New Worker Compensation Postings and Handouts Required in California

Insights
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On September 23, 2010, the California Department of Workers' Compensation (DWC) mandated that all employers post an updated information poster and distribute pamphlets regarding workers' compensation to all employees who start work on or after October 8, 2010. In addition, all employers that have Medical Provider Networks (MPN), and those that are planning to change their MPN status, are required to post and distribute an additional MPN notice.

The new DWC regulations require all employers within the state of California to post the new version of "Notice to Employees—Injuries Caused by Work" posters no later than October 8, 2010. The poster can be found on the California Department of Industrial Relations website. An employer's failure to update its posters by October 8th can result in a misdemeanor offense and up to $7,000 in civil penalties.

In addition to the posting requirement, all employers will also be required to distribute to new employees a pamphlet titled "Your Rights to Workers' Compensation Benefits." This pamphlet, which will be available from your workers' compensation insurance carrier, must be distributed at the time of hire or before the end of the first pay period.

Employers who operate within a Medical Provider Network have additional obligations. These employers have to post an MPN notice next to the revised workers' compensation poster. These employers must also distribute the same notice to any employee injured at work on or after October 8, 2010. This notice must include a description of the MPN, along with the MPN contact telephone number, address and, if available, the MPN website. You may also have to include the effective date of the MPN coverage for the MPN being used to cover current injuries. Though each employer must create its own notice, a sample notice form can be found on the California Department of Industrial relations website. Employers that are implementing, changing, or terminating an MPN are required to give all employees notice of the implementation, termination, or change of the MPN.

Contact your Fisher Phillips attorney if you have any questions or need more information about these new requirements.

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