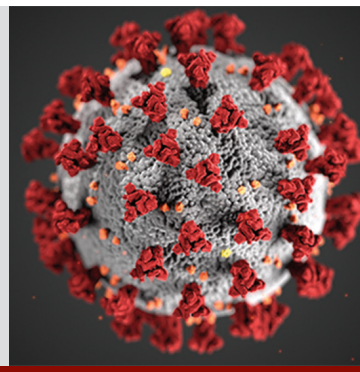


Agriculture Workers - Paid Leave and Workers' Compensation for COVID-19



Agricultural workers who are exposed to or sick with COVID-19 may be able to get help from the government when they can't work or if they need medical care. This is a brief overview of your rights to paid leave and workers' compensation.

Eligibility for COVID-19 Paid Leave

If you miss work because of COVID-19, you may be eligible for paid leave benefits if:

- You are following a federal, state, or local quarantine or isolation order or are quarantined by a health care provider (based on a close contact with someone ill, for example);

Or

- You have COVID symptoms and are seeking a diagnosis.

Paid Leave Options

- If you work for an employer with fewer than 500 employees, you may be eligible for paid leave under the federal Families First Coronavirus Response Act.
 - The program provides two weeks or 80 hours of paid sick leave at your regular rate or minimum wage, whichever is higher.
 - The maximum pay for leave is \$511 per week.
 - Find more about the Families First Coronavirus Response Act at www.dol.gov/FFCRA.

- You can use state paid sick leave.
 - You accrue at least one hour of paid sick leave for every 40 hours worked. When you take state paid sick leave, you get paid your normal hourly rate.
 - You can begin using state paid sick leave 90 calendar days after your first day of work with your employer. If you leave that job and are rehired within 12 months, any days you worked before leaving will count toward this 90-day period. Your employer may allow you to use leave earlier.
- You can use emergency paid leave under the Governor's Proclamation 20-67 if you work for an employer with more than 500 employees and you don't have any state paid sick leave available to use.
 - This program covers COVID-19-related absences between Aug. 18 and Nov. 13.
 - If you are scheduled to work "full time" or worked at least 40 hours in the preceding two weeks, you get up to two weeks or 80 hours of paid sick leave.
 - If you work less than "full-time" or less than 40 hours in the prior two weeks, you get paid leave for the total hours worked during the two-week period or 14 times the average number of hours worked each day in the prior two weeks.
 - The maximum pay for this leave is \$430 per week.



Division of Occupational Safety and Health



www.Lni.wa.gov/safety-health



1-800-423-7233



Washington State Department of
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- You may have access to other assistance such as Paid Family and Medical Leave or unemployment insurance if you have status to work in the United States. Find more information at <https://esd.wa.gov/>.
- Speak with your employer about paid leave options that may be available. Your employer must tell you what your paid leave options are and allow you to access any paid leave you have a right to use.
- If you have a question about paid leave, call L&I at 360-902-5316 or email ESGeneral@Lni.wa.gov.

Workers' Compensation

- If it's likely you were exposed to COVID-19 at work and your claim meets specific criteria, you may be eligible for workers' compensation. Benefits may include medical treatment and money to replace part of the pay you lose if you cannot work.
- Even if you're not sure if your claim is eligible, you or your doctor can submit a claim to L&I or to your self-insured employer for consideration.

Workers' Compensation Wage Replacement

- If your workers' compensation claim is accepted, you can get partial wage replacement (time loss) if you miss more than three days of work due to quarantine or if you become sick with COVID.
- The time loss benefit amount is 60% to 75% of the wages you were earning, depending on how many dependents you have. The minimum and maximum L&I can pay is set by the state legislature. Time loss is considered a disability benefit so you will not have to pay income taxes on it.
- If your claim is accepted and a health care provider or public health professional says you need to quarantine (stay away from others), you may receive partial wage-replacement benefits, even if you don't test positive for the virus.

Workers' Compensation Medical Benefits

- If your workers' compensation claim is approved, L&I or your self-insured employer will cover medical bills directly related to COVID-19 until your doctor certifies your condition has stabilized and reached a point where further recovery isn't expected.
- In most cases, L&I will pay for the Coronavirus test and initial exam, even if the claim is denied.

How to file a claim

Workers have several options to file a workers' compensation claim, including:

- Online via FileFast. www.Lni.wa.gov/ROA.
- By phone: 1-877-561-FILE (3453).
- At your doctor's office (if you complete the Report of Accident at your doctor's office, the doctor files the form for you).
- Directly with your employer if they manage their own claims (self-insured). Find out if your employer is self-insured at www.Lni.wa.gov/insurance/self-insurance/look-up-self-insured-employers-tpas.

Upon request, foreign language support and formats for persons with disabilities are available. Call 1-800-547-8367. TDD users, call 711. L&I is an equal opportunity employer.