

Your Guide to Workers' Compensation

What is workers' compensation?

Worker's compensation is insurance that the law requires your employer to have to cover on the job injuries. If you become injured on the job or contract an illness due to your job duties this insurance is designed to assist you in your recovery. Your employer pays for the insurance. If you can't work, workers' compensation pays your medical bills and provides money to replace lost wages.

What types of injuries or illnesses are covered by this insurance?

The injuries covered by your employer's insurance are any that occur while on the job. This insurance will allow you to receive help if you are injured no matter who was at fault. Workers' compensation insurance covers everything from one-time occurrences to multiple occurrences that cause an injury. Everything from first-aid type injuries to more serious accidents can be covered. Coverage is automatic and immediate, so be sure to notify your supervisor as soon as possible.

What are the differences between State Disability Insurance and workers' compensation insurance?

The differences between State Disability Insurance (SDI) and workers' compensation insurance are simple. If you become injured or ill and it was not work related it would fall under SDI. This benefit is provided by the Employment Development Department. If your illness or injury was work related it would fall under your employer's workers' compensation insurance.

How do I report an injury or illness?

To file a workers' compensation claim, you must first report your situation to your supervisor immediately. If the injury is more than a first-aid situation, he or she will give you a claim form on which you need to describe your injury including where, when, and how. Once you have returned the completed form to your employer it is their responsibility to submit the form to their workers' compensation insurance carrier. You will then be notified of your benefits and coverages.

It is very important that you report your claim immediately. Benefits cannot start until your claim has been received. California state law requires employers to authorize medical treatment within one working day of receiving a claim form. To insure your right to these benefits you must report every injury, no matter how slight, and be sure to request a claim form if it is more than a basic first-aid injury.

What are the benefits that I might receive?

The California workers' compensation law guarantees you three types of benefits:

- All reasonable and necessary medical care for your injury or illness...with no deductibles. Medical benefits may include treatment by a doctor, hospital services, lab tests, x-rays, and some medicines. For injuries on or after January 1,

2004 there are limits on the number of occupational therapy, physical therapy, and chiropractic visits.

- Tax-free payments to help reduce lost wages while you were temporarily disabled. Additional payments are made if the injury causes Permanent disability or death.
- For injuries on or after January 1, 2004, if your illness or injury causes permanent disability, your employer doesn't offer appropriate modified or alternative work and you don't return to work for the employer within 60 days of when temporary disability ends, you may be eligible for a supplemental job displacement benefit. This is a non-transferable voucher for education-related retraining and/or skill enhancement at state approved schools. The amount can range from \$4,000 to \$10,000 in vouchers, depending on the level of permanent disability.

What if I am temporarily disabled?

Your temporary disability rate will be calculated as follows: the rate is two thirds of your average weekly earnings, subject to minimum and maximum amounts that the legislature determines. The minimum and maximum amounts depend on the date of your injury.

	Maximum Amount Paid
2003	\$602.00
2004	\$728.00
2005	\$840.00
2006	\$840.00

If you are unable to work for more than 3 days you are eligible to receive temporary disability. Generally, temporary disability stops when you return to work or when you are released from a physician's care.

What if I am permanently disabled?

If, according to your doctor you are permanently disabled because of the said injury or illness, you may qualify for permanent disability payments. The amount depends on the doctor's report, how much of the permanent disability was directly caused by your work, and factors such as your age, occupation, type of injury, and date of injury. In general, the rate paid to you is a weekly rate paid spread over a fixed number of weeks. This rate is calculated by determining your rate of disability and then taking a percentage (usually two-thirds) of your average weekly earnings at the time of you injury.

Rating	Rates for 2003-2006			
	2003	2004	2005	2006
Up to 14.75%	\$185.00	\$200.00	\$220.00	\$230.00
15% to 24.75%	\$185.00	\$200.00	\$220.00	\$230.00
25% to 69.75%	\$185.00	\$200.00	\$220.00	\$230.00
70% to 99.75%	\$230.00	\$250.00	\$270.00	\$270.00
Minimum per week	\$100.00	\$105.00	\$105.00	\$130.00

What if my injury/illness causes death?

