

Workers' Compensation

Travelers

The California Workers' Compensation Law provides a no-fault insurance plan paid for by the University of San Francisco and supervised by the State of California Division of Workers' Compensation. Claims are handled by Travelers, the University's claims administrator. California's no-fault workers' compensation law was passed by the State Legislature over 70 years ago to guarantee prompt benefits to workers injured on the job. If you are unable to work because of a job-related injury or illness, Workers' Compensation covers your medical expenses and pays you a portion of the lost wages.

HOW DO I APPLY FOR WORKERS' COMPENSATION BENEFITS?

To ensure your right to Workers' Compensation benefits, you must report every job-related injury as soon as it occurs. Even a cut finger may be disabling if an infection develops. Follow the steps below to apply for Workers' Compensation benefits:

1. Immediately report your injury to your supervisor so arrangements for medical treatment may be made.
2. As quickly as possible, report your injury to the Human Resources Specialist at (Ext. 6851). If there is an emergency, or your injury or illness is severe, your supervisor will report the injury for you. Tell what, where, when, and how it happened – the Human Resources Specialist will file a report with Travelers, USF's Workers' Compensation insurance company. You will need to complete the employee portion of the Employee's Claim for Workers' Compensation Benefits form (DWC1) as well. **Note:** *Report your injury as soon as possible. Your claim cannot be processed and no benefits can be paid until the USF Human Resources Specialist knows about the injury.*
3. If emergency treatment is necessary, if possible, obtain medical care through Travelers CA MPN Providers, Franciscan Treatment Room, Occupational Medicine Clinic, 1199 Bush St. Suite 160 San Francisco, CA 94109, Phone: 415-353-6305.

WHO IS COVERED?

Nearly every working Californian is protected by Workers' Compensation. At USF, all faculty, staff and student employees paid through USF's payroll system are covered.

WHAT IS COVERED?

An injury is covered if it occurs during your workday, in your work environment (not just serious accidents, but first aid type injuries too). Illnesses may also be covered if they are related to your job.

WHEN AM I COVERED?

Coverage begins on your date of employment and continues whenever you are working.

WHAT ARE THE WORKERS' COMPENSATION BENEFITS?

California law provides for three kinds of Workers' Compensation benefits:

- ❑ **Medical care for the injury.** Doctor bills, medicines, hospital costs, fees for lab tests, x-rays, crutches, etc. are covered.
- ❑ **Rehabilitation services necessary to return to work.** Sometimes this is just an extension of medical treatment – for example, physical therapy to strengthen muscles. However, if the injury keeps you from returning to your usual job, you may qualify for vocational rehabilitation services to assist you in returning to work.
- ❑ **Cash payments for lost wages.** The most common kind of payment is for temporary disability, which will be made so long as the doctor certifies that you are unable to work. Additional payments may be made if there is a permanent disability – for example, amputation of a finger or loss of sight. If the injury results in death, payments will be paid for your surviving dependents. There are no deductibles or co-payments payable by the employee. All costs are paid by Travelers on behalf of USF.

HOW MUCH ARE THE PAYMENTS?

Payments equal two-thirds of your average weekly wage, up to a maximum amount set by the State Legislature. The amount of payment, and when and how it will be paid, is part of State Law. Only the State Legislature may change the law. Workers' Compensation payments are tax-free. There are no deductions for State or Federal taxes, Social Security, union or retirement fund contributions, etc. USF's sick leave and vacation accruals are available to supplement your benefit so that you may maintain your regular level of income. The Human Resources Specialist will assist you with integrating your accrued sick leave and vacation with Workers' Compensation until your accruals are exhausted.

WHEN ARE THE PAYMENTS MADE?

If you report the injury promptly and the doctor certifies that you are unable to work, you should receive your first time-loss check within 14 calendar days. After that, you will receive a check every two weeks until the doctor certifies that you are able to return to work or are determined to be medically stable. In extremely serious injuries, the payments may continue for life.

WHAT IS THE WORKERS' COMPENSATION CLAIM REVIEW AND APPEAL PROCESS?

Most claims are handled routinely because Workers' Compensation benefits are set by the State. If you have any questions concerning your benefits, you should contact Travelers at:

Travelers
P.O. Box 8112
Walnut Creek, CA 94596
800-842-7354

Many questions will be answered with a phone call. If you are not satisfied with the explanation, you may contact USF's Human Resources Specialist or the nearest office of the State Division of Industrial Accidents. If any portion of your claim is still in dispute, you may wish to seek a more formal remedy at the Workers' Compensation Appeals Board or contact an attorney of your choice. The Appeals Board is a court of law. You may represent yourself or you may wish to hire a lawyer.

Payments for lost wages are not made for the first three days you are unable to work (including weekends). However, if you are hospitalized overnight or are unable to work for more than 14 days, payment will be made for the first three days.

Any legal fees will be deducted from any benefits awarded you by the Appeals Board.

You have one year from your date of knowledge of an industrial injury in which to file for Workers' Compensation benefits. Waiting any longer to report your injury may jeopardize your right to benefits.

ARE OTHER BENEFITS AVAILABLE?

If the injury is very serious – one where you will not be able to work for five months or more – you may be eligible for additional benefits from Social Security. For more information, contact the nearest office of the Social Security Administration or discuss it with a Travelers claims representative. Workers' Compensation sometimes is confused with another program, Voluntary Disability Insurance (VDI). They seem similar, but there are important differences.

Workers' Compensation benefits may be available for injuries and illness that occur in your work environment. Workers' Compensation is paid for by your employer. On the other hand, VDI is applicable for off-the-job injuries or sickness and is paid for by deductions from your paycheck.

Note: *Refer to the Disability section for more detailed information about VDI and the University's long-term disability program.*