

Chapter 11. For More Information and Help



For tips on how to keep your claim on track, see p. 9.

Your Employer

Your employer is required to post information and give you written materials that explain workers' compensation. If you have questions, you can contact your supervisor, someone else in management, or your employer's personnel or benefits department. To see a sample of the form, please visit the website: <https://www.dir.ca.gov/dwc/noticeposter.pdf>.

The Claims Administrator

This person handles workers' compensation claims for your employer. Most claims administrators work for insurance companies or other organizations that handle claims for employers. Some claims administrators work directly for large employers that handle their own claims. This person may also be called a claims examiner or claims adjuster. The claims administrator is required to send you written information about your claim and may answer questions. If you can't reach the claims administrator, ask to speak with his or her supervisor.

Division of Workers' Compensation

DWC administers workers' compensation laws and provides information and help to injured workers. Check the Government Pages at the front of the white pages of a phone book. Look under: State Government Offices/Industrial Relations. See also the DWC website: www.dwc.ca.gov.

Information & Assistance. I&A officers answer questions and help injured workers resolve problems with their claims. Their services are free. For more information, see "Questions and Answers About Information & Assistance Services" in Chapter 11. You can access all forms mentioned in this guidebook on our website: <https://www.dir.ca.gov/dwc/forms.html>.

Medical Unit. This unit oversees medical provider networks (MPNs), independent medical review when an injured worker disagrees with MPN doctors, health care organizations (HCOs), qualified medical evaluators (QMEs), utilization review (UR) plans, and independent medical review (IMR) when an injured worker disagrees with a decision to deny treatment recommended by a treating physician. For information or to report a problem, call toll-free: **1-800-794-6900** or **1-510-286-3700**. See also the Medical Unit website: www.dir.ca.gov/dwc/MedicalUnit/imchp.html.

Workers' Compensation Appeals Board. This is where workers' compensation judges hear cases and decide on problems and disputes. If a problem can't be resolved through discussions with the claims administrator, an I&A officer can help you request a hearing before a workers' compensation judge, or an attorney can request a hearing and represent you before the judge. If you disagree with a decision of a workers' compensation judge, you can request reconsideration of the judge's decision by a seven-member Appeals Board.

Commission on Health and Safety and Workers' Compensation (CHSWC)

CHSWC conducts ongoing studies and makes recommendations to improve the workers' compensation system and the state's activities to prevent job injuries. Studies, reports, and issues papers are posted online at the CHSWC website: www.dir.ca.gov/chswc/.

Applicants' Attorneys

These are lawyers who represent injured workers in their workers' compensation cases. For more information, see "Questions & Answers About Attorneys" on p. 51.

Your Primary Treating Physician

You can ask your treating doctor about the kind of medical care you need, the kind of work you can do while recovering, and whether you'll have a permanent disability. You can also ask your primary treating physician and any specialists you see for copies of all medical reports that he or she sends to the claims administrator.

Labor Organizations

Your union may help resolve problems with your workers' compensation claim, tell you about other benefits, negotiate changes needed in your job, protect you from discrimination, and refer you to legal services. You can also seek help from a central labor council or building trades council in your area.

Occupational Health Clinics

Doctors at occupational health clinics specialize in work-related injuries and illnesses. For information about occupational health clinics, call the Association of Occupational and Environmental Clinics (AOEC) at **1-888-347-2632**, or ask your personal physician or health plan. See also the AOEC website: www.aoec.org.

Health & Safety Agencies & Organizations

For help with health or safety hazards at work:

California Division of Occupational Safety and Health (Cal/OSHA). Check the Government Pages at the front of the white pages of a phone book. Look up: State Government Offices/Industrial Relations/Occupational Safety & Health. Cal/OSHA takes worker complaints, inspects workplaces, and enforces health and safety laws. See also the Cal/OSHA website: www.dir.ca.gov/dosh/.

Labor Occupational Health Program (LOHP), University of California at Berkeley (phone: **1-510-642-5507**; website: www.lohp.org). Offers information, training, and help on health and safety matters, including workers' compensation. Serves workers, unions, and others in California and nationwide.





Labor Occupational Safety and Health Program (LOSH), University of California at Los Angeles (phone: **1-310-794-5964**; website: www.losh.ucla.edu). Offers information, training, and help on health and safety matters, including workers' compensation. Serves workers, unions, and others in California and nationwide.

Other State and Federal Agencies—Financial Assistance

California Employment Development Department (EDD) (phone: **1-800-480-3287**; **1-800-333-4606**). For a local office, check the Government Pages at the front of the white pages of a phone book. Look under: State Government Offices. EDD gives information on State Disability Insurance (SDI) and unemployment insurance (UI) benefits. See also the EDD website: www.edd.ca.gov.

US Social Security Administration (SSA) (phone: **1-800-772-1213**). For a local office, check the Government Pages at the front of the white pages of a phone book. Look under: United States Government Offices. SSA gives information on Social Security disability benefits and other benefits. See also the SSA website: www.ssa.gov.

