

WORKERS COMPENSATION GUIDELINES WITH COVID-19

If you test positive for COVID-19 and you believe you contracted it in the workplace:

- 1) Report it immediately to your employer and file a workers' compensation claim.
- 2) Apply for State Disability benefits(SDI) through EDD and indicate on the application that you feel your condition/injury is work related. The normal 1 week waiting period to receive SDI is currently waived, so you can start receiving benefits right away. We expect employers and insurance companies to push back on COVID-19 workers' comp. claims and deny them. They will argue that you can't prove that you contracted the virus in the workplace. If your claim is accepted and you start receiving workers' compensation payments, you should contact EDD and tell them to stop paying you.
- 3) If you recover and are back to work in a couple of weeks and your doctor informs you that you should not experience any permanent residuals, there is probably no need to pursue your workers' comp. claim any further. However, if your recovery is delayed and/or you are left with permanent residuals from the infection, you should contact:

Boxer & Gerson at 510-835-0415 or <https://www.boxerlaw.com/contact/>, to discuss your rights regarding your workers' compensation claim or get information.