

## Human Resources Branch Memorandum

SUBJECT: <b>COVID-19 Guidelines for Workers' Compensation Claims</b>	NUMBER: <b>HRB 20-021</b>
	DATE ISSUED: <b>June 11, 2020</b>
DISTRIBUTION: <b>CDFW Supervisors and Managers</b>	EXPIRES: <b>Until Superseded</b>

Action Required

Informational Only

Control Agency Directive

### Purpose

The purpose of this memorandum is to inform California Department of Fish and Wildlife (CDFW) supervisors and managers that the governor issued [Executive Order \(EO\) N-62-20](#) which creates a rebuttable presumption, for purposes of receiving workers' compensation benefits, that employees who test positive for or are diagnosed with COVID-19 contracted the virus while at work.

Please note: Reporting a claim to State Fund pursuant to EO N-62-20 does not mean it will be automatically accepted. The governor's Executive Order applies to dates of injury occurring from **March 19, 2020 through July 5, 2020.**

### Authorities

- [Executive Order \(EO\) N-62-20](#)
- Labor Code sections §§ 5401 and 6409.1:
- Cal HR Workers' Compensation Program
- State Compensation Insurance Fund

### Workers' Compensation Benefits and COVID-19

Under EO N-62-20, if an employee tests positive for or is diagnosed with COVID-19 within 14 days after performing work at the employer's workplace at the employer's instruction, there is a rebuttable presumption that the COVID-19 related illness arose out of and in the course of employment, for the purposes of awarding workers' compensation benefits. This presumption will entitle employees to full benefits for medical treatment, hospital/surgery expenses, disability indemnity and death.

### Guidelines for Supervisors and Managers

For employees who are or have been reporting to work (not teleworking from home), the 3301 must be provided to them within 1 working day of learning that they have tested positive or have been diagnosed with COVID-19. Additionally:

- Submit a 3067 employer's report within 5 calendar days of that date of knowledge.
- Verify the last date the employee worked on site (not teleworking from home) as part of the report to State Fund.

This is all regardless of whether or not the employee has lost time or sought medical treatment due to the illness.

### Contact

If you have any questions, please contact Shawanna Kennedy, Medical Disability Services Unit Manager at (916) 653-3612 or [Shawanna.Kennedy@wildlife.ca.gov](mailto:Shawanna.Kennedy@wildlife.ca.gov).