



**CRUM & FORSTER®**

A FAIRFAX COMPANY

# EMPLOYER OBLIGATION UNDER NEW COVID-19 LAWS

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***\*\*An employer who intentionally submits false or misleading information OR fails to submit information timely is subject to a civil penalty up to ten thousand dollars (\$10,000).\*\****

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**For dates of injury between May 5, 2020 and July 5, 2020 as well as for Health Care employees\* after July 6, 2020, please recognize the reporting requirements noted below do not apply.**

*(\*Health care employees include and may not be limited to: active firefighting members and coordinators (including volunteers), a fire department of a city or university, department of forestry and fire protection, peace officers, employees who provide direct patient care or custodial employees who work at a health facility, nurses and emergency technicians and paramedics, direct patient care employees at a home health agency, employees of health facilities, and in home supportive employees.)*

**For all other employees, any positive test occurring on or after September 17, 2020, the employer must report the claim within 3 business days of becoming aware of an employee testing positive. The claims should be reported to your claims administrator, in writing via e-mail or fax, containing ALL of the following:**

1. An employee tested positive. Unless the employee is claiming the positive test or exposure was work related, the reporting of the employee's identity must not be disclosed. If the employee is claiming the positive test was work related, then you must disclose the identity of that employee

2. The date on which the employee tested positive. This means the date on which the specimen was collected for testing and NOT when the results of the test were released.
3. The specific address of the employer's place of employment during the last 14 day period prior to testing positive. If the employer has more than one job site at which the employee was directed to work by the employer, then all addresses must be disclosed within that same 14 day period prior to testing.
4. The employer must calculate the highest number of employees who reported to work at each specific place of employment within the 45 day period prior to the employee's last day of work at each specific location.

**For any positive test that occurred between July 6, 2020 and September 17, 2020, employer will have until October 29, 2020, to report 1-3 above to your claims administrator, in writing and via e-mail or fax and replacing #4 above, the employer must *instead* calculate the highest number of employees who reported to work at each specific place of employment between July 6, 2020 and September 17, 2020.**

If you have any further questions, please contact C&F as follows:

- Reporting requirements: Anca Trifa, Phone # 714-244-1029 or general phone # 714-244-1023;
- General account questions: your dedicated account executive or general phone #714-244-1023;
- Specific workers compensation questions: your dedicated adjuster or dedicated manager or general phone # 714-244-1023.

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