



Olympic Educational Service District 114

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Workers' Compensation Trust

On May 11, 2021, Governor Inslee signed two new laws providing workers' compensation benefits for frontline workers and health care employees who are at risk for contracting a contagious disease (like COVID) during a public health emergency.

We want to make sure you understand these changes. This communication clarifies how claim decisions are reached based on the new laws.

Prior to the new laws, claims for exposure or contraction of COVID were evaluated based on several criteria, including:

- Was the worker at increased risk or greater likelihood of contracting the disease due to their occupation?
- If not for their job, would the worker have been exposed to the virus?
- Was there a specific source or event during that occurred during or at work?

The new laws mean that when a health care employee or frontline worker files a workers' compensation claim for COVID, it is presumed they were exposed or contracted the disease at work. These claims will be allowed regardless of the criteria noted above. There are some circumstances where a claim may not be allowed, for instance, if the employee is working from home for a period of time.

Coverage for health care workers applies retroactively for exposures to COVID-19 starting Feb. 29, 2020, when Gov. Inslee declared a state of emergency. The presumption includes quarantine or contraction of the disease.

Coverage for frontline workers applies for these workers who contract COVID when both the exposure occurs and the claim is filed on or after May 11, 2021, when the new laws took effect. Quarantine only claims for frontline workers will continue to be evaluated based on increased risk and other factors related to employment.

If you believe you have a work-related exposure to COVID-19 or other injury or illness, we will supply you with a Self-Insurer Accident Report (SIF-2) and assist you in filing the claim. Please complete an Employee incident report at your district and call 800-643-4369 to file a claim.

*For a description of frontline workers and other information about the new laws, please see the attached list of common questions about presumptive coverage or go to

[Common Questions About Presumptive Coverage for Health Care and Frontline Workers \(wa.gov\)](#)