

Facts About Workers' Compensation

This is a brief overview of your Workers' Compensation benefits for job related injuries or illnesses. The campus Workers' Compensation Specialist can provide you with a more comprehensive explanation of your rights.

What is Workers' Compensation?

Workers' Compensation is an employer-paid benefit program that provides compensation and medical benefits if you are injured or become ill due to a work-related condition.

Sedgwick Claims Management Services administers workers' compensation is our Workers' Compensation administrator. They will provide any medical or compensation benefits an injured worker is entitled to receive. If you have any questions, contact Sedgwick or the CSUCI Workers' Compensation Specialist, Adell Seibles (x2623) in Human Resources.

If you cannot work because of an industrial injury, workers' compensation pays your medical bills and provides compensation to help replace your lost income until you can return to work. Workers' Compensation provides five primary benefits to an employee injured on the job:

- Medical care to cure or relieve the effects of the industrial injury.
- Compensation payments to help replace lost wages.
- Permanent disability benefits to compensate for diminished earning capacity.
- Death benefits to be made to qualifying dependents in work-related death cases.
- Supplemental Job Displacement Benefit (voucher), intended for education-related retraining or skill enhancement.

Workers' Compensation is a no-fault system with benefits paid – no matter who is at fault.

The term "industrial injury" is used to describe any injury, illness, or disease which results from work or working conditions, and which occurs during the employee's service to the employer. Injuries resulting from workplace crime, including psychiatric injury, may be considered industrial. Even first-aid type injuries are covered.

Generally, a claim for workers' compensation benefits must be filed within one year of either the date of injury or the last payment of benefits, or for a cumulative injury, within one year from the date the employee suffered a disability and knew, or should have known, the disability was work-related.

However, benefits may not be provided for injuries occurring during voluntary participation in any off-duty recreational, social, or athletic activity, not part of any employee's work related duties.

Obtaining Benefits

You must report your injury to your supervisor or employer immediately. You will be given a form titled "Workers' Compensation Claim Form" (DWC 1 claim form) if your injury requires medical treatment beyond "First Aid" or it results in lost wages beyond the date of injury. ("First Aid" means any one-time treatment of minor scratches, cuts, burns, splinters or other minor work injury.) Return the completed form to your supervisor or campus Claims Coordinator who will give you a completed and signed copy and send the remainder to Sedgwick. State law requires employers to authorize medical treatment within one working day of receiving a claim form. A representative from Sedgwick will be in touch with you to explain the benefits you will be receiving.

Insure your right to benefits by immediately reporting every work-related injury or illness. **Any delay in reporting may delay or bar your workers' compensation benefits.**

Medical Care

Good medical care is important and quality medical treatment is the quickest way to recovery.

In general, approved medical care consists of treatment reasonably required to cure or relieve the effects of the injury or illness based upon guidelines established by state law. Medical care includes such services as physician or hospital treatment, physical therapy, x-rays and prescribed medications.

What choices do I have for medical care?

Unless you have pre-designated a personal physician, treatment must be provided by:

U.S. HealthWorks
1851 Lombard Street
Suite 100
Oxnard, CA 93030
(805) 983-2234

Your primary treating physician (PTP) has overall responsibility for treating your injury or illness. The PTP directs your medical care within recommended guidelines established by law. The PTP is responsible for coordinating care between other medical providers. In more serious cases, the PTP will assess any residual permanent disability, and the need for and extent of any future medical services. You may change your treating physician to another physician 30 days after the injury is reported. If you want to change your treating physician, contact your campus Workers' Compensation Specialist or Sedgwick.

You may pre-designate a personal physician to treat you in the event of a work-related injury. Your personal physician must be designated by you in writing prior to your injury or illness, must be a Medical Doctor, must be your primary care physician who has previously treated you in the past and maintains your medical records, and agree to accept Workers' Compensation Insurance. Contact the campus Workers' Compensation Specialist for additional information about pre-injury physician designation.

Replacing Lost Wages

Industrial Disability Leave (IDL)

If you are a member of PERS or STRS, you may be eligible to select IDL disability benefits in lieu of Temporary Disability benefits. IDL provides full pay for the first 22 days of disability, and two-thirds (2/3) pay thereafter less the amount calculated for state and federal taxes. Employees may receive IDL payments up to 52 weeks within two years from the first day of disability. If the employee is still disabled after exhausting the 52 weeks, the leave will automatically shift to Temporary Disability. While you are receiving IDL, your normal retirement contributions and voluntary deductions continue. While an employee is on IDL, the state will continue to pay its portion of the medical premiums, and the employee's premium will be automatically deducted from his or her IDL benefit payment. IDL benefits may be supplemented to full pay with sick leave accrued up to the date of disability. Leave benefits will continue to accrue while on IDL, however, only those hours earned prior to disability will be available for supplementation.

Temporary Disability (TD)

If a work-related injury or illness prevents you from working, you are eligible for temporary disability (TD) income after three days off work (including weekends). You will be eligible to receive TD for the first three days if you are hospitalized during that period, a victim of a violent crime, or if you must stay off work for more than 14 days.

Temporary disability provides payment of up to two-thirds of your actual wages, with minimum and maximum payments set by state law. TD benefits are issued every two weeks. TD benefits will end when the treating physician releases you for work or says your condition has stabilized.

Permanent Disability (PD)

After you recover to the fullest extent possible, the physician who treated you will evaluate any permanent or lasting impairment, which may make you eligible for permanent disability benefits. Your permanent disability benefits will depend upon the doctor's findings, as well as factors such as your age, occupation, type of injury and the date of injury. If you have a permanent disability, Sedgwick will send you a letter explaining how the benefit was calculated. Permanent disability benefits are paid in arrears, with checks issued every two weeks.

Supplemental Job Displacement Benefit (SJDB)

If you cannot return to your usual occupation due to the injury or illness, you may be eligible for a Supplemental Job Displacement Benefit voucher, which is intended for education-related retraining or skill enhancement.

Benefits for Dependents

In the event the work related injury or illness causes your death, payment may be made to your relatives or household members who were financially dependent upon you. The amount of dependent benefits is set by state law and depends upon the number of dependents. Benefit rates are the same as TD and payments are made every two weeks. Workers' Compensation also provides a burial allowance.

Dispute Resolution

If you have additional questions regarding your workers' compensation benefits, contact either the CSUCI Workers' Compensation Specialist in Human Resources (437-2623) or Sedgwick Claims Management Services. If you are dissatisfied with the information provided, you may contact the Information and Assistance Officer or an attorney. For the Information and Assistance Officer in Oxnard, call (805) 485-3528. The I&A Officer will inform you of your rights and, if necessary, will provide you with a full review of your claim for compensation. The information and assistance service is free.

Some issues may need to be resolved by the Workers' Compensation Appeals Board, the state agency responsible for handling disputes. The Appeals Board is a court of law. You can represent yourself or you may want to hire a lawyer. If you hire an attorney, the fee will be deducted from any benefits awarded by the Appeals Board.

CSU claims are administered by:

Sedgwick Claims Management Services
P.O. Box 3170
Rancho Cordova, CA 95741
(916) 851-8000

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