

*Article for newsletters, April 2008. [NOTE: If you would like to modify this article, instead of the by-line shown below, please mention that it was adapted from an article prepared by the Labor Occupational Health Program, University of California at Berkeley.]*

## **Workers' Compensation Update: New Law Extends Period for Temporary Disability Payments to Injured Workers**

*by Juliann Sum*

If you get hurt on the job, workers' compensation temporary disability (TD) benefits are payments you receive if your injury prevents you from earning your usual wages while recovering. Under legislation in 2004, if you were injured on or after April 19, 2004, you could receive TD payments for up to 104 weeks, but in most cases the payments stopped after two years. This was regardless of whether you received the payments continuously over the two years.

Legislation in 2007 extended the ending date. If you are injured on or after January 1, 2008, you may be eligible to receive 104 weeks of TD payments within a five-year period. This new law is beneficial for workers who can return to work part of the time while recovering but whose recovery extends past two years, either because of the kind of injury they have or because of delays in treatment.

Note: The time limits described above do not apply to workers whose injuries involve acute and chronic hepatitis B, acute and chronic hepatitis C, amputations, severe burns, human immunodeficiency virus, high-velocity eye injuries, chemical burns to eyes, pulmonary fibrosis, or chronic lung disease.

This information updates page 48 of "Workers' Compensation in California: A Guidebook for Injured Workers, Third Edition, November 2006" (English version) and "Compensación del Trabajador de California: Una Guía para los Trabajadores Lesionados, Tercera Edición, Noviembre de 2006" (Spanish version). The guidebook is available online at [www.lohp.org](http://www.lohp.org) (link to: Workers' compensation).

The laws governing the ending of TD benefits are in section 4656 of the California Labor Code. To download section 4656, go to [www.leginfo.ca.gov](http://www.leginfo.ca.gov) (link to: California Law).

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