

### **WHAT IS WORKERS' COMPENSATION?**

California's no-fault workers' compensation law was passed by the State Legislature to guarantee 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 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 which resulted from your job, 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 CarivaCare injury hotline at 1-833-217-5966 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, CarivaCare 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 CarivaCare before seeking treatment, you and your supervisor may complete the required forms and submit them directly to the TPA, or the supervisor may call CarivaCare after you have been treated to initiate the claim process.
- You are entitled to use your own personal physician only if you have notified your department in writing of your pre-designated personal physician or medical provider **prior** to the date of your injury. Forms are available on the RMU website at [www.acgov.org/cao/rmu/programs/workers\\_comp/](http://www.acgov.org/cao/rmu/programs/workers_comp/)
- If you use a County-designated physician, you are entitled to change your medical provider 30 days after you have reported your injury, by contacting the County's Claims Examiner.
- The County has a temporary modified duty program that encourages early return to work during your recovery from injury. As part of this program, you must have your medical provider complete the County's Work Status Report form and you must immediately return it to your supervisor after every appointment. Your supervisor will review your work status form to determine if work exists within your medical restrictions. Your supervisor or personnel office will then notify you if your restrictions can be accommodated temporarily. This form is also used for payroll/timekeeping for medical appointment verification. (The County policy limits temporary modified duty assignments to a maximum of 90 days per injury).

### **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 an **off-the-job** injury or sickness 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.

For more information, contact:

**Your supervisor, Department Human Resources Officer, or Workers' Compensation Liaison**

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**TAP Employees should contact Human Resources Services Department/TAP Unit (510) 272-6424**

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**County of Alameda Risk Management Unit**  
Maria Songco-Daluz  
Workers' Compensation Administrator  
125 – 12th Street, 3<sup>rd</sup> Floor, Oakland, CA 94607  
(510) 272-3646  
Fax (510) 272-6815

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**Third Party Workers' Compensation  
Claims Administrator**

Acclamation Insurance Management Services  
(AIMS)  
P.O. Box 269120  
Sacramento CA 95826  
Phone (916) 563-1900  
Fax (916) 563-1919

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**State of California Department of Industrial Relations**

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

For Information & Assistance Officer  
(510) 622-2866, (800) 736-7401  
[www.dir.ca.gov/dwc](http://www.dir.ca.gov/dwc)

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**Americans with Disabilities Act**  
(800) 541-0301 or (833) 610-1264  
[www.ada.gov](http://www.ada.gov)

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**Civil Rights Department**  
(800) 884-1684  
[www.calcivilrights.ca.gov](http://www.calcivilrights.ca.gov)



FACTS  
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**For injured Temporary  
Assignment Pool Employees  
(TAP) and Retired  
Annuitants**

July 2023