

Dear Zenith Customer,

As you are probably aware, Governor Gavin Newsom issued an Executive Order on May 6, 2020, related to workers' compensation coverage for California employees who contract COVID-19. The following is a summary of the Executive Order and our guidance for you.

The Executive Order includes a presumption that anyone working outside their home in California from March 19, 2020, through July 5, 2020, and who is diagnosed with COVID-19 will be presumed to have contracted the disease at work. This creates a greater likelihood than before the Order was issued that responsibility for COVID-19-related costs will fall to private businesses, regardless of where the illness was contracted.

The Governor's order does allow the presumption of compensability to be rebutted and includes a number of safeguards, such as:

- Requiring a positive test result to affirm infection
- Limiting wage-replacement payments until sick leave benefits are exhausted
- Stating that diagnoses of COVID-19 must be made by physicians or surgeons
- Limiting the presumption's timeframe

Our continued belief is that infections to which the general public is equally exposed are the responsibility of health plans or the government, and not private businesses. At the same time, when the possibility of a "conclusive presumption" was raised, we were pleased that the Governor and his staff listened to the many concerns voiced and altered course.

Reporting COVID-19 claims

We know that you may have questions related to the reporting of COVID-19 claims, specifically, when to report claims and how Zenith will handle reported claims.

1. You should report a COVID-19 claim to Zenith if your employee:

- Has a positive COVID-19 test OR a diagnosis of COVID-19 from a licensed physician or surgeon.

AND

- The employee indicates they acquired the illness at work.

2. You need not report a claim to Zenith if the employee merely says they were (or believe they were) exposed to COVID-19, but does not meet the requirements from 1, above. Exposure alone is not a covered claim, without an injury.

3. Reporting a claim does not mean it is compensable, and it does not mean it will be delayed or denied. Zenith will address each claim on its merits. We have created a dedicated task force to manage COVID-19 claims so we are both fair and consistent.

If you have additional questions, please reach out to our Chief Claims Officer, Michael Cunningham, at mcunningham@thezenith.com.

We wish to thank you for being a Zenith policyholder and hope you are doing as well as can be expected during this challenging time. Most importantly, stay safe.

Zenith Insurance Company