

## Manager/Supervisor Risk Management

#28– 2/13/12

A twice weekly e-mail training for YCPARMIA members

### TOPIC: WORKERS' COMPENSATION –BENEFITS

Under the Labor Code an injured worker is entitled to statutory benefits. For the purposes of this training we can divide them into five parts:

- Medical care;
- Wage continuation (temporary disability);
- Permanent disability/Life pension;
- Vocational rehabilitation; and
- Death benefits

Remember, the worker's compensation system is ordinarily an injured workers' sole remedy ("The exclusive remedy") against their employer. The WC benefits are defined in the Labor Code statutes. Applying the doctor's reports to the statutes determines to what extent the employee is entitled to those benefits, if any.

Medical Care: An injured worker has the right to medical treatment, paid by the employer, reasonably required to cure or to relieve the injured employee from the effects of the injury.

Temporary Disability: An injured worker is entitled to compensation (wage) payments during the period that their medical provider declares them unable to work because of an industrial injury, or during those times that their employer cannot accommodate the temporary physical work restrictions provided by their doctor.

Permanent Disability: This is the disability that remains after the injured worker is declared permanent and stationary by their medical provider. An injured worker is entitled to payment for that permanent disability that affects the worker's ability to compete in the open labor market.

Vocational Rehabilitation: This benefit previously provided training for new occupations when a worker was medically unable to return to their previous job. In 2004 it was replaced by supplemental job displacement benefits; these are nontransferable vouchers for education-related retraining at a state-approved or accredited school.

Death Benefits: When an industrial injury causes an employee's death the employer must pay for reasonable burial expenses and a statutory death benefit.

In reverse order, over the next few weeks, we will look at each of these benefits in greater detail, but understand that the scope of this training will remain general; exceptions and distinctions will not normally be included in the discussion.

Next topic: Workers' Compensation – Death Benefits