurers drag their feet, hoping injured workers won't push back. That's when having an experienced workers' compensation lawyer becomes critical.

No matter the reason, you have a right to know what's going on and to take action when you're not being treated fairly.

What New York Law Says About Timely Workers' Comp Payments

Under [New York law](#), workers' compensation insurance companies are required to pay benefits promptly once a claim is approved. For wage replacement (also called indemnity benefits):

- The first payment must be issued within 18 calendar days of the disability or 10 days after the employer has knowledge of the injury—whichever is later.
- If the insurance company refuses or delays payment, they must file a formal notice explaining the reason.

Medical bills for authorized treatment must also be paid promptly once submitted. If a provider is being delayed or denied payment, it may create problems with your care, which is something your lawyer can help address.

If these rules are not followed, the Workers' Compensation Board can impose penalties and fines on the insurance company, and in some cases, award interest or additional compensation to you.

What to Do First If Your Workers' Comp Check Is Late

If your check is late, don't panic—but don't wait too long to take action either. Here's what you can do:

1. **Confirm Payment Dates:** Check when your last payment was issued. You should have a record of benefit payments either by mail or online via the New York State Workers' Compensation Board portal.
2. **Call the Insurance Adjuster:** Sometimes a quick phone call can resolve a simple issue, like a wrong address or bank routing number for direct deposit.
3. **Reach Out To Your Attorney:** If you have legal representation, your workers' comp lawyer can quickly identify what's holding up the payment and intervene on your behalf. They can also make sure you're not being underpaid.
4. **Contact the Workers' Compensation Board:** If the insurance company won't explain the delay, or you don't have a lawyer yet, you can file a request for intervention or hearing with the Board. However, this process can be confusing without guidance.
5. **Document Everything:** Keep records of every missed payment date, any conversations with the insurer, and all paperwork you've submitted. This will help support your case if penalties are requested.

Can You Get Penalties or Interest for Late Checks?

Yes. New York's workers' comp law includes built-in penalties for insurance carriers who delay benefits without justification:

- **20% Penalty:** If a late payment is made without proper notice or explanation, the insurer may have to pay an additional 20% of the overdue amount.
- **\$300 Maximum Fine Per Infraction:** This applies if the carrier fails to file required documentation or ignores Board deadlines.
- **Interest on Delayed Payments:** You may be entitled to interest on overdue amounts, especially if there was a hearing or ruling in your favor that the insurer ignored.

These penalties are meant to keep insurance companies accountable, but you often need an attorney to request enforcement. Without legal pressure, many insurers will continue delaying with little consequence.

When Your Case Is in Dispute or Benefits Are Cut Off

In some situations, your benefits may stop entirely, especially if the insurer files a Notice of Suspension or Reduction. This may happen if:

- The insurer believes you've reached maximum medical improvement (MMI)
- Your doctor fails to submit updated reports
- There's a claim that you returned to work or are engaging in other employment
- The insurance company argues your injury was not work-related

If your checks stop and you disagree with the reason, it's critical to request a hearing and challenge the decision as soon as possible. There are strict time limits for doing so, and missing them could impact your ability to get benefits reinstated.

Other Financial Support While You Wait

If your workers' comp check is delayed or suspended, you may be wondering how to pay the rent, keep up with bills, or buy groceries. While workers' comp is supposed to be your safety net, there are a few other resources that might help while you fight for your benefits:

- Short-term disability insurance (if you had it through work)
- New York State disability benefits
- Unemployment insurance (if you're cleared for light duty but your employer has no work available)
- Emergency public assistance programs through your county's Department of Social Services

Your lawyer can help you explore these options while pursuing legal remedies to get your workers' comp payments restored.

How a Workers' Compensation Lawyer Can Help

If you're dealing with a late check—or your benefits were cut off altogether—you don't have to face the insurance company alone. An experienced workers' compensation attorney can:

- **Investigate the Delay:** We'll get to the bottom of what's holding up your payments and push for immediate correction.
- **Request a Hearing:** If needed, we'll file to appear before the Workers' Compensation Board and argue your case.
- **Request Penalties or Sanctions:** We'll hold the insurer accountable for unjustified delays and fight to get you every dollar you're owed.
- **Make Sure You're Being Paid Correctly:** Many injured workers are underpaid for weeks or months without realizing it. We review your wage calculation, medical classification, and benefit rate to ensure full compensation.

At Pasternack Tilker Ziegler Walsh Stanton & Romano LLP, we've helped thousands of injured workers in New York City and beyond recover the benefits they're entitled to. We understand the games insurers play, and we know how to stop them.

Why Delayed Payments Can Be So Harmful

Missing even one payment can create a chain reaction of stress and instability. You may fall behind on your rent or mortgage, struggle to pay for childcare or groceries, or be forced to borrow money to get by.

We've seen clients suffer emotionally, physically, and financially while waiting for delayed payments. That's why we move quickly to identify the issue, file the right motions, and fight to get checks restarted as soon as possible.

The bottom line: You did your part. You got hurt on the job, followed the process, and filed a legitimate claim. You deserve to be paid—on time and in full.

Don't Let Late Checks Jeopardize Your Future

A late workers' compensation check isn't just an inconvenience. It's a warning sign that your claim needs more protection. Insurance companies are betting you won't fight back. That's why we're here.

If your benefits have been delayed, denied, or disrupted, Pasternack Tilker Ziegler Walsh Stanton & Romano LLP can step in and help you set things right. We've helped thousands of New Yorkers get their checks restarted, increase their benefit rates, and recover the full compensation they deserve.

[Contact us today](#) to learn how we can help. The consultation is free, and you don't pay unless we recover benefits for you.