



Office of Human Resources and Equal Opportunity
12345 El Monte Road, Los Altos Hills, CA 94022

FACTS ABOUT WORKERS' COMPENSATION

WHAT IT IS

Since 1913 California Workers' Compensation law has guaranteed prompt, automatic benefits to workers who become injured or ill because of their jobs. It is mandatory no-fault insurance, paid for entirely by the District to cover medical expenses and help replace lost wages when you are disabled from work because of a work-related injury or illness.

WHO IT COVERS

All Foothill-De Anza Community College District employees and registered volunteers are covered for Workers' Compensation.

WHAT IT COVERS

Almost any job-related injury or illness is covered from simple first-aid incidents to serious accidents up to and including physical and psychological injuries suffered by victims of violent workplace crime. There are a few injuries that may not be covered depending on how and when they occur particularly injuries that result from voluntary, off-duty recreational, social or athletic activities.

HOW TO REPORT AN INJURY

- Immediately report any injury, no matter how slight, to your supervisor.
- File an accident report form with Campus Health Services within 24 hours.

If your injury is more than a simple first aid case, Health Service will provide you with a Claim Form (DWC-1) to complete and refer you to the Cupertino Medical Center for a medical examination. You can call De Anza College Campus Health Services at (408) 864-8732, Foothill College Campus Health Services at (650) 949-7243 or Human Resources at (650) 949-6225 to request a form by mail. State law requires employers to authorize medical treatment within one working day of receiving the completed form. If you delay reporting your injury or delay completing the claim form, it may result in a delay in receiving benefits; and too long a delay may even jeopardize your right to obtain benefits altogether.

NON-DISCRIMINATION POLICY

The District can not fire you or in any way discriminate against you because you file a claim, intend to file a claim, settle a claim, testify or intend to testify for the another injured worker. If it is found that FHDA discriminated, FHDA may be ordered to reinstate you, reimburse you for lost wages and employment benefits, and pay increased workers' compensation benefits, costs and expenses up to the maximum amounts set by state law.

BENEFITS

Medical Care

Sedgwick CMS Company, the District's Third Party Claims Administrator will pay all reasonable and necessary medical costs for your work injury or illness. Medical benefits may include treatment by your doctor, hospital services, physical therapy, lab tests, x-rays, durable medical equipment and prescriptions. Sedgwick will process payments for all approved medical treatment and there are no co-pays associated with this medical treatment.

How to Obtain Medical Care

FIRST AID:

Seek first-aid immediately with Campus Health Services.

EMERGENCY CARE:

Get help immediately. Call 911 for an ambulance or go the nearest emergency room, i.e. El Camino Hospital in Mountain View.

ACUTE AND FOLLOW-UP CARE:

The District has designated the Cupertino Medical Center as its occupational medical clinic to provide treatment for all work-related injuries. Please obtain a referral form from Campus Health Services for a medical evaluation.

Temporary Disability Payments

If you are disabled for more than three (3) calendar days, temporary disability payments will partially replace your wages. The first three calendar days are not paid unless you are disabled for more than 14 days or are hospitalized overnight. You should receive your first payment within two weeks of reporting the injury. You will receive payments every two weeks after that.

Temporary Disability (TD) pays two thirds of your average wage, subject to minimum and maximum amounts set by state law. The payments are tax-free and there are no deductions.

TD Disability payments stop when your doctor says you can return to work or your condition has become Permanent and Stationary (your medical recovery has reached maximum foreseeable improvement). For injuries occurring on or after April 19, 2004, TD payments stop after 104 payable weeks within two years from the date of the first TD payment or after 240 payable weeks within five years from the date of injury for specific long-term conditions such as amputations, severe burns, and certain chronic diseases.

Permanent Disability Payments

If a doctor determines that your injury or illness will always leave you somewhat limited in your ability to work, you may be eligible for permanent disability payments. The amount will depend on the type of injury, your age, occupation, date of injury, and how much of the permanent disability was caused by the work injury. There are minimum and maximum amounts set by state law. Payments are made at a regular rate and are spread out over a fixed number of weeks until the total amount has been paid. If you received temporary disability payments. The first permanent disability payment is due within 14 days after the TD payments stopped if permanent disability is believed to exist. A notice of permanent disability benefits will be sent when TD ends. If you did not receive TD, the first disability payment is

due within 14 days after your doctor says your condition is permanent and stationary (your medical recovery has reached maximum foreseeable improvement) and permanent disability is believed to exist. Subsequent payments are made every 14 days until the total amount is paid.

Death Benefits

If the injury or illness causes death, payments may be made to relatives or household members who are financially dependent on you. The amount is set by state law and depends on the number of financial dependents. Payments are made at the same rate as temporary disability. A burial allowance is also provided.

Supplemental Job Displacement Benefits (SJDB)

If you have supplemental disability and you do not return to work within 60 days after your temporary disability ends, and the District does not offer modified or alternative work, you may qualify for a non-transferable voucher payable to a school for retraining and/or skill enhancement. If you qualify, the claims administrator will pay the costs up to the maximum set by state law based on your percentage of permanent disability. SJDB is a benefit for injuries occurring on or after January 1, 2004.

If Benefits are Denied

You have the right to disagree with any decision affecting your claim. Call your claims administrator (Octagon) to see if you can resolve any disagreement.

Primary Treating Physician (PTP)

Your primary treating physician (PTP) is the doctor with overall responsibility for treating your work injury or illness and for coordinating care with other providers. The PTP decides what types of medical care you need; whether there are temporary or permanent medical limitations or restrictions on your ability to perform work; and when you are able to return to work. If the injury results in some degree of permanent disability, the PTP will measure the disability and report the findings to the claims administrator. The PTP will also report whether you will need medical care in the future. As part of your Worker's Compensation benefits, the District will provide you with a PTP.

Personal Physician (M.D. or D.O.)

If you have a personal M.D. or D.O. and you wish to designate this physician to be your PTP, you must do so in writing before the injury occurs. Please note that the physician must agree to treat you for a work-related injury or illness before the injury occurs.

One-Time Right to Change PTP

You have the right to change your PTP one time within 30 days after your initial visit. Thereafter, you can request this change at any time. This can be any physician of your choice as long it is an appropriate physician for your injury and within a reasonable geographic area.

If You Have Other Questions

You can contact an information and assistance officer at the State Division of Workers' Compensation (DWC) at 1-800-736-7401 for information on rights, benefits and obligations.

Employer Representative

Foothill-De Anza Community College District
Attn: Christine Vo, HR Department
12345 El Monte Rd
Los Altos Hills, CA 94022
Tel: (650) 949-6225
Fax: (650) 949-2831

Claims Administered by:

Sedgwick CMS Company
P. O. Box 2063
Oakland, CA 94604
Tel: (510) 302-3000
FHDA is self-insured

De Anza College Health Services

Tel: (408) 864-8732

Foothill College Health Services

Tel: (650) 949-7243

Cupertino Medical Group

10050 Bubba Rd, Ste 3
Cupertino, CA 95014
Tel: (408) 996-8805

WORKERS COMPENSATION FRAUD IS A FELONY

Anyone who makes or causes to be made any knowingly false or fraudulent material statement for the purpose of obtaining or denying workers' compensation benefits or payments is guilty of a felony.