

WHAT IS WORKERS' COMPENSATION?

California's no-fault workers' compensation law was passed by the State Legislature to provide prompt, automatic benefits to workers injured on the job. The County's self-insured Workers' Compensation program is managed by the Risk Management Unit (RMU). The County contracts with a third-party claims administrator (TPA) who is responsible for reviewing and accepting claims and paying benefits. The process of investigating claims may take up to 90 days during which no disability benefits would be paid. Medical treatment may be covered during the delay period for up to \$10,000.

WHO IS ENTITLED TO BENEFITS?

If you have an on-the-job injury or an illness, you may be entitled to workers' compensation benefits. These benefits are provided at your employer's expense. The injury or illness may result from a single incident or from repeated or prolonged exposure to activities or substances at work. With only a few exceptions, all California employers are subject to state workers' compensation laws. Not all claims occurring at the workplace are compensable.

WHAT ARE THE BENEFITS?

State benefits are described on the California Department of Industrial Relations information sheet accompanying the Employee's Claim for Workers' Compensation Benefits (Form DWC-1). Possible benefits include: medical care, temporary disability payments, permanent disability payments, death benefits, and supplemental job displacement benefits.

HOW DO YOU RECEIVE BENEFITS?

In case of an emergency, call 9-1-1.

If necessary, go directly to the emergency room.

- In a non-emergency situation, report the injury to your supervisor. You and your supervisor together will call the Company Nurse injury hotline at 1-855-921-9522 BEFORE you seek medical treatment. No benefits can be provided if the injury is not reported. Complete and submit the claim form (DWC-1) to your department.
- If treatment beyond first aid is required, Company Nurse will direct you to a medical provider on the Alameda County Workers' Compensation Designated Medical Facilities list. Complete and submit the claim form (DWC-1) to your department.
- If you are unable to call Company Nurse before seeking treatment, you and your supervisor may complete the required forms and submit them directly to the TPA, or the supervisor may call Company Nurse after you have been treated to initiate the claim process.
- You are entitled to use your own personal physician only if you have submitted a pre-designation form with your Human Resource Department (HR) **prior** to the date of your injury. The form is available from your DPO or on the RMU website.
- If you use a County-designated physician on the Workers' Compensation Medical Facilities list, you are entitled to change your medical provider 30 days after you have reported your injury, by contacting your Claims Examiner.

ARE OFF DUTY ACTIVITIES COVERED?

Off duty recreational, athletic and social activities may not be covered by workers' compensation benefits if the injury arises out of

voluntary participation, and the activity is not part of employee's work-related duties.

NON-DISCRIMINATION

An injured worker may **not** be discharged, threatened with discharge, or discriminated against in any manner because he/she: 1) has or intends to file a workers' compensation claim and/or application for adjudication of claim, 2) testifies on behalf of another employee's claim, or 3) has received a workers' compensation award or settlement. All injured workers are afforded this protection by the Labor Code. Injured workers may also be protected from disability discrimination under the Americans with Disabilities Act and provisions of the Fair Employment and Housing Act.

OTHER DISABILITY BENEFITS

If the injury is very serious and you expect to be off from work for a year or more you may be eligible for additional benefits from Social Security. Contact the nearest Social Security Administration Office at 1-800-772-1213 for more information.

Workers' compensation sometimes is confused with another state program, State Disability Insurance (SDI). They seem similar, but there are important differences. Workers' Compensation takes care of **on-the-job** injuries and illnesses and is paid for by your employer. SDI primarily covers **off-the-job** injuries or sicknesses and is paid by payroll deductions. Call 1-800-480-3287 for information on SDI benefits.

FRAUD

Any person who makes or causes to be made any knowingly false or fraudulent material statement or material representation for the purpose of obtaining or denying workers'

compensation benefits or payments is guilty of a felony. He/she may be fined up to \$150,000 and sent to prison for up to five years.

If you suspect fraud, please call the Alameda County fraud hot line at (866) 368-3720.

For more information, contact:

**Your supervisor, Department Personnel
Officer or
Workers' Compensation Liaison**

County of Alameda Risk Management Unit

Maria Songco-Daluz
Workers' Compensation Administrator
125 – 12th Street, 3rd Floor, Oakland, CA
94607
(510) 272-3646
Fax (510) 272-6815

**Third Party Workers' Compensation
Claims Administrator**

York Risk Services Group, Inc.
P.O. Box 619079
Roseville, CA 95661-9079
(800) 922-5020
Fax (866) 548-2637

**State of California Department of Industrial
Relations**

Division of Workers' Compensation
1515 Clay Street, 6th Floor, Oakland, CA
94612-1413

For Information & Assistance Officer
(510) 622-2861, (800) 736-7401

For Retraining / Return-To-Work Unit

(510) 622-2860

www.dir.ca.gov/dwc

Americans with Disabilities Act
(Equal Employment Opportunity Commission)

(510) 637-3230 or (800) 669-4000

www.eeoc.gov/ada

Fair Employment & Housing Act
(CA Dept. of Fair Employment & Housing)

(800) 884-1684

www.dfeh.ca.gov



FACTS
FACTS

**For SWAP and
In-Lieu Workers**

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