



BULLETIN

No. 25-03

March 18, 2025

The Division of Workers' Compensation has approved revisions to CWCI's new hire notices which incorporate recent statutory changes so that employers can continue to comply with the requirements for the workers' compensation Written Notice to New Employees.

LC §3551 requires employers to give every new employee, either at the time of hire or by the end of the first pay period, written notice of the information in LC §3550, the section of the Labor Code that lists the required elements that must be included in the workers' compensation posting notice (the DWC 7 form). Last summer, Gov. Newsom signed [AB 1870](#), which amended LC §3550 to add information on an employee's right to consult an attorney to the DWC 7, which in light of LC §3551, should also be added to the new hire notices.

State regulations [CCR 9883(a)] allow private enterprises to prepare and publish the Written Notice to New Employees if it is approved by the DWC Administrative Director, while LC 3551(b) and CCR 9883(a)(1) require that the notice be available in English and Spanish. For many years, CWCI has produced and updated its own version of the notice titled Facts About Workers' Compensation, which is widely used by insurers, TPAs, and employers. LC 3551(c) specifies that insurers shall provide the Written Notice to New Employees to their policyholders with advice concerning the statutory notice requirements and the penalties for failure to provide the notices to all employees. Failure to provide current information can result in audit penalties, the tolling of the statute of limitations for filing a claim, as well as loss of employer medical control [LC §3550(e)] and thousands of dollars in civil penalties for each violation of the posting requirement [LC §6431]. Failure to keep the DWC 7 conspicuously posted also is considered a misdemeanor and prima facie evidence of noninsurance [LC §3550(b)], so insurers should make sure that their policyholders have the current version filled out and posted.

Following enactment of AB 1870, the DWC revised the posting notice and posted a downloadable version online [click here](#). CWCI subsequently submitted a revised copy of the Facts About Workers' Compensation for review and approval. The state approved the revised version last month, after which the Institute copyrighted its notice, translated it into Spanish, typeset the revised versions, and sent them to the printer. The updated notices in English and Spanish are now in stock.

The DWC-1 Claim Form and Notice of Potential Eligibility (DWC-1, CCR §10139) already included language informing workers that they may consult an attorney, so no changes were made to that form. The Institute continues to offer the DWC-1 (Rev. 1/1/2016) as a multi-part form, with the three-page Notice of Potential Eligibility (NOPE) as a tear-off cover and the four required copies of the claim form printed on NCR paper to eliminate the need for photocopying. Under DWC audit regs [CCR §10111.2 (b)(25)], failure to provide a DWC-1 within one working day of receipt of a request from an injured worker or their agent can result in penalties ranging from \$500 to \$5,000, with \$100 added to those amounts if the form provided is not the current version required in the regs, so claims administrators are encouraged to check their inventories to make sure their policyholders have an adequate supply.

The updated Facts About Workers' Compensation Notice to New Employees, the 5-part DWC-1 Claim Form and NOPE, and CWCI's Facts For Injured Workers pamphlet, which is not mandatory, but is often used early in the life of a claim to remind injured workers of their rights and obligations, are all available in sets of 100 through the Institute's online store www.cwci.org/store.html. CWCI members are eligible for a 15 percent discount on these products if their subtotal is \$1,000 or more. For questions about ordering, call CWCI at (510) 251-9470.

BY/

Copyright 2025 California Workers' Compensation Institute

CWCI members may log in to www.cwci.org to view Bulletins and Research Reports. Nonmember subscribers may log in under Resources (subscriber files). Public information is also on the website and nonmembers may order Bulletin/Research subscriptions from the online store.