Other State and Federal Agencies—Discrimination Complaints

Workers' compensation law. If you face discrimination for filing a workers' compensation claim or for having a job injury, you can contact an Information & Assistance officer, an applicants' attorney, or your union (if you have one).

Financial Assistance? The Victim Compensation and Government Claims Board (VCGCB) administers the California Victim Compensation Program (CalVCP). This program can reimburse victims from crime-related expenses such as medical and mental health treatment, funeral costs, relocation, and income loss. For more information, visit the VCGCB website: <https://online.victims.ca.gov/>.

Disability rights laws. If you face discrimination because of a permanent disability or other medical condition, you can contact an attorney who specializes in employment law. You can get names of attorneys from a local bar association, a county legal aid society, your union (if you have one), or other injured workers. You can also contact the State Bar of California about lawyer referral services (phone toll-free: **1-866-442-2529**; website: www.calbar.ca.gov), or check the yellow pages of a phone book and look under: *Attorney Referral Service*. You can also ask for help from these agencies:

- **US Equal Employment Opportunity Commission (EEOC)** (phone: **1-800-669-4000**). For a local office, check the Government Pages at the front of the white pages of a phone book. Look under: United States Government Offices/Discrimination. See also the EEOC website: www.eeoc.gov.
- **Civil Rights Department, State of California** (phone: **1-800-884-1684**). For a local office, check the Government Pages at the front of the white pages of a phone book. Look under: State Government Offices. Website: <https://civildisrights.ca.gov/>.

Books and Other Materials



Schedule for Rating Permanent Disabilities. This state publication is used to rate permanent disabilities. There are three schedules, depending on your date of injury and the particular stage of your claim. To see the schedule that applies to you, call the Information & Assistance Unit **1-800-736-7401** or go to the Division of Workers' Compensation website: <http://www.dir.ca.gov/dwc/dwcrep.htm>.

If Your Employer Is Illegally Uninsured: How to Apply for Workers' Compensation Benefits (2011) and **Si su Empleador se Encuentra Ilegalmente Sin Seguro: Cómo Solicitar los Beneficios de Compensación del Trabajador (2011)**, prepared by UC Berkeley's Institute for Research on Labor and Employment. A booklet in English and Spanish for workers in California whose employers are illegally uninsured for workers' compensation. This booklet discusses 10 basic steps to apply for benefits from the state Uninsured Employers Benefits Trust Fund if the employer does not pay those benefits. For a free copy, contact the Commission on Health and Safety and Workers' Compensation (phone: **1-510-622-3959**; website: www.dir.ca.gov/chswc/).

California Workers' Compensation Practice, 5th Edition (updated July 2015), Continuing Education of the Bar, California. A comprehensive reference for attorneys, available in law libraries (website: www.ceb.com).

Helping Injured Employees Return to Work: Practical Guidance Under Workers' Compensation and Disability Rights Laws in California (February 2010), prepared by UC Berkeley's Institute for Research on Labor and Employment. For small employers, this handbook describes how to establish and implement an effective return-to-work program, coordinate return-to-work with workers' compensation benefits, and ultimately strengthen the work environment and overall health of a company or organization. For employees, it describes everyone's roles and responsibilities and what can be expected in the process. For a free copy, contact the Commission on Health and Safety and Workers' Compensation (phone: **1-510-622-3959**; website: www.dir.ca.gov/chswc/).

How to Create a Workers' Compensation Carve-Out in California: Practical Advice for Unions and Employers (2006). A booklet for labor unions and employers that would like to "carve out" an alternative system for delivering benefits to injured workers and resolving problems and disputes, prepared by UC Berkeley's Institute of Industrial Relations and Labor Occupational Health Program. For a free copy, contact the Commission on Health and Safety and Workers' Compensation (phone: **1-510-622-3959**; website: www.dir.ca.gov/chswc/).

Questions & Answers About Information & Assistance Services

Q. What resources are available for me if I got injured at work?

A. The I&A Unit has several fact sheets, forms, and guides to help you along a workers' compensation case. Services and forms are available in multiple languages as well. To access the documents online, visit the website: <https://www.dir.ca.gov/dwc/iwguides.html>.

The fact sheets and guides include:

Fact sheet for injured workers: Basic facts on workers' compensation for injured workers

Fact sheet A: Answers to your questions about utilization review

Fact sheet B: Glossary of workers' compensation terms for injured workers

Fact sheet C: Answers to your questions about temporary disability benefits

Fact sheet D: Answers to your questions about permanent disability benefits

Fact sheet E: Answers to your questions about qualified medical evaluators and agreed medical evaluators

Fact sheet F: Answers to your questions about the state's Uninsured Employers Benefits Trust Fund

I&A Guide 1: How to file a workers' compensation claim form

I&A Guide 2: How to request a qualified medical evaluation

I&A Guide 3: How to object to your summary rating

I&A Guide 4: How to file an application for adjudication of claim

I&A Guide 5: How to file a declaration of readiness to proceed

I&A Guide 6: How to request an expedited hearing

I&A Guide 7: How to file a petition for discrimination (Labor Code 132a)