If the injury/illness causes death, payments may be made to your relatives or household members who were financially dependent on you. State law sets these benefits and the amount depends solely on the number of dependents.

What happens if I can no longer perform my position’s requirements due to my injury/accident?

For injuries on or after January 1, 2004, if you receive temporary disability payments, within 30 days after that benefit ends, your claims administrator should send you a letter advising whether your employer has a modified job or alternative work available for you, and explaining your *potential* rights to a supplemental job displacement benefit. If your employer does not have a modified job or alternative work available for you, you don’t return to work for the employer within 60 days after your temporary disability ends, and it is determined that you have permanent disability, you may choose to receive non-transferable vouchers to use at a state accredited school for education-related retraining or skill-enhancement. If you qualify for the supplemental job displacement benefit, your claims administrator will provide vouchers up to a maximum set by state law:

Supplemental Job Displacement Benefits (SJDB)	
Permanent Disability Level	SJDB Voucher Amount
Less than 15%	Up to \$4,000
15% to 25%	Up to \$6,000
26% to 49%	Up to \$8,000
50% to 99%	Up to \$10,000

How can I receive emergency medical treatment?

If your illness/injury is an emergency, call 911 or go directly to the hospital. Your employer may give you a recommendation as to where to go. When you are being treated be sure to mention that your injury/illness occurred while on the job and if available give the healthcare provider your employer’s workers’ compensation information.

Do I get to choose which doctor I see for treatment?

The following factors have to be considered for you to be able to choose your treating physician:

- Health Care Organization or Medical Provider Network. If through your employer’s worker’s compensation carrier they have selected an HCO or network, then the workers’ compensation insurance carrier will select the doctor.
- Group Health Insurance. If you are covered under your employer’s group health insurance plan, you may pre designate your treating physician. To pre designate your physician ask your employer for the form in which to do so.

Who can I call if I have questions?

If you have questions, you may call your employer’s workers’ compensation insurance carrier or contact one of the following offices:

Division of Workers' Compensation Insurance Information & Assistance Officers			
Anaheim	714-738-4038	Riverside	909-782-4347
Bakersfield	661-395-2514	Sacramento	916-263-2741
Eureka	707-441-5723	Salinas	831-443-3058
Fresno	559-445-5355	San Bernardino	909-383-4522
Goleta	805-968-4158	San Diego	619-767-2082
Grover Beach	805-481-3380	San Francisco	415-703-5020
Long Beach	562-590-5240	San Jose	408-277-1292
Los Angeles	213-576-7389	Santa Ana	714-558-4597
Oakland	510-622-2861	Santa Monica	310-452-1188
Oxnard	805-485-3528	Santa Rosa	707-576-2452
Pomona	909-623-8568	Stockton	209-948-7980
Redding	530-225-2047	Van Nuys	818-901-5374

*Your employer is required to post the name, address, and telephone number of their workers' compensation carrier at your workplace.

This pamphlet was prepared and published by HealthConnect Systems for its clients.

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Physician Pre Designation Form

If I am injured on the job, I wish to be treated by my personal physician or personal chiropractor, who has treated me before and who has my medical or chiropractic treatment records.

Si me lesionara en el trabajo, quisiera que me atienda mi medico personal o mi quiropractico personal, quien me ha atendido antes y tiene mi expediente medico o expediente quiropractico.

EMPLOYEE INFORMATION

Name/Nombre

YOUR DOCTOR'S INFORMATION

Doctor

Phone/Tel.

Address/Direccion

City/Ciudad

State/Estado

Zip/Codigo

SIGNATURES

Employee's Signature/Firma Del Empleado

Date/Fecha

Doctor's Signature/Firma Del Doctor

Date/Fecha