

## 10 things Union Members need to know about changes in Worker's Compensation

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1. **Predesignate your doctor** before you get injured. If you have group health insurance, like Kaiser or Blue Cross, you can choose your doctor to treat your injury. You must complete and submit a personal physician form to your employer. Even if you have previously completed such a form, do it again because the laws have changed.
2. Injured workers will receive **immediate medical treatment**, up to a \$10,000 cap, until their workers' compensation claim is accepted or denied. Previously, injured workers had to wait – sometimes up to 90 days – for their claim to be accepted prior to getting medical care.
3. The **most severely disabled workers** will receive seven additional weeks of benefits for each percentage of disability rating over 70%. The **least severely disabled workers** will receive one week less of benefits for each percentage of disability rating below 15%.
4. Injured workers who **cannot return to work** will get a 15% increase in their permanent disability award. Injured workers who **return to work** will get 15% less in permanent disability benefits, provided that they keep their jobs for at least a year. Once back at work, if you lose your job through no fault of your own, you will get your full permanent disability award.
5. **Temporary disability benefits** will be limited to two years, although the vast majority of claims receive less than 2 years or TD benefits. Previously, injured workers could receive up to 5 years of TD benefits. Injured workers with specific injuries, like amputations or severe burns, will only be subject to a 5-year cap.
6. Unions and their employers can pursue alternative dispute resolution programs (carve-outs) to create **an integrated system of medical treatment**, also known as 24-hour care. Group health coverage and medical treatment for injured workers would be seamless. They can also negotiate to integrate temporary disability payments and non-industrial disability payments to create a seamless system of temporary wage replacement benefits without regard to how or where the injury occurred.
7. Employers will be eligible for **financial incentives to take injured workers back** to work. Worksites will be inspected by insurance companies as an additional check for safer workplaces.
8. Permanent disability benefits will be apportioned between work and non-work related causes. Injured workers **will not get more than 100% disability rating** for repeated injuries to the same body part. Temporary disability benefits and medical treatment will not be affected by the new apportionment rules. A worker whose cumulative injury is 30% caused by non-work related factors will receive only 70% of his/her permanent disability award.
9. A **draconian anti-worker initiative**, championed by Governor Schwarzenegger and the Chamber of Commerce, will not be on the November, 2004 ballot. This legislative compromise takes away the risk of losing the heart of our workers' comp system.
10. The big winners of this compromise are **profiteering insurance companies**. Not only did they and their brokers escape any form of regulation, but they also exacted specific benefits in this legislation. We must sustain our efforts to re-regulate workers' compensation insurance companies or this crisis will never be solved.