

visits prescribed by the surgeon, or physician surgeon, under the postsurgical component Workers' Compensation's Medical Treatment Unit, or if your employer has authorized written.

A Problem?

ern, speak up. Talk to your employer or the or handling your claim and try to solve the isn't work, get help by trying the following: **Division of Workers' Compensation (DWC) Information and Assistance Unit.** All 24 DWC offices throughout the state provide information and assistance on rights, options under California's workers' compensation laws. Information counselors help resolve disputes without formal litigation. Our goal is to get you full and timely benefits. Free.

For more information, visit the I&A Unit, go to www.dwc.ca.gov and click on "Workers' Compensation Programs and Units", click on "Information and Assistance Unit." At this site you will find fact sheets and information to help you.

Consult With An Attorney: Most attorneys offer one free consultation. If you decide to hire an attorney, his or her fees may be taken out of some of your benefits. For names of workers' compensation attorneys, call the State Bar of California at (415) 538-2120 or go to their website at www.californiaspecialist.org. You may get a list of attorneys from your local I&A Unit or look in the yellow pages.

Warning: Your employer may not pay workers' compensation benefits if you get hurt in a voluntary off-duty recreational, social or athletic activity that is not part of your work-related duties.

Additional Rights: You may also have other rights under the Americans with Disabilities Act (ADA) or the Fair Employment and Housing Act (FEHA). For additional information, contact FEHA at (800) 884-1684 or the Equal Employment Opportunity Commission (EEOC) at (800) 669-4000.

You can hand write the information below or you can create stickers: go to www.calchamber.com/support and click on Workers' Compensation pamphlets.

Claims Administrator Sedgwick
 Address P.O. Box 14629
 City Lexington State KY Zip 40512
 Phone (800) 897-7677 Policy Expiration Date 12/31/16
 Non-emergency facility Kaiser on the job

The employer is insured for workers' compensation by Alliant / AOKMA
 (Enter "self-insured" if appropriate)

The nearest Information and Assistance Officer is located in Sacramento Phone (916) 928-3158
 (To find a local office, refer to Workers' Compensation Information and Assistance Offices found at www.calchamber.com/wcform)

Current MPN's toll free number N/A
 MPN website: N/A
 (Enter only if employer has MPN)

You may be able to find the name of your employer's workers' compensation insurer at www.caworkcompcoverage.com.

The information contained in this pamphlet conforms to the informational requirements found in Labor Code sections 3551 and 3553 and California Code of Regulation, Title 8, sections 9880 and 9883. This document is approved by the Division of Workers' Compensation administrative director.

Your Rights to Workers' Compensation Benefits and How to Obtain Them



Workers' Compensation Temporary Total Disability (TD) Benefits

JURY ON OR AFTER:	2013	2014	2015	2016
Benefit	\$1,066.72	\$1,074.64	\$1,103.29	\$1,128.43
Benefit	\$160.00	\$161.19	\$165.49	\$169.26

Workers' Compensation Maximum Permanent Disability Benefits

Starting 2013-2014	2013	2014 - 2015
	\$160 - 230	\$160 - 290
	\$160 - 270	\$160 - 290
	\$160 - 290	\$160 - 290

State Death Benefit	After 1/1/2006
Identified	\$250,000
Identified and one or more partial dependent	\$250,000
Identified	\$290,000
Identified dependents	\$320,000

Benefit is limited to a Maximum of \$10,000 for injuries on or after January 1, 2013.

Benefit for a totally dependent minor will be continued until the age of 18 regardless of the maximum benefit.



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This pamphlet, approved by the Administrative Director of the Division of Workers' Compensation, must be given to all newly hired employees in the State of California.

Workers' Compensation?

the job, your employer is required by law to provide compensation benefits. You could get hurt by:

Examples: hurting your back in a fall, getting a chemical that splashes on your skin, getting hurt in a vehicle making deliveries; or -

Examples at work: hurting your wrist from lifting boxes, losing your hearing because of constant noise.

Examples: you get hurt in a store robbery, or injured by an unhappy customer.

It is illegal for your employer to discriminate against you because you filed a workers' compensation claim. Labor Code section 132a for your employer to discriminate against you because you filed a workers' compensation claim and to testify for another injured worker. If your employer discriminated against you, he or she may be liable to return you to your job. Your employer may also be liable to pay for lost wages, increased workers' compensation benefits, and costs and expenses set by state law.

Benefits?

aid for by your employer to help you recover from illness caused by work. Doctor visits, hospital therapy, lab tests and x-rays are some of the services that may be provided. These services should be provided for your injury. There are limits on some services and occupational therapy and chiropractic care.

Temporary Disability (TD) Benefits: Payments if you lose wages because your injury prevents you from doing your usual job. The amount you may get is up to two-thirds of your wages. There are minimum and maximum payment limits. You will be paid every two weeks if you are eligible. For injuries, payments may not exceed 104 weeks from your date of injury. *Temporary Disability* payments stop when you return to work, or when the doctor releases you if your injury has improved as much as it's possible to.

Permanent Disability Benefits: Payments if you don't recover completely. You will be paid every two weeks if you are eligible.

