

Highlights of the Fall 2026 Edition Workers' Compensation (California Civil Practice)

The Fall 2026 Edition of *Workers' Compensation (California Civil Practice)* reflects the latest developments in California Workers' Compensation law, including the most recent case law, statutory developments, and regulations. Among the matters covered in the Fall 2026 Edition are:

- In the context of workers' compensation coverage, any reasonable doubt as to the applicability of the "going and coming" doctrine, which exempts employers from workers' compensation for employees injured when going or coming to work, must be resolved in the employee's favor; thus, the analysis used in workers' compensation cases should not be applied in tort cases as though it was controlling. The version of the "going and coming" rule applied in tort cases, which exempts employers from liability for their employee's torts committed in going and coming to work, is more restrictive than the version applied in workers' compensation cases, which exempts employers from workers' compensation for employee injuries while going and coming to work; workers' compensation cases take a more expansive view of the test for "course of employment" than tort cases because the policies underlying the workers' compensation statute favor granting employee's coverage. [*Chang v. Southern California Permanente Medical Group*]. See § 1:62.
- An employee who sustains an industrial injury that results in 100 percent permanent total disability is not entitled to additional compensation from the Subsequent Injury Fund (SIF). An employee who receives an award of additional permanent disability payments from SIF based on 100 percent combined permanent disability will not apply to SIF again for additional permanent disability payments. An employee must provide the director with all documenta-

tion and any other information as may be required by the director, in their discretion, to determine the employee's eligibility for SIF benefits. Liability by SIF for any additional permanent disability benefits will commence upon a final determination of SIF liability and after any reduction pursuant to Section 4753. Any payments by SIF under will commence within 30 days of the final determination of SIF liability. See § 13:25.

- Updated forms.
- Updated research references.