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Gov. Gavin Newsom signed an executive order today to create a rebuttable presumption that California's essential employees who contract COVID-19 did so in the course of their employment and therefore are eligible for workers' comp benefits. The presumption will be in place for the next 60 days and covers claims dating back to March 19, 2020 even though the virus has been in the United States much longer.

COVID-19 is the disease caused by the novel coronavirus that originated in China and has since spread worldwide.

The presumption will eliminate much of the AOE/COE fighting and although there are those who question the order's constitutionality it is unlikely to be challenged because of the brevity of the length of time it is in place.

State Compensation Insurance Fund weeks ago indicated it will provide coverage for any of its insureds employees who get this coronavirus.

In addition to health care and first responders, the executive order also covers other employees such as grocery and warehouse personnel, truckers, delivery drivers and others considered essential who are working during the current pandemic. More details will be forthcoming.

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