



Oregon

Kate Brown, Governor

Department of Consumer and Business Services

Workers' Compensation Division

350 Winter St. NE

P.O. Box 14480

Salem, OR 97309-0405

503-947-7810

Toll free: 800-452-0288

Fax: 503-947-7581

www.wcd.oregon.gov

Industry Notice

Nov. 12, 2020

To: The workers' compensation community

Subject: COVID-19 and workers' compensation informational flier

The Workers' Compensation Division has developed an informational flier to address COVID-19 and workers' compensation.

Workers who have been quarantined or isolated due to a workplace exposure or have contracted COVID-19 in the workplace may be entitled to have their lost wages and medical expenses covered by their employer's workers' compensation insurance. Employers cannot retaliate or discriminate against a worker for filing a workers' compensation claim or for raising workplace safety concerns.

A copy of the [flier](#) is attached to this notice. It highlights important facts for workers and employers and lets them know who to contact for more information. The flier is available in [English](#), [Spanish](#), and [Russian](#).

Please help us get this information to workers and employers by whatever means are most likely. This could include posting the flier in common work spaces, sending it via newsletters or email notices, or posting it on insurer or policyholder websites.

This information is *not* a substitute for required notice of compliance or Oregon OSHA postings.

If you need more information or have questions, call 800-452-0288 (toll-free). Thank you for your partnership in these uncertain times.

Sincerely,

Sally Coen, Administrator
Workers' Compensation Division

Workers have a right to file for workers' compensation for COVID-19



Workers who have been quarantined or isolated due to a workplace exposure or have contracted COVID-19 in the workplace may be entitled to have their lost wages and medical expenses covered by their employer's workers' compensation insurance.

- Workers should tell their employer about any job-related injury or exposure as soon as possible.
- Employers must provide a workers' compensation claim filing form (Form 801), if requested. Workers may also file a workers' compensation claim through a medical provider.
- Employers may not prevent a worker from reporting or filing a claim for any on-the-job injury, exposure, or illness.

- Workers may seek medical services from a provider of their choice; however, only certain types of providers are allowed to authorize time off work. Employers may not direct or interfere with medical services.
- Employers cannot directly pay for a worker's medical services or require a worker to use private health insurance, instead of the worker filing a workers' compensation claim.
- Employers cannot retaliate or discriminate against a worker for filing a workers' compensation claim or for raising workplace safety concerns.

Employers that violate the law can be subject to civil penalties imposed by the Department of Consumer and Business Services. Retaliation and discrimination are subject to penalties imposed by the Bureau of Labor and Industries (BOLI).

Need help?

Workers' Compensation Division (general questions):
800-452-0288 (toll-free)

Small Business Ombudsman (employer help):
971-283-0997 or 503-329-4260

Ombudsman for Injured Workers (worker help):
800-927-1271 (toll-free)

Oregon Bureau of Labor and Industries, Civil Rights,
(retaliation or discrimination): 971-673-0761

To access this information in alternate languages and to see the latest information, go to <http://www.oregon.gov/workers-comp-covid-rights> or scan here:

