

## Wage Loss Compensation

Wage loss compensation is a benefit that BWC may pay to an injured worker who:

- Has a date of injury on or after Aug. 22, 1986;
- Has returned to employment other than his/her former position of employment or has been unable to find employment consistent with his/her disability;
- Experiences a reduction of earnings;
- Has the reduction in earnings as a direct result of physical and/or psychiatric restrictions caused by the allowed conditions in a claim.

The only exceptions are those injured workers who have occupational disease claims allowed under Ohio Revised Code 4123.68(W).

As an injured worker, you may qualify for:

- Working wage loss compensation when you have returned to employment, which is not your former position of employment;
- Non-working wage loss compensation when you have not returned to work because you have been unable to find suitable employment.

### Applying for wage loss

To apply for wage loss compensation, complete the front of the *Application for Wage Loss Compensation* (C-140). Then, ask your doctor to complete the medical report on the back of the form and return it to BWC.

If your employer is self-insured, return your completed application to your employer. BWC has granted self-insuring employers the privilege to administer workers' compensation insurance. If you are not sure if your employer is self-insured, ask your employer or your BWC claims assistant.

The C-140 is available at any BWC customer service office.

You may also obtain the C-140 by calling 1-800-644-6292 or by logging on to, [www.bwc.ohio.gov](http://www.bwc.ohio.gov).

### Medical reports

If you have temporary restrictions, your health-care provider must submit subsequent medical reports regarding your progress once every 90-day period after your initial application. BWC cannot certify temporary restrictions for a period to exceed 90-days without a new examination of the injured worker. If you have permanent medical restrictions, you will not need to submit subsequent reports unless BWC requests a report. BWC may request a subsequent report not more than once every 180-day period.

### Job Search

If you are seeking or receiving wage loss payments, you must include a description of your job-search efforts with your wage loss application unless BWC has excused the requirement to search for work.

Submit job search records on the *Wage Loss Statement* for Job Search (C-141). The C-141 is available at [www.bwc.ohio.gov](http://www.bwc.ohio.gov). Complete this form for every week you seek wage loss compensation.

### Receiving wage loss compensation

To be eligible for wage loss compensation, you must:

- Seek suitable employment with your employer of record during the first period that wage loss compensation is requested unless you establish it would be futile (e.g. you were discharged from employment);
- Register with the Ohio Department of Job and Family Services, or if you are an out-of-state resident register with the equivalent agency in your state;
- Submit a medical report identifying your restrictions.

When you apply for wage loss compensation, BWC will evaluate whether you conducted your search for employment in good faith. BWC will base this evaluation on factors such as:

- Your skills, prior employment history and educational background;
- The number and quality of job contacts made, and the amount of time spent seeking employment;
- Refusal to accept assistance in seeking employment from BWC, any other free public or private employment agency, or the employer of record;
- Labor market conditions;
- Your physical capabilities;
- Your economic status as it impacts your ability to seek employment;
- Attendance at an education institution through a rehabilitation program with the Opportunities for Ohioans with Disabilities agency.

### Computing wage loss

If your injury occurred on or after May 15, 1997, BWC will calculate wage loss based on your average weekly wage at the time of your injury or date of disability and your present earnings.

If your injury occurred before May 15, 1997, BWC will calculate wage loss based on the greater of your average weekly wage or full weekly wage at the time of injury or the date of disability due to an occupational disease.

For additional information about wage loss, call 1-800-644-6292, or log on to [www.bwc.ohio.gov](http://www.bwc.ohio.gov). From the home page, click on BWC library, then on Policies and then Claims Policy, and look for the link to the individual policy.