

California Workers' Compensation Supplemental Job Displacement Benefits (SJDB): Legal Research and Practice Guide

(PART-A INJURED WORKERS ANALYSIS)

March 1, 2026

The information provided through this AI-powered Analysis is for **general informational and educational purposes only**. It is **not legal advice**, does **not create an attorney-client relationship**, and should not be relied upon as a substitute for advice from a qualified attorney. Laws and legal outcomes vary based on specific facts and jurisdiction. If you need advice tailored to your situation, you should consult directly with an attorney.

(c) 2026 The Law Offices of Fernando Hidalgo, Inc.. Generated by a Legal AI Assistant. Facilitated by The Law Offices of Fernando Hidalgo, Inc.. All rights reserved.

CALIFORNIA WORKERS' COMPENSATION: SUPPLEMENTAL JOB DISPLACEMENT BENEFITS (SJDB)

This guide explains the Supplemental Job Displacement Benefit (SJDB) — a voucher worth \$6,000 that California provides to injured workers who cannot return to their old job. If you were hurt at work and your employer cannot give you suitable work, you may be entitled to this benefit for job retraining.

Part 1: What Is the SJDB and Who Qualifies?

Overview

The Supplemental Job Displacement Benefit (SJDB) is a non-transferable voucher (a document with a set dollar value) that pays for education, retraining, and skill-building when a work injury leaves you with permanent limitations. "Non-transferable" means only you can use it — you cannot give it away, sell it, or convert it to cash. The voucher is worth \$6,000 for injuries that happened on or after January 1, 2013, under Cal. Lab. Code § 4658.7 (https://www.dir.ca.gov/t8/10133_31.html).

Three Requirements You Must Meet

California law sets three conditions you must satisfy to qualify for an SJDB voucher. All three must be true at the same time (Cal. Lab. Code § 4658.7(b) (https://www.dir.ca.gov/t8/10133_31.html); DIR, "Supplemental Job Displacement Benefits" (<https://www.dir.ca.gov/dwc/sjdb.html>)):

- Requirement 1 — Injury Date. Your work injury must have happened on or after January 1, 2004. Workers hurt before that date are not eligible. For the current \$6,000 voucher, your injury must be on or after January 1, 2013.
- Requirement 2 — Permanent Partial Disability. Your doctor must determine that your injury caused permanent partial disability — meaning you have lasting physical limitations that reduce your ability to work, but you are not completely unable to work. Your doctor will say you have reached "permanent and stationary" (P&S) status, which means your condition has improved as much as it will (also called maximum medical improvement, or MMI).
- Requirement 3 — No Valid Job Offer from Your Employer. Your employer must fail to offer you suitable work within 60 days after the insurance company receives the doctor's report finding permanent disability. If your employer does offer you a job, that offer must meet specific legal requirements (explained in Part 3). If the offer falls short on even one requirement, you still qualify for the voucher.

What the Voucher Covers

You can use your \$6,000 SJDB voucher for (8 Cal. Code Regs. § 10133.31(e)–(f) (https://www.dir.ca.gov/t8/10133_31.html); DIR, "DWC SJDB Information" (<https://www.dir.ca.gov/dwc/sjdb.htm>)):

- Tuition and fees at California public schools or approved training providers
- Licensing and certification exam fees
- Tools required by your training program
- Computer equipment (up to \$1,000)
- Miscellaneous expenses like books and supplies (up to \$500)
- Vocational counseling services (up to \$600, and no more than 10% of the voucher total)

Pre-2013 Injuries: Different Rules Apply

If your injury happened between January 1, 2004, and December 31, 2012, different rules apply under Cal. Lab. Code § 4658.5 (<https://law.justia.com/codes/california/code-lab/division-4/part-2/chapter-2/article-3/section-4658-6/>). The voucher amount ranges from \$4,000 to \$10,000 depending on your disability rating percentage. The employer offer window was 30 days instead of 60. These older vouchers can be settled for cash as part of a workers' compensation settlement, unlike post-2013 vouchers (GEK Law, "SB 863 Changes" (<https://www.geklaw.com/news/displacement-voucher.html>)).

Part 2: How the 60-Day Clock Works

The Trigger: Your Doctor's Report

The process begins when the claims administrator (the insurance company handling your employer's workers' compensation claim) receives the first doctor's report that says two things: (1) your condition is permanent and stationary, and (2) your injury caused permanent partial disability. This report must include or be accompanied by the Physician's Return-to-Work & Voucher Report (Form DWC-AD 10133.36 (<https://www.dir.ca.gov/dwc/forms/SJDB/10133.36.pdf>)), which documents your specific work restrictions (8 Cal. Code Regs. § 10133.36 (<https://www.dir.ca.gov/dwc/forms/SJDB/10133.36.pdf>)).

