



“Covid-19” Covered By Workers’ Compensation

The California Applicants’ Attorneys Association (CAAA), whose members represent Californians who get injured at work, released the following statement in response to Governor Gavin Newsom’s signing of an executive order today that helps protect frontline workers who contract COVID-19 on the job:

“We applaud Governor Newsom for enacting an executive order to ensure essential workers are protected under California’s workers’ compensation system should they contract COVID-19 on the job.

Millions of workers across California are battling on the frontlines of the coronavirus pandemic, risking their lives simply by going to work. These heroes deserve to know they’ll be protected and have the safety net of workers’ compensation to take care of their medical needs if they get infected with the coronavirus.

Our workers’ compensation system might be the only remedy for some of these workers who may not have employer-sponsored health insurance or may not have a viable health plan that would cover such a disease without leaving them bankrupt. Ensuring medical treatment, disability indemnity and death benefits are covered for all essential workers is simply the right thing to do.

This order provides immediate relief to all essential workers who have been or will be diagnosed with COVID-19 during the covered period and removes a tremendous amount of doubt in workers’ minds about medical treatment and supplemental income should they become ill.

We thank Governor Newsom for supporting our frontline heroes and ensuring that all essential employees who contract COVID-19 while on the job can get fast and effective health care through no expense of their own.”

Governor Newsom’s executive order enacts a rebuttable presumption that presumes a worker filing a workers’ compensation claim for COVID-19 contracted the disease while on the job. The order covers all essential service workers and will be applied retroactively beginning March 19, 2020, the date of Governor Newsom’s first shelter-in-place order, expiring 60 days from today.

Workers’ compensation benefits covered under the order include temporary disability for up to 2 years, permanent disability benefits for any long-term/permanent injuries or disability caused by COVID-19, and death benefits including \$10,000 in funeral expenses and anywhere between 120,000 to \$250,000 or more (depending on number of minor dependents at time of death).

The order also shortens the time employers have to accept claims from 90 days to 30 days, significantly expediting the processing of benefits for sick workers.