



October 24, 2012

INTEROFFICE MEMO

To: All Employees

From: Al Gorski, Risk Manager

Subject: **Workers' Compensation Benefits**

This memo explains your benefits as provided by State law if you are injured on the job. OCTA wants to be sure that you promptly receive all the benefits to which you are entitled to assist you in making a speedy recovery from an injury on the job.

OCTA is a self-insured employer, which means all of the Workers' Compensation benefits provided are paid directly by OCTA, not an insurance company. However, we have contracted the services of Intercare Holdings Insurance Services to process your claims in accordance with State law. It is our intent that the Risk Management Office staff and the staff at Intercare Holdings Insurance Services assist you with any questions or problems should you have an injury.

WHAT ARE YOUR WORKERS' COMPENSATION BENEFITS?

Medical Treatment

You will receive authorized medical treatment including surgery, hospitalization, and prescriptions at no cost to you. This includes any authorized treatment which may be necessary even after you have returned to your job. Mileage reimbursement is also included.

If you are dissatisfied with the doctor treating you, you may request a change through the OCTA Risk Management Office or our administrator, Intercare Holdings Insurance Services. After 30 days from the date you report your injury, you have a one-time option to select your own physician, but you must notify Intercare Holdings Insurance Services or the Risk Management Office in writing with the physician's name, address and telephone number. Your physician must obtain authorization prior to providing you with treatment.

Be Prepared

In the event of a work injury, keep these steps in mind:

1. Be sure first aid is given.
2. Have emergency telephone numbers in advance. These numbers are posted at the Bases and are unique for each Base. Included on these posters are the addresses of the OCTA approved Clinic.
3. Report every injury IMMEDIATELY to your supervisor. Any delay in reporting an accident may delay Workers' Compensation benefits. Be sure to keep your supervisor apprised of your status after each doctor visit.
4. Complete the Employee's Report of Injury and submit your medical status slips to your supervisor to avoid delays in receiving benefits.

OCTA has medical control for the first 30 days following submittal of a workers' compensation claim. You must notify the OCTA Risk Management Office in writing if you want to pre-select your own personal physician as your treating doctor. Your physician must retain your medical records/history, agree in writing that they will be providing you medical treatment in the event of work injury, and also agree to provide treatment consistent with existing California Workers' Compensation Laws. The OCTA Risk Management Office must approve your pre-designation request for you to be authorized to treat with your doctor. The approved request must be received at the OCTA Risk Management Department prior to a work injury. Forms are available in the OCTA Risk Management Department.

Compensation

If you cannot return to work while recovering from the effects of your injury or illness, you are entitled to a weekly compensation benefit known as Temporary Disability. The amount of this payment is set by state law, based upon your salary. The present benefit is 2/3 of your average weekly salary with a minimum and a maximum per week as defined by law.

When will you receive disability payments?

Under California State Law, there is a three (3) day disability waiting period before temporary disability payments are payable, unless you are hospitalized

for more than observation, in which case there is no waiting period. Disability checks are issued by Intercare Holdings Insurance Services every two (2) weeks. You may be required or elect to integrate your sick leave with your Temporary Disability payments. This will require you to advise the OCTA Payroll Department to integrate benefits on the Request for Leave of Absence form.

What if you are permanently disabled?

Permanent Disability

If your injury or industrial illness causes permanent disability, you will be entitled to compensation based on the extent of your disability. The amount you receive is based on a rating approved by the Workers' Compensation Appeals Board (WCAB). OCTA is required by law to obtain a statement from you which describes your condition, in your own words, which will be attached to the entire medical record for submission to the WCAB.

What if you cannot return to your usual and customary occupation?

Supplemental Job Displacement Voucher

If your disability permanently prevents you from performing your usual and customary occupation, you may be eligible for a supplemental job displacement voucher depending upon your level of permanent disability and in accordance with State law.

WHAT IF YOU HAVE A QUESTION OR A PROBLEM?

Workers' Compensation benefits are established and controlled by state law. It is the policy of the Orange County Transportation Authority to ensure that you receive all benefits for which you are entitled to, completely and promptly.

Sometimes, there may be questions or problems which require resolution. We urge you to first contact your immediate supervisor to discuss any problems that you may be having. You may also contact the OCTA Risk Management Office at (714) 560-5840, or the third party administrator, Intercare Holdings Insurance Services at (714) 480-7197. You may also contact the State of California's Information and Assistance Unit at (800) 736-7401. If after these steps you continue to be dissatisfied with the results or if there are questions which remain unresolved, you may file an Application for Adjudication of Claim with the WCAB. The filing of an application is necessary to begin proceedings

before the WCAB. You may file this Application and represent yourself or engage the services of an attorney to represent you. However, legal fees charged by your attorney will be deducted from any award that you may receive from OCTA. The WCAB discourages unnecessary litigation if there are no disputes regarding the benefits an employee is receiving.

WHO TO CALL IF A QUESTION ARISES

Your supervisor is the best contact for resolving questions or problems. Additionally, the OCTA Risk Management Office staff remains willing to assist you in clarifying procedures, benefits, or in expediting any changes in your claim. Additionally, you may contact the third party administrator, Intercare Holdings Insurance Services, who will answer your questions and clarify any problems provided you do not have legal representation. If you are legally represented, you must contact your attorney.

OCTA strives to provide all employees with a safe working environment to avoid workplace injuries and illnesses. However, when injuries or illnesses occur, we assure you that it is our intent to provide legally required benefits in a timely basis.

If you have any questions, problems or need assistance, please call the Risk Management Office at (714) 560-5840.