Important: The 60-day clock starts the moment the claims administrator receives this first report — not when you learn about it. The clock does not restart if a second or more detailed report comes later. This is called the "first report" doctrine, established in *Lopez v. D&J Packaging, 2019 Cal. Wrk. Comp. P.D. LEXIS 289 (WCAB 2019)* (<https://calawyers.org/workers-compensation/an-overview-of-sjdb-vouchers-and-recent-case-law/>).

What Happens During the 60 Days

Your employer has exactly 60 calendar days from the date the claims administrator received the doctor's report to offer you regular, modified, or alternative work that meets all legal requirements. If your employer does not make any offer — or makes an offer that fails to meet even one requirement — you become entitled to the SJDB voucher (Cal. Lab. Code § 4658.7(b) (https://www.dir.ca.gov/t8/10133_31.html)).

After the 60 Days: Voucher Issuance

If no valid offer is made by day 60, the claims administrator must issue your SJDB voucher within 20 calendar days (by day 80). This deadline is mandatory. If the claims administrator misses it, you may be entitled to penalties under Cal. Lab. Code § 5814 (<https://employeesfirstlaborlaw.com/labor-code-%C2%A75814-penalties-for-unreasonable-delay-or-denial/>), which allows penalties of 25% of the delayed benefit, up to \$10,000, for unreasonable delay (DC Law, "Labor Code § 5814 Penalties" (<https://dclbv.com/newsletters/2018/q1/is-an-applicant-entitled-to-a-labor-code-5814-penalty/>)).

The Substantial Compliance Rule

What if your doctor did not use the exact official form? In *Fndkryan v. Opus One Labs, 2019 Cal. Wrk. Comp. P.D. LEXIS 51 (WCAB 2019)* (<https://www.gmslawllp.com/gms-news-alert/supplemental-job-displacement-voucher-form/>), the Workers' Compensation Appeals Board (WCAB) — the state board that decides workers' compensation disputes — ruled that substantial compliance is enough. If your doctor's report contains all the necessary information about your permanent restrictions and work capacity, the employer cannot deny your voucher just because the doctor used the wrong form.

Part 3: What Makes a Valid Employer Job Offer

The Four-Part Test

Your employer must meet all four of these requirements for a job offer to be valid and stop you from getting an SJDB voucher. If the offer fails on even one point, you keep your right to the voucher (Cal. Lab. Code § 4658.7(b) (https://www.dir.ca.gov/t8/10133_31.html); ICOF, "SJDB: Who Qualifies" (<https://www.icofcalifornia.com/articles/supplemental-job-displacement-benefits-who-qualifies-and-how-to-use-it>)):

- Test 1 — Medically Appropriate. You must be physically able to do the offered job given your permanent work restrictions. If your doctor says you cannot lift more than 10 pounds and the job requires lifting 25 pounds, the offer fails this test.
- Test 2 — At Least 85% of Your Pre-Injury Wages. The offered job must pay at least 85% of your average weekly wage (AWW) at the time of injury. Your AWW is calculated under Cal. Lab. Code § 4453 (<https://www.sullivanoncomp.com/hubfs/docs/Resources/AWW-Calculation-Guide-2024.pdf>) and includes regular pay, overtime you regularly worked, and non-discretionary bonuses (bonuses your employer was required to pay).

- Test 3 — Lasts at Least 12 Months. The job must be described as lasting at least 12 months or be a permanent position. Temporary jobs, short-term projects, or positions "subject to continued funding" do not qualify.
- Test 4 — Reasonable Commuting Distance. The job must be within a reasonable commuting distance from where you lived at the time of your injury. This is based on your actual commuting history — not an arbitrary number of miles.

What "Reasonable Commuting Distance" Means

In *Tuivai v. Links Electrical Service*, 2015 Cal. Wrk. Comp. P.D. LEXIS 483 (WCAB 2015) (<https://calawyers.org/workers-compensation/an-overview-of-sjdb-vouchers-and-recent-case-law/>), the WCAB ruled that "reasonable" depends on how far you actually traveled to work before your injury. A worker who commuted 119 miles before the injury could reasonably be asked to commute 82 miles to a new position. But a worker with a five-mile commute would not have to accept a job 30 miles away.

The "Bona Fide Offer" Rule

Even if an offer appears to meet all four tests on paper, it must be a bona fide offer — meaning a genuine, real offer you can actually accept. In *Anthony Dennis v. State of California*, ADJ9346293 (WCAB En Banc 2018) (<https://bradfordbarthel.com/2020/05/04/anthony-dennis-and-a-bona-fide-offer-of-modified-regular-or-alternative-work/>), an incarcerated worker was offered a job knowing he could not legally accept it. The WCAB ruled the offer was not bona fide, so the voucher was still owed. Your employer cannot offer you a job that is impossible for you to take, does not actually exist, or is offered in bad faith.

