



Governor's Executive Order Creates Presumption of Worker's Compensation for COVID-19

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In [Executive Order N-62-20](#), Governor Newsom ordered that any employee who tested positive for COVID-19 is presumed to have obtained the virus and to be eligible for worker's compensation through their employer if:

- (a) The employee tested positive within 14 days of performing labor or services at the work site and at the employer's direction
- (b) The day the employee worked was after March 19, 2020
- (c) The place where the employee worked was not at the employee's home or residence
- (d) The test is done by a licensed physician and is confirmed by an additional test 30 days after originally testing positive.

This presumption will be applied to all claims and appeals for worker's compensation for the next 30 days. The order also states that any COVID-19 claims meeting the criteria will be eligible for full benefits, including hospital stay, surgery, medical treatment, and disability.

The Executive Order also stated that any employee with COVID-19 who has exhausted their paid sick leave qualifies for temporary disability if they test positive or are diagnosed by the procedures outlined in the worker's compensation portion of the order. The certification of the disability must be completed within 15 days document that they were unable to work for that period, up to 45 day

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