I&A Guide 8: How to file a serious and willful misconduct petition

I&A Guide 9: How to file a petition for commutation

I&A Guide 10: How to file a lien

I&A Guide 11: How to file a petition to reopen

I&A Guide 12: How to file a petition for reconsideration

I&A Guide 13: How to file an appeal of the administrative director

I&A Guide 14: How to file a complaint with the Audit Unit

I&A Guide 15: How to dismiss your attorney

I&A Guide 16: How to file a claim with the Uninsured Employers Benefits Trust Fund

I&A Guide 16A: How to correctly name your employer for the Uninsured Employers Benefits Trust Fund

I&A Guide 16B: How to serve your employer in an Uninsured Employers Benefits Trust Fund case

I&A Guide 17: How to complete a document cover sheet

I&A Guide 18: How to complete a document separator sheet

I&A Guide 19: How to file a petition appealing administrative director's independent medical review determination

I&A Guide 20: How to file a petition for change of venue

I&A Guide 21: How to file a petition for penalties

I&A Guide 22: How to obtain a subpoena form

Q. How can an I&A officer help me?

A. An I&A Officer may:

- Answer basic questions, call the claims administrator to help clear up misunderstandings, or hold meetings to help resolve disputes
- Cannot actively prepare your case, fill out forms or argue on your behalf, or speak as your representative (unlike an attorney)

B. How can I contact an I&A officer?

A. To contact an I&A officer:

- Call toll-free (phone: **1-800-736-7401**) or see the next page for a local I&A office near you
- Attend an online free, one-hour I&A workshop (designed mostly for injured workers who do not have attorneys and whose cases have been accepted with general questions). Visit the website: https://www.dir.ca.gov/dwc/workshop/Workshop_English.htm

Division of Workers' Compensation (DWC) Information & Assistance Offices

Information & Assistance (I&A) officers answer questions and help injured workers; their services are free. (The numbers listed below were effective as of April 2023). Visit the website for more information: <https://www.dir.ca.gov/dwc/landA.html>.

To hear recorded messages, call toll-free: 1-800-736-7401.

District Offices

Anaheim.....	1-714-414-1801	
Bakersfield.....	1-661-395-2514	
Eureka	1-707-441-5723	*virtual office only
Fresno	1-559-445-5355	
Lodi	1-209-948-7759	
Long Beach.....	1-562-590-5001	
Los Angeles	1-213-576-7389	
Marina del Rey.....	1-310-482-3820	
Oakland	1-510-622-2861	
Oxnard.....	1-805-485-3528	
Pomona	1-909-623-8568	
Redding	1-530-225-2047	
Riverside.....	1-951-782-4347	
Sacramento.....	1-916-928-3158	
Salinas	1-831-443-3058	
San Bernardino	1-909-383-4522	
San Diego	1-619-767-2082	
San Francisco	1-415-703-5020	
San Jose.....	1-408-277-1292	
San Luis Obispo.....	1-805-596-4159	
Santa Ana	1-714-558-4121	
Santa Barbara.....	1-805-884-1390	
Santa Rosa.....	1-707-576-2452	
Van Nuys.....	1-818-901-5367	

For district office addresses, check the Government Pages at the front of the white pages of your phone book. Look under "State Government Offices/Industrial Relations/Workers' Compensation."

See also the DWC website, www.dwc.ca.gov.

Questions & Answers About Attorneys



Q. How can an attorney help me?

A. The job of an applicants' attorney is to:

- Protect your rights.
- Plan a strategy for your case to obtain all the benefits owed to you.
- Be your advocate.
- Gather information to support your claim.
- Keep track of deadlines.
- Represent you in hearings before a workers' compensation judge.
- Tell you about additional claims and benefits that may be available.

Q. How are attorneys paid?

A. Most applicants' attorneys provide one free consultation. If you hire an attorney, you don't pay right away. Instead, the attorney's fee is taken out of some of your benefits later. The fee is usually 9 to 15 percent of your final permanent disability settlement or award. A workers' compensation judge must approve the fee.

Note: Often applicants' attorneys may not take cases where the injured worker does not have a permanent impairment/disability.

Q. When do I need an attorney?

A. You may need an attorney if:

- You believe your employer or the claims administrator is treating you unfairly or withholding benefits; or
- You have a permanent impairment/disability that limits you or causes pain; or
- You're not sure how to proceed with your case, and no one else will help.

B. What are possible drawbacks of hiring an attorney?

A. The attorney's fee will be taken out of your benefits. Also, other people involved in your case may be allowed to speak only with your attorney on important matters, and cannot speak directly with you.

Q. How do I choose an attorney?

A. Choose one with experience in workers' compensation, preferably one who is certified by the State Bar of California as a workers' compensation specialist. You can get names of applicants' attorneys from the State Bar of California (phone: Northern region **1-415-538-2000** or Southern region **1-213-765-1000**; website: www.calbar.ca.gov), a local bar association, the California Applicants' Attorneys Association (phone: **1-800-648-3132** within California; website: www.caaa.org), a county legal aid society, your union (if you have one), or other injured workers.

Choose carefully. In your first meeting, see how well the attorney and his or her staff communicate with you. If you hire an attorney and then later want to switch, it may be difficult to find another attorney to take your case.

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