There are minimum and maximum weekly payment rates established by state law. The amount of payment is based on:

- Your doctor's medical reports
- Your age
- Your occupation

Supplemental Job Displacement Benefits: This is a voucher for up to \$6,000 that you can use for retraining or skill enhancement at an approved school, books, tools, licenses or certification fees, or other resources to help you find a new job. You are eligible for this voucher if:

- You have a permanent disability.
- Your employer does not offer regular, modified, or alternative work, within 60 days after the claims administrator receives a doctor's report saying you have made a maximum medical recovery.

Death Benefits: Payments to your spouse, children or other dependents if you die from a job injury or illness. The amount of payment is based on the number of dependents. The benefit is paid every two weeks at a rate of at least \$224 per week. In addition, workers' compensation provides a burial allowance.

Other Benefits

You may file a claim with the *Employment Development Department (EDD)* to get state disability benefits when workers' compensation benefits are delayed, denied, or have ended. There are time restrictions so for more information contact the local office of *EDD* or go to their web site www.edd.ca.gov.

If your injury results in a permanent disability (PD) and the state determines that your PD benefit is disproportionately low compared to your earning loss, you may qualify for additional money from the *Department of Industrial Relations*' special earnings loss supplement program also known as the return to work program. If you have questions or think you qualify, contact the Information & Assistance Unit by going to www.dwc.ca.gov and looking under "Workers' Compensation programs and units" for the "Information & Assistance Unit" link or visit the DIR web site at www.dir.ca.gov.

Workers' Compensation Fraud is a Crime
Any person who makes or causes to be made any knowingly false statement in order to obtain or deny workers' compensation benefits or payments is guilty of a felony. If convicted, the person will have to pay fines up to \$150,000 and/or serve up to five years in jail.

What Should I Do if I Have An Injury?

Report your injury to your employer: Tell your supervisor right away no matter how slight the injury may be. Don't delay – there are time limits. You could lose your right to benefits if your employer does not learn of your injury within 30 days. If your injury or illness is one that develops over time, report it as soon as you learn it was caused by your job.

If you cannot report to the employer or don't hear from the claims administrator after you have reported your injury, contact the claims administrator yourself.

You may be able to find the name of your employer's workers' compensation insurer at www.caworkcompcoverage.com. If no coverage exists or coverage has expired, contact the Division of Labor Standards Enforcement at www.dir.ca.gov/DLSE as all employees must be covered by law.

Get emergency treatment if needed: If it's a medical emergency, go to an emergency room right away. Tell the medical provider who treats you that your injury is job related. Your employer may tell you where to go for follow up treatment.

Emergency telephone number: Call 911 for an ambulance, fire department or police. For non-emergency medical care, contact your employer or the workers' compensation claims administrator.

Fill out DWC 1 claim form and give it to your employer: Your employer must give you a DWC 1 claim form within one working day after learning about your injury or illness. Complete the employee portion, sign and give it back to your employer. Your employer will then file your claim with the claims administrator. Your employer must authorize treatment within one working day of receiving the DWC 1 claim form.

If the injury is from repeated exposures, you have one year from when you realized your injury was job related to file a claim.

In either case, you may receive up to \$10,000 in employer-paid medical care until your claim is either accepted or denied. The claims administrator has up to 90 days to decide whether to accept or deny your claim. Otherwise your case is presumed payable.

Your employer or the claims administrator will send you "benefit notices" that will advise you of the status of your claim.

More About Medical Care

What is a Primary Treating Physician (PTP)? This is the doctor

with overall responsibility for treating your injury or illness. He or she may be:

- The doctor you name in writing *before* you get hurt on the job
- A doctor from the medical provider network (MPN)
- The doctor chosen by your employer during the first 30 days of injury if your employer does not have an MPN or
- The doctor you chose after the first 30 days if your employer does not have an MPN.

What is a Medical Provider Network (MPN)? An MPN is a selected group of health care providers who treat injured workers. Check with your employer to see if they are using an MPN.

If you have not named a doctor before you get hurt and your employer is using an MPN, you will see an MPN doctor. After your first visit, you are free to choose another doctor from the MPN list.

What is Predesignation? Predesignation is when you name your regular doctor to treat you if you get hurt on the job. The doctor must be a medical doctor (M.D.), doctor of osteopathic medicine (D.O.) or a medical group with an M.D. or D.O. You must name your doctor in writing *before* you get hurt or become ill. You may predesignate a doctor if you have health care coverage for non-work injuries and illnesses. The doctor must have:

- Treated you
- Maintained your medical history and records before your injury and
- Agreed to treat you for a work-related injury or illness before you get hurt or become ill.

You may use the "predesignation of personal physician" form included with this pamphlet. After you fill in the form, be sure to give it to your employer.

If your employer does not have an approved MPN, you may name your chiropractor or acupuncturist to treat you for work related injuries. The notice of personal chiropractor or acupuncturist must be in writing *before* you get hurt. You may use the form included in this pamphlet. After you fill in the form be sure to give it to your employer.

With some exceptions, state law does not allow a chiropractor to continue as your treating physician after 24 visits. Once you have received 24 chiropractic visits, if you still require medical treatment, you will have to select a new physician who is not a chiropractor. The term "chiropractic visit" means any chiropractic office visit, regardless of whether the services performed involve chiropractic manipulation or are limited to evaluation and management.

Exceptions to the prohibition on a chiropractor continuing as your treating physician after 24 visits include postsurgical