



REOPENING
CALIFORNIA

A Guide for our Policyholders
about COVID-19 and moving forward

PREFERRED EMPLOYERS
Insurance

a Berkley Company

REOPENING CALIFORNIA

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INTRODUCTION

This guide provide answers to frequently asked questions, as well as sharing COVID-19 related information we have available for you. If you have any question on anything mentioned in this eBook, feel free to email PolicyServices@peiwc.com or call our Customer Service Center at 888-472-9001. We are happy to help.

EXECUTIVE ORDER N-62-20



What is this?

On May 6, 2020, California Governor Gavin Newsom issued Executive Order N-62-20. This provided criteria for how to handle cases of COVID-19 if an employee claims they contracted the virus while at work.

What does this mean?

This Executive Order deals specifically with Arising Out Of / Course of Employment (AOE/COE). It answers the question: “Did the employee contract COVID-19 while performing their job”?

What should I do?

Keep the rules listed on page 5 in mind if an employee believes they are showing signs of COVID-19 illness while performing their duties at work.

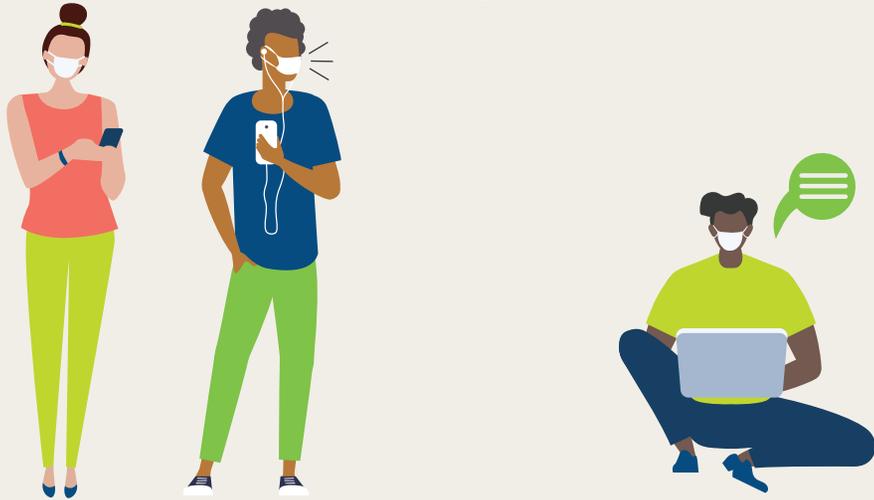
If an employee makes a claim for COVID-19, please refer this claim to Preferred Employers as soon as possible. To report a claim, please call (888) 472-9001 or go to www.peiwc.com/report-a-claim.

According to this Executive Order, for any employee claiming they were infected with COVID-19 while on-the-job, employers should note the following:

- The work must have taken place on or after March 19, 2020.
- There is a positive test for COVID-19 or diagnosis within 14 days of the employee working at their place of employment at the employer’s direction. Certification of the illness (diagnosis) can be done by any California physician and is not limited to MPN doctors.
- If there is only a diagnosis, this must be confirmed with a positive test within 30 days of the diagnosis.
- The presumption is “rebuttable”, which means the claim of becoming infected while performing one’s job stands unless the employer has definitive proof that the infection took place outside of work. This is applicable for claims dated within the 60 days following this order (Expires 7/5/2020).
- Workers’ Compensation Insurance carriers and employers have 30 days to determine if, in fact, the virus was contracted at work. After 30 days, if applicable proof is not provided, the claim is presumed to be true and eligible for compensation.

CLAIMS & COVID-19

YOUR QUESTIONS ANSWERED



Where can I send my employees to be tested for COVID-19?

You can search for treatment sites throughout California here:
<https://bit.ly/TestingSitesCA>

Who pays for COVID-19 testing: Preferred Employers Insurance, my employer or the employee?

Preferred Employers Insurance will pay for testing if a claim is reported and there is a reasonable belief that COVID-19 might have been acquired from performing work duties. Additionally, in order for Preferred Employers Insurance to pay for this testing, the claim must be reported within 30 days of the employee discovering they have contracted COVID-19. Preventative testing of COVID-19—for example, screening employees prior to entering the workplace—must be paid for by the employer.

