

# Frequently asked questions

## Do I need to hire an attorney?

No. An attorney is not needed to participate in the OIR process. OIR is a speedy dispute resolution alternative to litigation.

## What is the cost of assistance from OIR?

Services are provided at no cost.

## Is OIR part of Workforce Safety & Insurance (WSI)?

OIR is part of WSI, but is independent of WSI's Claims Department. Advocates are located off-site and act on behalf of workers disagreeing with a decision of WSI.

## Can I meet with someone from OIR?

Yes. OIR employees are able to meet with workers at a location convenient to the worker.

## Can OIR provide a legal opinion or provide legal representation?

No. Advocates are skilled in the claims process but are not attorneys.

## Can OIR reverse a decision made by WSI?

OIR works with the parties of a claim in reviewing decisions, but is not able to unilaterally overturn decisions.

## Is my communication with OIR confidential?

Yes. The information assembled by OIR is privileged and may not be released without the worker's permission.



**Workforce Safety  
& Insurance**

**WSI** *Office of Independent Review*

[www.WorkforceSafety.com/oir](http://www.WorkforceSafety.com/oir)



## How to Reach Us

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[www.WorkforceSafety.com/oir](http://www.WorkforceSafety.com/oir)

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# Office of Independent Review

- ▶ Mission: To provide personal and timely independent dispute resolution services and education to North Dakota workers.



## About the Office

The Office of Independent Review (OIR) provides assistance to workers questioning decisions made on a claim. Enacted by the North Dakota Legislature, the office seeks to assist workers with claim issues in a fast, fair, and independent manner. OIR is independent of the Claims Department of Workforce Safety & Insurance (WSI) and services are provided at no cost.

## When to Contact OIR

An injured worker typically contacts OIR to:

- Request assistance with an administrative order
- Ask questions regarding a Notice of Decision
- Ask general questions regarding a claim

An injured worker may also contact OIR when:

- A vocational consultant's report (return to work plan) has been completed
- A decision to accept or deny a claim has not been made in a timely manner

Workers are not required to request assistance from OIR following receipt of an administrative order. However, attorney fees will only be paid by WSI (up to established caps) if the worker first attempted to resolve the disputed order by requesting OIR's assistance and ultimately prevailed on further appeal of the order.

To request assistance regarding an administrative order, a worker must send a written request to the office within 30 days of the mailing date of the order. A good faith effort to resolve the dispute is required to successfully complete the process. At the end of the process the worker will receive a letter from OIR explaining the results of the review and a certificate of completion explaining how to further appeal the order if the worker remains unsatisfied. A hearing request must be made within 30 days from the mailing date of the certificate of completion.

## Program Goals

- Provide help and support for injured workers filing claims and receiving WSI decisions
- Act on behalf of injured workers disputing WSI decisions, presenting issues and concerns to WSI and identifying factors that may justify reconsideration of claims decisions
- Provide a mechanism for speedy dispute resolution, offering injured workers a no-cost alternative to litigation and identifying potential alternatives to resolve disputes
- Improve services to injured workers by facilitating communication
- Provide an independent review of WSI decisions and an explanation of those decisions

