

Back injuries are among the most common injuries that workers can suffer. Whether you have suffered a lower back strain, a herniated disc, or a fractured vertebrae, your injury may make it impossible to keep working until it is fully healed. How do you pay your bills? What about medical treatment? If you have suffered a back injury while at work, a North Carolina back injury lawyer can evaluate whether you might have a [workers' compensation claim](#).

Back Injuries Can Pose Unique Challenges

Generally speaking, workplace injuries are covered by workers' compensation only if they resulted from an accident that occurred while the worker was on the job. The difficulty is that many back injuries occur as a result of normal, everyday work-related activities - bending down, standing up, lifting, twisting, or similar movements. There is no "accident" per se; the back injury just suddenly happens.

The other challenge is that back injuries are difficult to diagnose. While they can be incredibly painful, they do not appear on X-rays and sometimes also do not appear on CT scans or MRIs. In some cases, an MRI may show some degeneration of the discs and other parts of the spine but show no evidence of a specific injury. As a result, an adjuster may deny the claim because they do not see any medical evidence of a back injury.

Whether your back injury appeared out of nowhere or was caused by an on-the-job accident, a North Carolina back injury lawyer will know how to get the workers' compensation benefits you need.

Back Injuries Resulting From Work-Related Accidents

If you suffered a back injury in a work-related accident, it is likely that your medical treatment and lost wages will be covered by workers' compensation. Here are some examples of work-related accidents that would be covered:

- A construction worker suffers a spinal injury when he falls from scaffolding attached to an office building.
- A delivery driver suffers whiplash when they are involved in a car accident while making deliveries.
- An office worker fractures a couple of vertebrae when they slip and fall on a wet tile floor.

So long as you can prove that your back injury was caused by a work-related injury, you should be able to pursue a claim for workers' compensation. If you have questions or your claim has been denied, you should contact a North Carolina back injury lawyer as soon as possible.

An Important Exception

As mentioned above, many work-related back injuries do not arise as a result of an accident. They just sort of happen. But do not assume that you are not entitled to workers' compensation benefits if you suffered a back injury while at work that was not caused by an accident.

North Carolina law provides an exception for back injuries. Rather than require that they be caused by a work-related accident, they require that they be the result of a "specific traumatic incident." While "specific traumatic incident" is not defined by law, the courts have provided ample guidance since the exception was created. For example:

- A specific traumatic incident can include a series of events within a specific time frame that lead to your back injury.
- A specific traumatic incident can include back injuries where the symptoms appeared in other parts of the body.
- A specific traumatic incident can include back injuries where the pain does not immediately follow.

It is important to recognize that a specific traumatic incident would not include back injuries that slowly developed over time. This can lead to some results that seem unfair:

- A laborer who routinely lifts heavy objects as part of their job one day feels a sharp pain in his lower back when he tries to lift a piece of furniture. Their injury would likely be covered as a specific traumatic incident.
- Another laborer who does the same job for the same employer has been experiencing stiffness and soreness in their lower back that has gradually gotten worse over several weeks. One day they wake up and cannot get out of bed. Their injury would likely not be covered as a specific traumatic incident.

It is often difficult to prove that your back injury is the result of a specific traumatic incident. Your claim may be denied if you cannot meet this requirement. A North Carolina back injury lawyer can help you build a strong claim so that you can get the workers' compensation benefits you need to pay your bills and take care of your family.

What Can I Do to Protect My Workers' Compensation Rights?

If you have suffered a back injury at work, here are some steps you can take to protect your rights:

1. **Report your injury to your employer.** If you do not report your injury to your employer within 30 days of the accident or specific traumatic incident, you could lose all of your rights. You should file a written report, even if your employer is already aware of your injury.
2. **File a claim with the North Carolina Industrial Commission.** You will need to complete Form 18 explaining your injury and the surrounding circumstances.
3. **Keep your own documentation.** You should keep a copy of your report to your employer, any incident or accident reports, as well as a copy of the claim you filed with the Industrial Commission. You should also keep notes of the activities that led to your injury and any subsequent limitations.
4. **Do not give a recorded statement.** Be careful when speaking with your employer's workers' comp insurance carrier. They will use your statements against you. If they ask for a recorded statement, tell them that you would like to first speak with an attorney.
5. **Follow your doctor's orders.** Failure to follow the treatment prescribed by your doctor can be used against you. Follow your doctor's orders to the letter.
6. **Contact a North Carolina back injury lawyer.** The best thing you can do is hire a professional. A workers' compensation lawyer will know precisely what you need to do to file a successful claim and how to avoid the most common pitfalls.

Contact Martin & Jones if You Have Suffered a Work-Related Back Injury

Life can quickly become overwhelming when you are injured and unable to work. We can help. With more than 40 years of experience in helping injured workers get the benefits they need, we know what it takes to get results.

[Contact us](#) today at 800-662-1234 to schedule a free consultation.