My employee tested positive for COVID-19. Who provides the proof of contracting this on-the-job? What else happens?

If an employee tests positive for COVID-19 (and believes it is work-related), the employee may file a claim saying that they contracted the virus at work. You may file a claim online at www.peiwc.com/report-a-claim/ or by calling our Customer Service Center at 1-888-472-9001.

Preferred Employers will investigate the claim thoroughly. Facts of the case will refer to the rules outlined in the Governor's Executive Order N-62-20 (page 5). If the claim is determined to be work-caused, then Preferred Employers Insurance would pay Temporary Total Disability (TTD) after any sick time specifically designated for COVID-19 is applied. This can include additional benefits your business provides employees for COVID-19 and/or any applicable government sick leave—such as the assistance given from the Families First Coronavirus Response Act (FFCRA). Regular sick time would not apply. Please note: Temporary Total Disability (TTD) has to be re-certified every 15 days by a doctor or it is discontinued.



My employee has been tested for COVID-19. Can they return to work when they are recovered? Should they be compensated for the time they are home recovering?

If your employee tests **positive** for COVID-19—and the claim is determined to be work-caused—then Preferred Employers Insurance would pay for Temporary Total Disability (TTD) after any sick time specifically designated for COVID-19 is applied. This can include additional benefits your business provides employees for COVID-19 and/or any applicable government sick leave—such as the assistance given from the Families First Coronavirus Response Act (FFCRA). Regular sick time would not apply. Please note: Temporary Total Disability (TTD) has to be re-certified every 15 days by a doctor or it is discontinued.

Returning to work from a work-caused illness is determined by the treating physician. Your employee should provide return-to-work documentation. For non-job related illness, please follow your normal return-to-work process for communicable illnesses. A non-job related illness is when someone gets sick from something not directly related to one's job, for example: the common cold.

If your employee tested **negative** and does not have COVID-19, then the employee would need to use sick benefits (or salary continuation) in accordance with your business' policy for any non-job related illness. A non-job related illness is when someone gets sick from something not directly related to one's job, for example: the common cold.

Lastly, Employment Development Department benefits (EDD), or State-authorized disability/unemployment, might apply if a physician holds an employee out of work.



VIRTUAL SERVICES

COVID-19 related risk management service calls are available virtually (and free of charge) from our Risk Advisors.

Consultations include:

- Status of Operations: Re-Opening Best Practices and Advice
- Answers to Industry-Specific Questions on State, County, and Local Requirements
- Providing Guidance on the State-Required COVID-19 Prevention & Preparedness Plan
- Identifying additional reopening resources—such as the American Industrial Hygiene Association (AIHA), the California Department of Public Health (CDPH), and more.
- Employee Training Guidance

For these—or any of our risk management consultation services—please call our Customer Service Center at 888-472-9001 or email safety@peiwc.com.

OTHER RESOURCES

These links are for any industry and can help businesses of every size. We invite you to take note of the following:

Where Can My Employees Get Tested for COVID-19:

<https://bit.ly/TestingSitesCA>

Steps to Take if Illness Occurs:

www.preferredresourcecenter.com/injury

Centers for Disease Control and Prevention (CDC)

Part of the U.S. Department of Health and Human Services, which promotes and protects the public health and safety of the US.
www.cdc.gov/coronavirus/2019-nCoV/index.html

Cal/OSHA

A unit of the state Division of Occupational Safety and Health that enforces laws to protect the safety of workers in California
www.dir.ca.gov/dosh/coronavirus/Health-Care-General-Industry.html

Additional Frequently Asked Questions:

<https://www.preferredresourcecenter.com/faqs>



If you need additional information, we are happy to help. Please call our Customer Service hotline at (888) 472-9001 or email PolicyServices@peiwc.com.

Be well and stay safe.

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Products and services are provided by one or more insurance company subsidiaries of W. R. Berkley Corporation. Not all products and services are available in every jurisdiction, and the precise coverage afforded by any insurer is subject to the actual terms and conditions of the policies as issued.

Injury and illness prevention is the responsibility of your Company's management. Our surveys and safety materials are intended only to assist you in your safety activity and should not be construed to be comprehensive reports disclosing every loss-producing condition which may arise. Recommendations do not necessarily include every loss potential, statute violation, or exception to good practice.