Oregon Workers' Compensation Important Facts for Oregon Workers: Workplace Exposure to COVID-19

If you have been quarantined due to a workplace exposure or contracted COVID-19 in the workplace, your lost wages and medical expenses may be covered by your employer's workers' compensation policy

You have the right to file a claim

Notify your employer of any job-related injury or exposure as soon as possible.

- An employer must provide you a Form 801, "Report of Job Injury or Illness," upon your request, or when the employer has notice or knowledge of an injury or exposure. Your employer must submit the Form 801 to its insurer within five days.
- A claim may also be initiated through your medical service provider. Complete Form 827 with your medical provider. Your medical service provider must submit the Form 827 to your employer's insurer within three days.

Your employer is not permitted to induce or influence you to:

- Not report or file an on-the-job injury or exposure
- Allow the employer to directly pay for medical service, in lieu of filing a claim
- Shift payment for medical services to private health insurance, in lieu of filing a claim
- Accept less than the workers' compensation benefits due under the law

You may seek medical services from a provider of your choice

- Your employer is not permitted to direct or interfere with your medical services.
- Although your employer may facilitate prompt receipt of medical services, it cannot require services by a specific provider or clinic.
- If employer policy requires you to report to an on-site nurse or triage, that's fine, but know that you also have the right to seek treatment beyond the on-site visit with a medical service provider of your choice.

Your employer cannot:

- Restrict your choice of medical service provider
- Restrict your access to any category of medical service provider
- Restrict the ability of a medical service provider to refer you to another provider
- Retaliate or discriminate against you for filing a claim or raising workplace safety concerns

Failure of your employer to meet any of these requirements can subject it to civil penalties imposed by the Department of Consumer and Business Services.

Retaliation and discrimination is subject to penalties imposed by BOLI.

For more information and help, contact:

Ombudsman for Injured Workers
Department of Consumer and Business Services
503-378-3351
800-927-1271 (toll-free)
oiw.questions@oregon.gov

WORKER PROTECTION

DCBS | Consumer and Business Services
Ombudsman for Injured Workers

440-5489 (7/20/COM)