

# California SB 1159 COVID-19 Reporting Requirements



California's governor signed SB 1159 into law on September 17, 2020. The law requires employers to report key information about any of its employees testing positive for COVID-19. The law adds the 2019 novel coronavirus as a compensable workers' compensation injury under specific circumstances until January 1, 2023.

**WHO'S REQUIRED TO REPORT:** An employer with five or more employees who knows or reasonably knows that an employee has tested positive for COVID-19 must report certain information to its claims administrator.

## WHAT YOU MUST REPORT

When an employer learns an employee has tested positive for COVID-19 **between September 17, 2020 and January 1, 2023**, the employer must report in writing to its claims administrator either by email or fax **within 3 business days of all of the following:**

- Notification that an employee has tested positive. Do not include any personal identifiable information.
- The date of the positive test.
- The specific address(es) of where the employee worked during the 14-day period prior to the positive test result.
- The highest number of employees reporting for work at the same address(es) as the employee in the 45-day period preceding the last day the employee was at the location(s).

When an employer learns an employee has tested positive for COVID-19 **between July 6, 2020 and September 17, 2020**, the employer must report in writing to its claims administrator either by email or fax **within 30 business days of September 17, 2020:**

- Notification that an employee has tested positive. Do not include any personal identifiable information.
- The date of the positive test.
- The specific address(es) of where the employee worked during the 14-day period prior to the positive test result.
- The highest number of employees reporting for work at the same address(es) on any given work day between July 6, 2020 and September 17, 2020.

**Please use the attached reporting form M566 (1/21).**

Labor Code Section 3212.88(j) states that the intentional submission of false or misleading information or the failure to report the above information as required may subject you to a civil penalty in the amount of up to \$10,000 to be assessed by the Labor Commissioner.

**INSTRUCTIONS**

1. Complete a separate form for each employee with a positive test result.
2. Do not include the employee's personal information on this form.
3. Submit [Reporting Form](#) to Brotherhood Mutual via email: [cawccovidnotices@brotherhoodmutual.com](mailto:cawccovidnotices@brotherhoodmutual.com).
4. If the employee asserts the exposure is work-related, complete the workers' compensation insurance claims process in addition to this form. You can download the [Employer's Report of Occupational Injury or Illness](#) form from the California Division of Workers' Compensation (DWC) website.

**EXPOSURE INFORMATION**

Date the positive COVID-19 test was administered \_\_\_\_\_

**List the following:**

- All specific addresses where the employee worked 14 days prior to the positive test result. Work done in the employee's home does not apply.
- The last date the employee worked at that specific address.
- The highest number of employees reporting for work at that location in the 45-day period preceding the employee's last day.

	Address where employee worked	Last date worked	Highest # of employees
Location #1			
Location #2			
Location #3			

**POLICYHOLDER INFORMATION**

Name of Policyholder		Policy number	
Contact Name and Title	Phone number	Date	

M566 (1/21)