

## Some helpful hints to help you, the EMPLOYER, save on Workers claims 2013-2014

Every Claim made to MSI will cost you as the employer, higher premiums and possible fines or penalties and interest as well as Cost sharing for the injuries incurred by your workers.

**YOU have the right as an Employer to disagree with an employee's claim, if you are suspicious.**

Unfortunately, there are those individuals who try to beat the system by filing fraudulent workers compensation claims. Being aware of some of the tell-tale signs of workers compensation claim fraud can help to weed out some of the dishonest employees and save you, the employer, from paying higher premiums as a result of fraudulent claims. As well excessive payments that will be charged back to the employer.

1. **Lack of prompt reporting:** In general, injured employees will report a claim on a timely basis. Late reporting in and of itself is not necessarily a cause for alarm, but it ought to be a signal to review the claim a little more closely than timely reported claims. **MSI HAS A 5 (FIVE) DAY REPORTING PERIOD**
2. **Sketchy details:** Most claimants can recall the details of their injury. If the claimant seems to be fuzzy on the details and gives vague responses to questions, another reason to keep a close eye on the progression of the claim.
3. **No Witness:** Not every claim has a witness and should not be used solely to determine fraud, however, if many of the other signs are present, it will be hard to dismiss the lack of a witness.
4. **Discrepancy in story:** Upon further investigation, the claimant keeps changing the story and adding, removing pertinent information, a good reason to suspect it to be a fraudulent workers compensation claim.
5. **First day of the week claims (Monday):** If the injury allegedly occurred on Friday, usually late in the day, but did not get reported until Monday, there is reason to suspect there might be a little more going on than meets the eye.
6. **Disgruntled employee:** A disgruntled employee is more likely to place fraudulent claims than an employee with high job satisfaction.
7. **Financial hardship at home:** Workers compensation benefits are sometimes seen as a way out of a tight financial situation at home.
8. **Employee never answers the phone (not home) and will call back in just a minute:** If this happens once or twice, it may just be coincidental, but if it occurs every time the claimant is called, there is a possibility of fraud.
9. **Misses medical appointments:** If an employee is truly injured, they want to get better and will make sure to attend all necessary medical appointments. Missing appointments is another reason to suspect fraud.
10. **Employee is engaged in activity that is not consistent with the injury sustained:** If your employee reported a back injury and several other employees find that he is at home building a deck, there is a good reason to suspect fraud.

Any one of the above tips on their own is not enough to suspect fraud, but usually there are more than one telltale sign. If you do suspect fraud investigate.

## Red flags

A red flag is a warning or a sense that something isn't right with a claim and should lead one to take a closer look. The lists below will help employers know what to look for when identifying possible fraudulent behaviors. Identification of any one of the following red flags does not mean that fraud exists. However, in order to submit a Fraud Allegation Form to MSI, you need only have a suspicion that fraud may have been committed. An Occupational Safety and Health investigator will be assigned to the case and carefully collect and analyze the facts to determine whether or not fraud was committed.

If you suspect workers' compensation fraud, call 450-638-0500

### **Spotting injured worker claim fraud**

Red flag indicators that may signal fraudulent activity include:

- Number of days worked and amount of salary inconsistent with occupation;
- Injured worker disputes average weekly wage due to additional income (i.e., per diem)
- Cross-outs, white-outs and erasures on documents;
- Injured worker files for benefits in a province other than principle location of the alleged industrial injury or occupational disease;
- Injured worker-listed occupation is inconsistent with employer's stated business;
- Injured worker address is different than principle location of employer other than border provinces;
- Injured worker cannot be reached because he or she is never home or is reportedly sleeping and cannot be disturbed;
- Injured worker is seen with calluses on hands, grease under fingernails;
- Injured worker moves out of province or country shortly after filing claim;
- Accident/incident occurs immediately prior to strike, layoff, plant closing, job termination or job completion;
- Injured worker is in line for early retirement;
- Injured worker refuses (or delays multiple times) diagnostic procedures to confirm injury;
- Conflicting descriptions of the accident/incident between employer's report and initial medical evaluation;
- Injury is not consistent with nature of business;
- Date, time and place of accident is unknown;
- Injured worker cannot recall specific details about the injury
- Report of injury not timely and immediate;
- No witnesses to accident;
- Tips from coworkers.
- Anonymous tips

Kahnawake is not a big place, people know and watch each other, and report possible fraud to MSI.