

California Executive Order SB1159

On September 17, 2020, Governor Gavin Newsom signed SB1159 into law, establishing new Labor Code sections creating Covid-19 presumptions for workers' compensation claims. These presumptions will remain in effect until January 1, 2024.

Labor Code §3212.88 applies to all employees (who are not frontline workers covered under Labor Codes §3212.86 or §3212.87) that contract Covid-19 due to an "outbreak" at the employer's job site after July 5, 2020.

The new Code now requires employers with five (5) or more employees to report specific information to their Workers' Compensation Carrier to determine if an outbreak has occurred at the job site. An outbreak is (a) 4 employees if an employer has fewer than 100 employees or (b) 4% of employees if an employer has more than 100 employees. All locations at which an employee works shall be considered in this calculation.

Reporting Requirements ⇒ *What you must do and when*

When production knows or reasonably should have known that an employee tested positive for Covid-19 on or after September 17, 2020, **the employer must report the positive test within three (3) business days**. The following information must be reported in writing:

- i. An employee has tested positive. No identifying information is to be provided unless the employee is stating the exposure is work-related or has filed a DWC-1 claim form.
- ii. The date the test result was positive (which is the date of the test, not the date the results were known).
- iii. The specific address, or addresses, of the employee's specific place of employment during the 14-day period preceding the date of the employee's positive test.
- iv. The highest number of employees who reported to work at the employee's specific place of employment in the 45 days preceding the date of the employee's positive test.

Report Covid positives [here](#)

What happens with the information once submitted:

- Our third-party administrator will review the reported information to determine if an outbreak has occurred.
- The production will be notified if an outbreak has occurred.
- The presumption for workers' compensation claims that occur during an outbreak according to the new requirements will be applied.

Please contact Cast & Crew, CAPS, or Media Services for assistance reporting Covid claims/exposures.

Email: workcomp@castandcrew.com Phone: (818)738-9351