

Updates to Workers' Compensation Posting Requirements

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The California Division of Workers' Compensation (DWC) has finalized regulations requiring all employers within the state of California to post a new "Notice to Employees- Injuries Caused by Work." This notice must be posted in a conspicuous location frequented by all employees by October 8, 2010. The notice should include: the name of the workers' compensation insurance carrier, how to get medical treatment, emergency phone numbers, the types of illnesses and injuries covered by workers' compensation, advice that the employer may not be responsible for certain injuries, the employee's right to receive medical care and the right to designate a physician, the right of the employee to receive disability benefits, to whom the injuries should be reported, the time limits for employer-notification, protections against discrimination, the location and phone numbers of the nearest information or assistance officers, and a description of Medical Provider Networks (MPNs). In addition to the notice, employers must distribute a new "Your Rights to Workers' Compensation Benefits" pamphlet.

If your company is within an existing Medical Provider Network (MPN), you must create an MPN Notice and post it next to the "Notice to Employees – Injuries Caused by Work" poster by October 8, 2010, and give the same complete MPN Notice to any employee injured at work on or after that date. This MPN Notice should include at a minimum: information that medical treatment for new injuries will be covered through the MPN unless the employee effectively predesignates a physician or medical group prior to injury, the effective date of coverage of the new MPN, that existing work injuries may be transferred to the new MPN and that an employee should check with the claims adjuster if they have questions, and that the employee should refer to the workers' compensation poster for more information.

If your company is implementing, changing, or terminating an MPN, you must post an MPN Notice next to the "Notice to Employees – Injuries Caused by Work" poster by October 8, 2010, give a complete MPN Notice to any employee injured at work on or after that date, and give all employees notice that the company is implementing, changing or terminating the MPN.

Failure to post and distribute these notices could result in fines to the employer of up to \$7,000 in civil penalties.

In addition to these changed posting requirements, the DWC amended its regulations to allow for

electronic distribution of MPN notices, eliminate the MPN implementation and change notice period, reduce the distribution of MPN notices to only injured workers, require an MPN contact email address to be included in notices, and require access to the MPT contact through a toll-free number.

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