Responding to a Job Offer

If your employer makes an offer using Form DWC-AD 10133.35 (<https://www.dir.ca.gov/dwc/forms/SJDB/10133.35.pdf>), you have 30 calendar days to accept or reject it. If you do not respond within 30 days, the law treats your silence as a rejection (8 Cal. Code Regs. § 10133.35 (<https://www.dir.ca.gov/dwc/forms/SJDB/10133.35.pdf>)). If you reject the offer, put your reasons in writing and explain which specific requirement the offer fails to meet.

Part 4: Voucher Expiration and Settlement Rules

When Your Voucher Expires

For injuries on or after January 1, 2013, your SJDB voucher expires on the later of these two dates (Cal. Lab. Code § 4658.7 (https://www.dir.ca.gov/t8/10133_31.html); DIR, "DWC SJDB Information" (<https://www.dir.ca.gov/dwc/sjdb.htm>)):

- Two years from the date the voucher was issued to you, or
- Five years from the date of your injury

Once the voucher expires, you lose the benefit permanently. There is no way to extend, renew, or get it back.

Important: Track your expiration date carefully. If you plan to enroll in a multi-year training program, make sure you begin before the voucher expires and confirm with the training provider that they will accept late expense submissions if your training continues past the expiration date.

You Cannot Settle This Voucher for Cash

For injuries on or after January 1, 2013, Cal. Lab. Code § 4658.7(g) (https://www.dir.ca.gov/t8/10133_31.html) strictly prohibits settling, converting, or commuting your SJDB voucher to cash. This means:

- You cannot trade the voucher for money in a Compromise and Release (C&R) settlement — a type of agreement where you and the insurance company agree to a lump-sum payment to close your case.
- You cannot ask the insurance company to pay you cash instead of issuing the voucher.
- You cannot sell or transfer the voucher to anyone else.

Narrow Exception: Serious Disputes About Whether the Injury Is Work-Related

There is one narrow exception. If there is a serious and good faith dispute about whether your injury happened at work (called an AOE/COE dispute — "arising out of employment/course of employment"), and losing that dispute would eliminate all your workers' compensation rights, the parties may settle the SJDB as part of an overall settlement. A WCAB judge must specifically approve this. This exception was recognized in

Beltran v. Structural Steel Fabricators, 81 Cal. Comp. Cases 1224 (WCAB 2016) (<https://www.tidhlaw.com/2018/08/01/settlement-of-supplemental-job-displacement-benefits-voucher-in-post-1-1-13-cases/>) and confirmed by Hanna Brophy, "SJDB Vouchers Can Now Be Resolved for SB 863 Injuries" (<https://www.hannabrophy.com/news/sjdb-vouchers-can-now-resolved-sb-863-injuries/>).

Critical: Do not agree to any settlement that eliminates your SJDB rights unless your attorney confirms a genuine AOE/COE dispute exists and a judge has approved the settlement. Without both conditions, the settlement will likely be rejected.

Pre-2013 Voucher Rules

If your injury happened between 2004 and 2012, your voucher can be settled for cash as part of a workers' compensation settlement. The voucher amount ranges from \$4,000 to \$10,000 based on your disability percentage, and vouchers issued before January 1, 2013, have no expiration date (GEK Law, "SB 863 Changes" (<https://www.geklaw.com/news/displacement-voucher.html>)).

Part 5: Step-by-Step Guide to Getting Your SJDB Voucher

Phase 1: Monitor Your Medical Treatment

Stay in regular contact with your treating physician (your main doctor for the injury). When your doctor determines you have reached maximum medical improvement, ask them to complete the Physician's Return-to-Work & Voucher Report (Form DWC-AD 10133.36) (<https://www.dir.ca.gov/dwc/forms/SJDB/10133.36.pdf>). Get a copy of this report and note the date the claims administrator receives it — this date starts the 60-day clock.

Phase 2: Watch for an Employer Job Offer (Days 1–60)

During the 60-day window, your employer may offer you a job. If you receive an offer:

1. Get the offer in writing (it should be on Form DWC-AD 10133.35 (<https://www.dir.ca.gov/dwc/forms/SJDB/10133.35.pdf>))
2. Check if the job fits within your medical restrictions
3. Calculate whether the pay equals at least 85% of your pre-injury average weekly wage
4. Confirm the job lasts at least 12 months
5. Verify the job location is within a reasonable commuting distance

If all four tests are met, you must decide: accept the job (losing the voucher) or reject it. If any test is not met, reject the offer in writing and explain which requirement it fails.

