

**WORKERS' COMPENSATION APPEALS BOARD
STATE OF CALIFORNIA**

KARENA BENSKIN, *Applicant*

vs.

**DEPARTMENT OF GENERAL SERVICES;
SCIF STATE OF EMPLOYEES, SACRAMENTO, *Defendants***

**Adjudication Number: ADJ17444653
Sacramento District Office**

**OPINION AND ORDER
GRANTING PETITION FOR
RECONSIDERATION
AND DECISION AFTER
RECONSIDERATION**

The Appeals Board has been advised that, while this matter has been pending on reconsideration, a proposed amended settlement was reached. Therefore, we will grant reconsideration, rescind the decision from which reconsideration is sought, and return this matter to the trial level. However, while this matter was pending on reconsideration, the workers' compensation administrative law judge (WCJ) issued an Order Approving Amended Compromise and Release on July 27, 2026. Because district offices are precluded from acting on a case while it is pending on reconsideration, (Cal. Code Regs., tit. 8, § 10961), the July 27, 2026 Order Approving Amended Compromise and Release is void and should be reissued.

If the WCJ does not approve and reissue the amended settlement, the WCJ may issue an order reinstating the original decision and any aggrieved person may timely seek reconsideration from the reinstated decision. This is not a final decision on the merits of any of the issues pending on reconsideration.

I.

During the period from July 1, 2026 to July 13, 2026, Labor Code¹ section 5909(a) provided that a petition for reconsideration was deemed denied unless the Appeals Board acted on the petition within 60 days from the date of filing. (Lab. Code, § 5909(a).)

Here, the Petition for Reconsideration was filed on July 1, 2026, and 60 days from the date of filing is Sunday, August 30, 2026. The next business day that is 60 days from the date of filing is Monday, August 31, 2026. (See Cal. Code Regs., tit. 8, § 10600(b).)² This decision is issued by or on August 31, 2026, so that we have timely acted on the petition as required by section 5909(a).

¹ All further statutory references are to the Labor Code, unless otherwise noted.

² WCAB Rule 10600(b) (Cal. Code Regs., tit. 8, § 10600(b)) states that:

Unless otherwise provided by law, if the last day for exercising or performing any right or duty to act or respond falls on a weekend, or on a holiday for which the offices of the Workers' Compensation Appeals Board are closed, the act or response may be performed or exercised upon the next business day.

For the foregoing reasons,

IT IS ORDERED that the Petition for Reconsideration is **GRANTED**.

IT IS FURTHER ORDERED as the Decision After Reconsideration of the Workers' Compensation Appeals Board that the Order Approving Compromise and Release of June 17, 2026 is **RESCINDED** and this matter is **RETURNED** to the trial level for further proceedings and decision by the WCJ.

WORKERS' COMPENSATION APPEALS BOARD

/s/ JOSÉ H. RAZO, COMMISSIONER

I CONCUR,

/s/ JOSEPH V. CAPURRO, COMMISSIONER

/s/ CRAIG L. SNELLINGS, COMMISSIONER



DATED AND FILED AT SAN FRANCISCO, CALIFORNIA

August 26, 2026

SERVICE MADE ON THE ABOVE DATE ON THE PERSONS LISTED BELOW AT THEIR ADDRESSES SHOWN ON THE CURRENT OFFICIAL ADDRESS RECORD.

**KARENA BENSKIN
ALVANDI LAW GROUP
LAW OFFICE OF PATRICK CHRISTOFF
STATE COMPENSATION INSURANCE FUND**

PAG/cm

I certify that I affixed the official seal of the
Workers' Compensation Appeals Board to this
original decision on this date. *abs*