

Your Guide to Workers' Compensation in New York

How Our Attorneys Help Injured Workers Understand Their Rights

When you're [hurt on the job in New York](#), the system can feel like a maze. You're suddenly faced with medical bills, missed paychecks, and confusing forms — all while trying to recover. That's why our attorneys at [Pasternack Tilker Ziegler Walsh Stanton & Romano LLP](#) created the [Workers' Compensation Handbook](#): to give injured workers a clear, honest explanation of what to do after an injury and how to protect their benefits.

Below, we've expanded on some of the key points from that guide to help you better understand your rights and how our team can step in to protect them.

Accidents: Report Them Early and In Writing

You know an accident when it happens — a fall on a [construction site](#), a machinery malfunction, or even a sudden [back injury](#) from lifting. But what most workers don't realize is how quickly those moments can fade from memory when the insurance company starts asking questions.

Always [report your accident](#) to your supervisor within 30 days, and make sure it's in writing.

That written record becomes your foundation for a successful claim. Without it, the insurer can argue your injury didn't happen at work or wasn't reported in time.

Our firm regularly helps workers who came to us after their claims were denied for "late reporting." In many cases, we're able to challenge those denials and prove the injury was legitimate and work-related.

Illnesses: Slow-Developing Conditions Count Too

Not every injury happens in a single moment. [Repetitive motion](#), chemical exposure, or years of strain can lead to serious occupational illnesses like [carpal tunnel](#), [hearing loss](#), lung disease, or back degeneration.

Under New York law, these conditions are just as valid as sudden accidents. The difference is in how they're proven. Our attorneys work closely with medical experts to connect the dots between your symptoms and your workplace exposure or repetitive tasks.

If your [pain](#) or illness crept up over time, don't wait to report it. The longer you delay, the easier it becomes for the insurer to claim it's "not work-related."

Doctors: See One Right Away and Be Honest About How It Happened

[Medical care](#) is the backbone of any workers' comp claim. If you're hurt, see a doctor immediately and tell them clearly that the injury occurred at work. Explain your work duties, how the injury occurred, and any prior symptoms you may have had.

You should never pay out of pocket. Your medical bills should be covered under the employer's workers' compensation insurance.

Be aware that your [choice of doctor](#) matters because not every physician understands the paperwork or process involved in workers' comp. We regularly help clients find qualified treating physicians who are authorized by the Workers' Compensation Board (WCB).

The WCB: Who They Are and Why They Matter

The [New York State Workers' Compensation Board \(WCB\)](#) oversees every claim filed in the state. They make sure employers and insurers follow the law, and they handle disputes, hearings, and appeals.

In theory, the WCB is neutral, but that doesn't mean you should face them alone. When your claim is denied, delayed, or underpaid, our attorneys step in to [file appeals](#), gather evidence, and represent you at WCB hearings.

We know the rules, the timelines, and the documentation standards. That's the difference between a claim that stalls and one that gets approved.

IME: The "Insurance" Medical Exam You Need to Prepare For

The handbook calls it what it really is — not an Independent Medical Exam, but an Insurance Medical Exam. The insurer hires their own doctor to evaluate your condition, and their goal is often to downplay your injuries or say you're ready to go back to work.

If you receive notice of an IME, talk to a lawyer immediately.

We prepare clients by explaining [what to expect](#), reviewing their medical records, and ensuring they don't say anything that could be taken out of context. These exams are one of the most common points where valid claims get weakened or denied.

When the IME report doesn't reflect your true condition, we know how to challenge it with additional medical evidence and testimony.

Lawyers: Why Having the Right Team Matters

As mentioned in the handbook, our lawyers know a lot about workers' comp, and we've spent decades proving it in courtrooms and hearing rooms across New York.

For more than 90 years, our firm has represented injured workers in every industry, including construction, healthcare, public service, manufacturing, and beyond. We've seen every kind of dispute: delayed checks, unfair denials, surveillance, and pressure to return to work too soon.

We don't let insurance companies take advantage of hardworking New Yorkers. When you have our attorneys on your side, you have a team that knows how to investigate, document, and fight for every dollar you're owed.

What Most Injured Workers Don't Realize About the Workers' Comp Process

Most people think workers' comp is automatic: you get hurt, you file a claim, you get paid. But the truth is, almost every step requires proof, persistence, and legal know-how.

- A missed deadline can cost you your entire claim.
- A single IME report can undo months of progress.
- A poorly worded statement to your employer can be used against you later.

That's why we tell workers not to wait until there's a problem to get legal help. In many cases, the earlier we're involved, the stronger the outcome.

We Wrote the Book on Protecting Injured Workers

The Workers' Compensation Handbook was written to empower New Yorkers, but it's also a reflection of our firm's mission. We believe every worker deserves clear answers, strong representation, and a fair chance to recover after being hurt on the job.

If you've been injured at work, we can help you understand your rights, protect your benefits, and fight back against insurance companies that try to minimize your claim. [Contact us today](#) to talk with one of our experienced New York workers' compensation attorneys and learn how we can help you move forward.