

## **Workers' Compensation Terms & Definitions**

<u>Average Weekly Wage:</u>	The wage upon which workers' compensation benefit payments are calculated.
<u>Claim:</u>	A request for compensation benefits under the Workers' Compensation Act.
<u>Claimant:</u>	The party requesting compensation benefits.
<u>Compensation:</u>	The money allowance payable to a claimant as provided for in the Workers' Compensation Act. Medical treatment is an allowance in the nature of compensation.
<u>Form 2:</u>	The document that the employer must file with the Court and provide to its insurer when an employee dies because of an accidental injury or occupational disease, or sustains an injury in the course of his or her employment which results in the loss of time beyond the shift or which requires medical attention away from the work site. Form 2s are confidential except as provided by law.
<u>Form 3:</u>	The document that an injured employee may file with the Court to request workers' compensation benefits due to an accidental injury. The Form 3 also is called the "Employee's First Notice of Accidental Injury and Claim for Compensation."
<u>Form 3A:</u>	The document that a dependent of a deceased worker may file to request workers' compensation death benefits. The Form 3A also is called the "Claimant's First Notice of Death and Claim for Compensation."
<u>Form 9:</u>	The document that must be filed with the Court to set a matter for hearing before a Judge of the Court. The Form 9 also is called the "Motion to Set for Trial."
<u>Injury:</u>	Any injury or occupational illness, causing internal or external harm to the body, which arises out of and in the course of employment if such employment was the major cause of the specific injury or illness.

<u>Maximum Medical Improvement:</u>	When no further material improvement would reasonably be expected from medical treatment or the passage of time.
<u>Objective Medical Evidence:</u>	Evidence which meets the criteria of Federal Rule of Evidence 702 and all United States Supreme Court case law applicable thereto.
<u>Occupational Disease:</u>	A disease or illness which is due to causes and conditions characteristic of or peculiar to the particular trade, occupation, process or employment in which the employee is exposed to such a disease.
<u>Permanent Impairment:</u>	Any anatomical abnormality after maximum medical improvement has been achieved, which abnormality or loss the physician considers to be capable of being evaluated at the time the rating is made.
<u>Permanent Partial Disability:</u>	Permanent disability which is less than total and shall be equal to or the same as permanent impairment.
<u>Permanent Total Disability:</u>	Incapacity because of accidental injury or occupational disease to earn any wages in any employment for which the employee is or becomes physically suited and reasonably fitted by education, training or experience, including vocational rehabilitation; loss of both hands, or both feet, or both legs, or both eyes, or any two thereof.
<u>Respondent:</u>	The employer or the employer's insurer in a claim for compensation.
<u>Temporary Total Disability:</u>	Temporary inability to work due to an accidental injury or occupational disease.
<u>Treating Physician:</u>	The licensed physician selected as provided in 85 O.S., Section 14.

Vocational Rehabilitation:

Such retraining and job placement services as may be necessary to restore an injured worker to gainful employment if, as a result of the injury, the worker is unable to perform the same occupational duties the worker was performing prior to the injury.