



**Substitute Senate Bill No. 57**

**Public Act No. 08-3**

**AN ACT REQUIRING THE WORKERS' COMPENSATION COMMISSION TO PROVIDE INJURED EMPLOYEES THE FORMS NECESSARY FOR FILING A CLAIM.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 31-294b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2008*):

(a) Any employee who has sustained an injury in the course of his employment shall immediately report the injury to his employer, or some person representing his employer. If the employee fails to report the injury immediately, the commissioner may reduce the award of compensation proportionately to any prejudice that he finds the employer has sustained by reason of the failure, provided the burden of proof with respect to such prejudice shall rest upon the employer.

(b) Once the first report of injury has been submitted to the Workers' Compensation Commission, pursuant to section 31-294c, by the employer, the employer's insurance carrier or the employer's representative, the Workers' Compensation Commission shall provide to the injured employee, not later than five business days after receipt of such notice, a copy of Form 30C, Notice of Claim for Compensation, or any successor form prepared by the Workers' Compensation

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Commission to help injured employees comply with the notice requirements of section 31-294c. The Workers' Compensation Commission shall provide such form to the injured employee in person or by mail sent to such employee's current address on file with the employer.

Sec. 2. Subsection (b) of section 31-316 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2008*):

(b) Upon determining that the employer or the employer's representative failed to report injuries as required by subsection (a) of this section, the workers' compensation commissioner may increase the award for compensation for the employee's injuries proportionate to the prejudice that the employee sustained due to the employer's failure to file.

Approved April 29, 2008