



## Guidance for Workers Who May Need to File a Workers' Compensation Claim Related to COVID-19

*During the coronavirus pandemic, workers, especially those at job sites deemed essential, and those working without adequate protections, could be exposed. If they get sick with COVID-19 on the job, workers should file a Workers' Compensation claim to protect their rights to access benefits, such as paid healthcare, partial wage replacement and other benefits. This guide is meant to be a helpful resource for affiliates and their members about how the workers' compensation process works in Connecticut. It is not intended to be substitute for legal guidance.*

### **To improve their ability to successfully file Workers' Compensation claims should they become symptomatic or test positive for COVID-19, workers should:**

1. **Keep a daily log** of work schedules and activities, including times and location.
2. **Keep track of any symptoms** and inform the supervisor in writing, e.g. text or email.
3. **Record specifics about coming into contact** with a co-worker, patient, inmate, customer, client or member of the public who may be infected with COVID-19 or fail to wear protective equipment, e.g. a mask. Inform the supervisor in writing, e.g. text or email.
4. **Record specifics, if aware, of anyone working in the immediate vicinity who has contracted the virus.** Inform the supervisor in writing, e.g. text or email.
5. **Keep track of personal protective equipment**, hand sanitizer, disinfecting supplies (or lack thereof) that have been used, are needed, have been requested or have been denied.

### **Workers experiencing symptoms consistent with COVID-19 should:**

1. Seek **immediate medical treatment** with their treating physician and get tested for COVID-19.
2. If the test is positive, **immediately complete any incident reports** required by the employer. Workers may want to complete this form upon experiencing symptoms, or at or near the time of an exposure.
3. **Complete and file a Form 30C with the Workers' Compensation Commission.**  
<https://www.wcc.state.ct.us/download/acrobat/30c.pdf>

Contraction of the virus in the course of employment is considered an Occupational Disease and should be covered by Workers' Compensation. Workers have up to one year to file Form 30C, but it is recommended that they file it immediately upon diagnosis. Workers should be sure to keep a copy of the filed form for their records.

### **Below are some helpful tips in completing Form 30C:**

- a. **Date of Injury:** This can be the date of diagnosis, the date symptoms began, or the date of a known or suspected exposure resulting in COVID-19.
- b. **Body Parts:** Whole body.

- c. **Describe Injury and How it Happened:** The following is an example, "*While working as a Grocery Store Cashier, Bus Driver, Nurse, Corrections Officer, CNA, etc., I was working with or around customers, riders, patients, inmates diagnosed with COVID-19. I was diagnosed with COVID-19 and attribute it to my workplace.*"
  - d. **Be sure to check the box on Form 30C indicating "Occupational Disease."**
4. The **employer or their insurance carrier will likely contest the claim by filing a Form 43**. This does **NOT** mean the case is over. **A worker can, and should, request a hearing** before the Workers' Compensation Commission to advance the claim by filing FORM HR.  
<https://wcc.state.ct.us/download/acrobat/hr.pdf>
  5. **Inform union leadership.** Many unions provide assistance and/or legal representation in any contested Worker's Compensation claims.
  6. **Document any out of pocket expenses**, including those related to medical treatment, medication, co-pays, deductibles and mileage to and from medical appointments that are related to treatment of the virus. Those will be reimbursed when the claim is accepted.
  7. **Document any charges against accrued sick, personal, vacation time or other paid time off (PTO).** Those are also reimbursed when a claim is accepted, albeit at the Workers' Compensation rate. This rate varies depending on the individual's rate of pay.
  8. **Keep union leadership informed** as the claim is being processed. The more information they know, the more they can advocate on a worker's behalf.

**Workers ordered to quarantine due to a workplace exposure or potential exposure, but not experiencing symptoms should:**

1. Under existing law, this time away from work is not compensable under the Workers' Compensation Act.
2. **Document any charges against accrued sick, personal, vacation time or other paid time off (PTO).**
3. **Inform union leadership.** Many unions provide assistance with Workers' Compensation claims.
4. If there is no diagnosis of the virus, there would be no need to file a Form 30C with the Workers' Compensation Commission.

**Workers who have died as a result of COVID-19:**

The workers' compensation system provides death benefits to surviving spouses/domestic partners, children, and other eligible dependents when an employee dies on the job: (1) a \$4,000 burial fee, (2) a weekly cash payments paid to the surviving spouse/domestic partner, children and other eligible dependents, based on the deceased worker's rate of take home pay and (3) medical expenses incurred by the deceased prior to death. Death benefits are paid to the surviving spouse/domestic partner until he or she remarries. Dependents are typically eligible to receive death benefits until they turn 18.

1. **Complete and File Form 30D with the Workers' Compensation Commission.** Attach the death certificate. <https://wcc.state.ct.us/download/acrobat/30d.pdf>  
Surviving family members have one year from the date of death to file Form 30D. Family members should be sure to keep a copy of the filed form for their records.