



# Workers' Compensation

---

## “EXCLUSIVE REMEDY” OR... IT'S BEST TO HAVE, AND USE, WORKERS COMPENSATION INSURANCE COVERAGE

### What is “exclusive remedy”?

Exclusive remedy means that an injured employee, generally, cannot sue an employer, for work-related injuries **if** the employer has purchased workers' compensation insurance as required by Nevada law.

### What benefits are provided under “exclusive remedy”?

**Employer Benefit:** If an injured employee accepts benefits under workers' compensation, the employer is protected from lawsuits.

**Employee Benefit:** An injured employee does not have to sue an employer to receive benefits.

### What if the employer does not have workers' compensation insurance?

If an employee is injured on the job, and an employee/employer relationship exists, the employee may elect to be covered under Nevada's Uninsured Employers Claims Account. The employee may also elect to not be covered under Nevada's Uninsured Employers Claims Account and take his case through other means—with possible lawsuits. In any case, the uninsured employer will be held responsible for any costs arising from the injured employee's claim (including administrative costs), premium penalties and fines will be assessed, and the employer will be referred to the Attorney General's office for investigation and possible action. **In other words, it is worth having workers' compensation insurance in Nevada.**



If you have any further questions regarding requirements for workers' compensation or about “exclusive remedy” you may contact the Workers' Compensation Section (WCS) at (702) 486-9080 in the Las Vegas area or at (775) 684-7270 in the Carson City/Reno area. You may also email us at [WCSHelp@business.nv.gov](mailto:WCSHelp@business.nv.gov) .