

Like the health, welfare, and pension plans Wilson-McShane administers, the Union Construction Workers' Compensation Program is directed by a Board of Trustees appointed by contractors and participating trade unions. You are covered under this program if both your employer and your union have chosen to join the program. If you have any questions about workers' compensation or the program, feel free to contact the dispute facilitator.

#### Sponsoring Organizations

Associated General Contractors of Minnesota  
Bricklayers and Allied Craftworkers Local #1  
Carpentry Contractors Association  
Minnesota Drywall & Plaster Association  
International Brotherhood of Electrical Workers  
Int'l Union of Operating Engineers Local #49  
Laborers District Council of MN & ND  
Lakes and Plains Regional Council of Carpenters  
Minnesota Construction Conference of Teamsters  
Iron Workers Local #512  
Minnesota Mechanical Contractors Association  
Minnesota Cement Mason & Plasters Local #633  
Minnesota Concrete & Masonry Contractors Assn.  
National Electrical Contractors Association  
Painters & Allied Trades District Council #82  
Pipe Fitters Locals #455 & #539  
Plumbers and Gas Fitters Locals #15 & #34  
Sheet Metal Workers Local #10  
Sheet Metal, Air Conditioning & Roofing  
Contractors Assn.  
Twin Cities Plasterers Local #265



Mar. 2006



## Union Construction Workers' Compensation Program

## A Guide for Union Employees

Administered by  
*Wilson-McShane Corporation*  
Bloomington, Minnesota 55425

Dispute Facilitator: *Elliot A. Herland*  
Toll-Free: (800) 535-6373  
Direct: (952) 851-3501  
Fax: (952) 851-3566  
Web site: [www.ucwcp.com](http://www.ucwcp.com)

# How The Program Works

In 1995, the Minnesota Legislature passed a law that allows unions and signatory employers to create their own method of administering workers' compensation benefits. A Board of Trustees was created in 1996 with balanced representation of union leaders and contractors. The Board asked Wilson-McShane Corporation to administer an alternative program to fit the needs of the construction industry. The Board approves the rules, procedures, and people who make up the Union Construction Workers' Compensation.

## Program

The program is designed to provide you with high quality medical care and all the benefits you are entitled to under Minnesota law – on time and without hassles or litigation. Your trustees want to assist you in returning to work as soon as possible.

## Safety Standards

The Board of Trustees created safety standards for contractors who enroll in this program in order to prevent injuries. Before contractors are accepted into the program, they must pass a complete safety audit and undergo unannounced job-site safety reviews. To find out your employer's status, call the facilitator.

## Reporting Injuries

Minnesota law requires that you report on-the-job injuries and diseases to your employer immediately. Your employer is required to call its insurance company as soon as possible to ensure you receive proper medical care.

## The Claims Adjuster

After you report your injury or illness, a claims adjuster may contact you several times to obtain information. The adjuster is supposed to ensure you get all the benefits you are entitled to under the law. If you have any questions about those benefits, such as your wages and compensation, call the claims adjuster. If you are not satisfied with the adjuster's response, call the facilitator.

## The Facilitator

If at any time you do not feel comfortable about how your claim is handled, either by the adjuster or your doctor, or you have unanswered questions, simply call the program's facilitator. The facilitator will attempt to resolve any problems you have related to your claim within 10 working days. The facilitator's job does not include giving legal advice or telling you what to do. The facilitator can listen to your concerns and try to fix them to your satisfaction. Most problems can be resolved this way – quickly and effectively. If the problem cannot be solved, you are free to move on to mediation.

## Mediation

If the facilitator does not resolve your problem to your satisfaction, you can request mediation. The mediator will meet with you and the claims adjuster, and again attempt to resolve matters to your satisfaction. The mediator cannot force you to accept a settlement, and must make sure any settlement is fair and reasonable. The mediation step is usually completed within 21 days from the request.

## Arbitration

If mediation is not successful, you can request arbitration. Your dispute will be referred to an arbitrator to hear the case and reach a decision. You should have representation by an attorney at arbitration. A hearing will be held so that you can present evidence regarding your claim. Arbitration will be completed as early as possible (often within 3 months), with a binding decision issued within 10 days.

## Union Construction Workers' Compensation Program Exclusive Provider Organization

Employer \_\_\_\_\_

Employer Contact \_\_\_\_\_

Work Comp Insurer \_\_\_\_\_

Claims Adjuster \_\_\_\_\_

When an injury occurs, call our referral line at 1-877-838-6841 (toll-free) for referral to a network provider

## Attorneys

The Board of Trustees has selected highly qualified attorneys who know workers' compensation law to serve as mediators and arbitrators. The facilitator, mediators, and arbitrators are provided at no cost to you. If you feel that you need your own attorney, you are free to hire one at any time. However, the facilitator deals directly with you, your employer, and the insurance company whenever possible. If you do hire an attorney, the attorney's fees will be paid as provided under Minnesota law - generally as a portion of the indemnity benefits you are awarded.

## Medical Care

The medical care you need for your work injury is provided at no cost to you. You are entitled to reasonable and necessary medical treatment to cure or relieve the effects of the work injury. This includes related expenses, such as travel and medications. You may choose a doctor from a select list of some of the best doctors in Minnesota. The doctors in this Exclusive Provider Organization (EPO) were approved by the Board of Trustees because of their reputation for excellent care of injured workers. When you have a work injury covered by this program, ask your employer for a clinic location, or you may call our referral line for referral to an appropriate doctor. There is a card for your reference below. If you have concerns about your medical care or wish to change physicians, call the claims adjuster. The Board of Trustees has also created a panel of highly respected neutral physicians to provide second opinions. If there is a problem with treatment or your doctor's recommendations, either you or the claims adjuster may request a second opinion by contacting the facilitator.

## Vocational Rehabilitation

The Board of Trustees also created a panel of neutral rehabilitation counselors who understand the demands of the construction industry. If you are unable to return to your trade, these counselors will help you find a different job that you can physically tolerate, at the highest wage possible.