

Your Guide to the

Alternative Dispute Resolution System

Helpful information you should know if you are injured on the job or become ill due to your job.

Workers' Compensation Coverage with an Added Benefit to You

Your employer participates in an innovative insurance program designed to ensure that you receive the highest quality care and assistance for all workers' compensation claims. This brochure answers some of the most frequently asked questions about workers' compensation and how you can take advantage of the Alternative Dispute Resolution (ADR) System offered with this plan.

If you need more information, please contact your employer or call your union's Ombudsperson. The Ombudspersons' phone numbers are listed at the end of this brochure.

The Alternative Dispute Resolution (ADR) System

The Alternative Dispute Resolution (ADR) System not only helps prevent disputes, but also lets you resolve workers' compensation disputes with the professional assistance and guidance of an expert called an Ombudsperson. With this program, you can:

- Have access to high quality medical care through an exclusive list of medical providers mutually agreed upon by labor and management.
- Get free, confidential advice and assistance regarding your workers' compensation claims.
- Eliminate the need to retain an attorney to get answers to basic workers' compensation questions.
- Have access to a specially trained claims unit dedicated solely to expediting your workers' compensation claims.
- Work with experts who will help you resolve workers' compensation treatment and compensation disputes, should they arise.

You benefit from more than just an increased ability to resolve conflicts. Because this system helps your employer reduce the costs paid for workers' compensation coverage, your employer can bid jobs more effectively which can provide more job opportunities for employees like you.

Questions and Answers

What is State Compensation Insurance Fund or State Fund?

State Compensation Insurance Fund (State Fund) is the insurance carrier your employer has chosen to provide its workers' compensation coverage. We celebrated our 100 year anniversary in 2014, so we have a long history of providing workers' compensation throughout California.

What is Workers' Compensation?

If you get hurt on the job, your employer is required by law to pay for workers' compensation benefits. You could get hurt by:

One event at work. Examples: hurting your back in a fall, getting burned by a chemical that splashes on your skin, getting hurt in a car accident while making deliveries.

---or---

Repeated exposures at work. Examples: hurting your wrist from using vibrating tools, losing your hearing because of constant loud noise.

---or---

Workplace crime. Examples: you get hurt in a store robbery, physically attacked by an unhappy customer.

Discrimination is Illegal

It is illegal under Labor Code section 132a for your employer to punish or fire you because you:

- File a workers' compensation claim.
- Intend to file a workers' compensation claim.
- Settle a workers' compensation claim.
- Testify or intend to testify for another injured worker.

If it is found that your employer discriminated against you, he or she may be ordered to return you to your job. Your employer may be also be made to pay for lost wages, increased workers' compensation benefits, and costs and expenses set by state law.

What Are the Benefits?

- **Medical care:** Paid for by State Fund to help you recover from an injury or illness caused by work. Doctor visits, hospital services, physical therapy, lab tests and x-rays are some of the medical services that may be provided. These services should be necessary to treat your injury. There are limits on some services such as physical and occupational therapy and chiropractic care.
- **Temporary disability benefits:** Payments if you lose wages because your injury prevents you from doing your usual job while recovering. The amount you may get is up to two-thirds of your wages. There are minimum and maximum payment limits set by state law. You will be paid every two weeks if you are eligible. For most injuries, payments may not exceed 104 weeks within five years from your date of injury. Temporary disability (TD) stops when you return to work, or when the doctor releases you for work, or says your injury has improved as much as it's going 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.

When Can I Receive Disability Benefits?

Your employer must authorize medical treatment within one working day of receiving the DWC 1 claim form. You may receive up to \$10,000 in employer-paid medical care until your claim is either accepted or denied. State Fund has up to 90 days to decide whether to accept or deny your claim. Otherwise your case is presumed payable.

State Fund will send you "benefit notices" that will advise you of the status of your claim. Once your claim is accepted, State Fund will verify the time that you have missed from work. If eligible, you will receive TD after serving a "waiting period" of three calendar days. The "waiting period" is waived if you are unable to work for more than 14 calendar days, are hospitalized as an inpatient, or suffer an injury as the result of a criminal act of violence.

