

Workers' comp is a no-fault insurance program that protects most North Carolina workers. To qualify, you must demonstrate two things:

1. You suffered an injury or illness that left you unable to work, and
2. Your injury or illness was sustained while in the course of your employment.

Unlike a personal injury case, you do not need to prove that your employer, co-worker, or other party was negligent. You may be entitled to workers' comp benefits even if you were injured due to your own carelessness. The workers' compensation program provides a lifeline to workers at a time when they need it most.

The workers' comp system isn't always easy to navigate, and valid claims are denied regularly. If you are suffering a work-related injury or illness, you should talk to a [North Carolina worker's compensation attorney](#) as soon as possible.

Workers' Comp Covers More Than Bodily Injuries

When you mention workers' compensation, most people immediately think of injuries suffered by someone who works in [construction](#) or a [factory](#). Workers' comp benefits are available to almost anyone who suffers a work-related injury or illness. This includes the following:

- Office employees who suffer respiratory illnesses due to toxic exposure
- Workers who are diagnosed with cancer due to prolonged on-the-job chemical exposure
- Retail employees who are assaulted while at work

As long as your illness or injury is work-related, you may be entitled to workers' comp benefits regardless of the cause, including [slip and fall](#) or [motor vehicle](#) accidents.

The bottom line is that you may be entitled to workers' compensation benefits if you cannot work due to a work-related injury or illness.

Common Workers' Compensation Injuries and Illnesses

With 40 years of experience, we've helped people across the state of North Carolina get the workman's comp benefits they deserve in a broad variety of contexts. The following is an overview of some of the most common injuries and illnesses where we have helped our clients get the benefits they need.

Puncture Wounds and Severe Lacerations

These are injuries that can happen at almost any job, but especially those who are routinely around sharp objects or regularly use cutting tools. If stitches are required, the employee may be unable to work until their injury is fully healed.

Repetitive Stress Injuries (RSI)

Repetitive stress injuries are injuries due to accumulated wear and tear as opposed to a single accident. Examples include bursitis, carpal tunnel syndrome, and tendonitis. RSIs can afflict workers in a wide variety of industries, including law enforcement, office workers, and factory workers. These injuries can make common motions required to do your job incredibly painful, making it impossible to work.

Soft Tissue Injuries

Soft tissue injuries include injuries to the muscles, ligaments, and tendons. They can range in severity from sprains and strains to full or partial tears. Even if you've suffered a minor soft tissue injury, you may still be entitled to workers' compensation if your injury makes it impossible for you to work.

Overuse and Overexertion Injuries

These can include a broad spectrum of injuries, including soft tissue injuries, broken bones, to back and neck problems. Sometimes they are similar to repetitive stress injuries, while in other cases, they may be due to a single incident.

Broken Bones

Falls and other serious accidents can instantly result in broken bones. Broken bones are serious injuries, and depending on the bone that is broken, it often leaves a worker unable to do their job.

Concussions and Other Traumatic Brain Injuries

We have come to realize that concussions are more common than we thought and carry long-term consequences. Returning to work too soon can be very dangerous if you have suffered a concussion or other traumatic brain injury. If you need to stay home to recover, we can help you get the workers' comp benefits you need.

Back and Neck Injuries

Back and neck injuries are among the most common injuries that we see and afflict workers in almost every industry. These injuries include minor injuries such as general back and neck pain to herniated or slipped discs. Even more minor back and neck injuries can be extremely painful, making it difficult, if not impossible, for you to do your job.

Illnesses Due to Exposure to Toxic Chemicals or Fumes

Many workers contract serious illnesses and diseases due to exposure to toxic substances in the form of chemicals or fumes. Whether due to prolonged exposure or a single incident, toxic exposure can lead to cancer, lung damage, brain damage, or other illnesses. [Asbestos exposure](#), for example, is known to cause mesothelioma and other respiratory diseases and cancers.

Heart Attacks, Heart Conditions, and Strokes

People who work in physically demanding occupations are often entitled to workers' comp if they suffer a heart attack or stroke while on the job. Even if your heart attack or stroke is suffered outside of work, you may still be able to seek workers' comp benefits if you can demonstrate that your condition was caused by your employment. You may be entitled to compensation even if you have a pre-existing condition.

Burns and Electrocution Injuries

[Burns and electrocutions](#) commonly occur on construction sites and in other industrial settings but can occur almost anywhere. Burns and electrical injuries are typically very serious, resulting in extensive tissue and nerve damage.

Frequently Asked Questions About Workers' Compensation Claims

How do I prove that my illness is work-related?

Workers' compensation claims based on illnesses are often more difficult to prove than cases involving physical injuries. This is because physical injuries are often (although not always) the result of an accident that occurred on the worksite. As a result, there is typically a specific incident that you can point to in order to establish that your injury is work-related.

Work-related illnesses, however, are often the result of prolonged exposure to some toxic or otherwise hazardous substance present in the workplace. It can be difficult to prove that cancer, heart disease, asthma, and similar illnesses were caused by your work conditions. Some illnesses may be more obvious than others, such as black lung disease in miners.

The best way to ensure that you receive your benefits is to work with a North Carolina workers' compensation lawyer. They will know what evidence you will need to establish that your illness is work-related so that you can get your benefits as quickly as possible.

Does North Carolina workers' compensation cover mental health issues?

Mental health issues will be covered by workers' compensation if they are the result of a work-related accident or an occupational disease. For example, you may be able to receive benefits for PTSD if your condition stems from being involved in a serious workplace accident.

If your mental health issue is not the result of a work-related accident, then you will need to meet the following requirements:

1. Your mental health issue is due to conditions that are specific to your profession; and
2. You are at a higher risk of exposure than the general public.

For example, an EMT may be able to qualify for workers' compensation benefits for an anxiety disorder as a result of routinely working in high-pressure, life-or-death situations.

Claims based on mental health issues can be quite complicated. Your best chance of getting the benefits you need is to work with an experienced North Carolina workers' compensation lawyer.

How long do I have to file a workers' comp claim for a work-related illness?

Claims for work-related illnesses must be filed within two years of the latter:

1. The date the employee's doctor informs them that they have a work-related illness; or
2. The date the employee first becomes disabled as a result of the condition.

If your doctor informs you that you have a work-related illness, then the two-year deadline runs from the date you first become disabled. If your illness made it impossible for you to work, then the two-year deadline runs from the date that you are diagnosed by your doctor.

Do I need a lawyer to file a workers' compensation claim?

You are not required to hire a lawyer to file a workers' compensation claim. In fact, your employer may help you file the paperwork. You should seek legal counsel if you are unsure whether your claim will be approved or if your employer seems to think you don't have a claim. And if your claim is denied, you should contact a North Carolina workers' compensation lawyer as soon as possible.

Talk to a North Carolina Workers' Compensation Attorney Today

Too many people mistakenly assume that they don't qualify for workers' comp benefits, leaving them without an income while trying to recover from their injuries. At Martin & Jones, we have been helping injured and sick North Carolina workers get the workers' compensation benefits they need since 1982. If you are suffering from a work-related injury or illness, we can help you get the benefits you need. To schedule a free consultation, [email us](#) today or call 800-662-1234 to discuss your case and what we can do for you. Our offices are located in [Raleigh](#), [Durham](#) and [Wilmington](#).