

Wisconsin's Worker's Compensation Program

Why Program Established

The Worker's Compensation Program was established in 1911 to encourage employers to make the workplace safer by requiring safety programs and use of safety devices. Almost all Wisconsin employers are now required to carry worker's compensation insurance to cover employee injuries.

Program Experience

Since 1911 there have been over 2.5 million worker's compensation claims filed. Two million claims have been paid. In 1990 the Worker's Compensation Division working with employers and their insurance carriers processed 77,229 claims. Total wage replacement benefits and medical cost payments exceeded \$400 million.* Hearing loss claims now rank #3 in the number of occupational disease claims filed with an average of over 1,000 claims regularly filed on an annual basis. Many claims can be resolved within 4 to 6 months after filing. Some require a formal hearing and that can add another 6 months, more or less.

Benefits: You May Qualify

It is not necessary that noise in your workplace *caused* your hearing loss. If noise in your workplace *contributed* to your hearing loss, you may be eligible under Wisconsin's Worker's Compensation Program.

A claim may be brought only after the worker leaves noisy employment. In many cases this is after retirement although some workers simply leave noisy employment to take quieter employment. In either case a claim may then be filed.

Comments about Attorney Douglas Johnson:

"We thank you very much. . . . If we ever know of someone who needs help we sure would send them to you. We like your style. . . . You have treated us with courtesy and respect." Mr. and Mrs. Arthur Koepp—Pardeeville.

"With deep appreciation and sincere thanks . . . words cannot express our gratitude." Mr. & Mrs. Howard Kuehl—Wisconsin Rapids

"I don't know what I'd do without my hearing aid dispenser and Johnson Law Offices. I am very pleased." Mrs. Marion George—Mauston

Hearing Loss Benefits

The Worker's Compensation Program is available to compensate employees whose hearing has been impaired as a result of noisy employment. Exposure to "noisy employment" for just a few months may result in a compensable loss.

The longer the noise exposure usually means the greater the hearing loss and the more the compensation. Workplace noise which requires shouting in order to communicate with fellow workers is often enough to be considered "noisy employment."

Compensation running more than \$50,000** plus money for hearing aid(s) and related expenses may be available. If the statute of limitations has run, the State of Wisconsin has a fund known as the Barred Claims Fund for which employees may be eligible for lesser amounts. Overall, compensation in the range of \$3,000–\$7,500 plus some payment for hearing aids is common. Compensation between \$10,000–\$15,000 is not unusual.

*Most current data for "finalized year."

**Based on maximum allowable for "occupational" hearing loss as of January 1, 2006, subject to periodic increases.

Generally, a hearing impaired worker is entitled to compensation as determined by the formula and Worker's Compensation rate schedule in effect on the last day of work. The Worker's Compensation Division of the State of Wisconsin makes this calculation.



WORKER'S COMPENSATION—Hearing Loss Benefits

If noise in your workplace may have *caused* or *contributed* to your hearing loss, you may be eligible for compensation under Wisconsin's Worker's Compensation Program. If you would like more information about Worker's Compensation, please check the box below.

Yes. I would like more information about the Worker's Compensation Program. Please have **Johnson Law Offices**, P.O. Box 161, Evansville, WI 53536 contact me. I understand there will be no charge for this initial request for information.

Name _____

Address _____

City, State, Zip _____

Telephone No. Area Code (_____) _____

Date _____

Referred by _____

Place
Stamp
Here

Johnson Law Offices
P.O. Box 161
Evansville, WI 53536

**What Do I Do If I'm
Interested in Learning More?**

Contact **Johnson Law Offices**.

Johnson Law Offices is located in Evansville, Wisconsin (just south of Madison) and has handled hearing loss claims under Wisconsin's Worker's Compensation Program since 1983. Johnson Law Offices works with your doctor/audiologist/hearing aid dispenser. It handles all paperwork, negotiations and legal matters but you make the final decisions. Information can be easily provided over the phone and by mail.

Costs and Fees

If you decide to file a claim attorneys fees are limited by law to a maximum of 20% of the compensation paid. Client costs usually run around \$300-\$500 and are incurred to secure hearing loss medical and test records and, when necessary, a doctor's report on the hearing loss. Client costs are not required to be paid in advance. **You pay no fees or costs unless you get paid.** There is no charge for an initial consultation.

**Tax Free and No Social
Security Pension Offset**

Your worker's compensation payment is **generally tax free** (consult your tax advisor). Also, there is **no social security pension offset**. Your social security retirement benefit payments are unaffected by a worker's compensation award.

ADVERTISEMENT*

*As required by Supreme Court Rule 20:7.3(b)



Sound Advice™

WORKER'S COMPENSATION
HEARING LOSS BENEFITS

"I am just as deaf as I am blind. The problems of deafness are deeper and more complex, if not more important, than those of blindness. Deafness is a worse misfortune. For it means the loss of the most vital stimulus—the sound of the voice that brings language, sets thoughts astir, and keeps us in the intellectual company of man."

—HELEN KELLER

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