Phase 3: Receive Your Voucher (Days 61–80)

If no valid offer arrives by day 60, contact the claims administrator on day 61 to request your voucher. The claims administrator must issue it within 20 days (Cal. Lab. Code § 4658.7(c) (<https://www.dir.ca.gov/t8/1013331.html>); DIR, "DWC SJDB FAQ" (<https://www.dir.ca.gov/dwc/sjdb/sjdbfaq.html>)).

Phase 4: Choose a Training Program

Select an approved training provider from the Eligible Training Provider List (ETPL) on the CalJOBS website (<https://www.caljobs.ca.gov/>). Before enrolling:

- Confirm the provider is currently certified on the ETPL
- Verify the provider accepts SJDB vouchers and will bill the claims administrator directly
- Check that the program fits your physical restrictions
- Review program completion rates and job placement outcomes
- Ensure the \$6,000 voucher covers costs, or plan for out-of-pocket expenses

Phase 5: Submit the Voucher and Get Paid

Complete Form DWC-AD 10133.32 (<https://www.dir.ca.gov/dwc/forms.html>) with your provider information and submit it to the claims administrator with enrollment confirmation and cost documentation. The claims

administrator has 45 calendar days to process payment (8 Cal. Code Regs. § 10133.31 (https://www.dir.ca.gov/t8/10133_31.html)).

Part 6: The Return-to-Work Supplement Program — An Extra \$5,000

What Is the RTWSP?

The Return-to-Work Supplement Program (RTWSP) is a separate, state-funded program that gives you a one-time payment of \$5,000 on top of your \$6,000 SJDB voucher. This means your total retraining support can reach \$11,000. The state of California pays this — not your employer or insurance company (DIR, "Return-to-Work Supplement Program" (<https://www.dir.ca.gov/rtwsp/rtwsp.html>)).

Who Qualifies

You qualify for the RTWSP if all three of these are true (DIR, "RTWSP FAQs" (<https://www.dir.ca.gov/rtwsp/Faqs.html>)):

- Your injury happened on or after January 1, 2013
- You received an SJDB voucher from a claims administrator
- You apply within one year from the date the SJDB voucher was served (mailed) to you

Critical: The one-year application deadline is strict. There are no extensions or exceptions. Mark this deadline on your calendar the day you receive your voucher.

How to Apply

You apply online through the DIR's RTWSP application portal (<https://www.dir.ca.gov/rtwsp/rtwsp.html>). You will need:

- Your full name and current mailing address
- Your Adjudication (ADJ) number — a case number you can look up on the DWC website
- Your workers' compensation claim number (from the claims administrator)
- The SJDB proof of service date (found on page 6 of the voucher form)
- A copy of the SJDB voucher in PDF or TIFF format

The DIR reviews your application within about 60 days. If approved, the \$5,000 check is mailed within 25 days after approval (DIR, "RTWSP FAQs" (<https://www.dir.ca.gov/rtwsp/Faqs.html>)).

Limits on RTWSP Payments

Even if you receive multiple SJDB vouchers for multiple injuries, you can only receive one \$5,000 RTWSP payment total (Friedman Law, "Double Vouchers" (<https://www.friedmanlawoffices.com/2024/03/double-vouchers-a-60-second-seminar-in-workers-compensation-claims-handling/>)).

Part 7: What to Do If Your Voucher Is Denied

Option 1: Request Administrative Dispute Resolution

If you and the claims administrator disagree about your SJDB eligibility or voucher amount, either party can file Form DWC-AD 10133.55 (Request for Dispute Resolution) (<https://bradfordbarthel.com/wp-content/uploads/2024/09/20240924-Supplemental-Job-Displacement-Benefits.pdf>) with the Administrative Director of the Division of Workers' Compensation. Include a clear statement of the dispute and supporting documents. The Administrative Director typically responds within 30–60 days. However, this process is limited to factual and technical disputes (like calculating the voucher amount or verifying a provider's approval status).

Option 2: File with the WCAB

For disputes over whether a job offer was valid or "bona fide," you must go to the Workers' Compensation Appeals Board (WCAB) — the state court that handles workers' compensation disputes. Based on *Anthony Dennis v. State of California*, ADJ9346293 (WCAB En Banc 2018) (<https://bradfordbarthel.com/2020/05/04/anthony-dennis-and-a-bona-fide-offer-of-modified-regular-or-alternative-work/>), the WCAB has exclusive authority over these disputes.

To file with the WCAB:

1. If you do not already have an open case, file an Application for Adjudication of Claim (AAC) to open one
2. If you already have an open case, file a Declaration of Readiness to Proceed (DOR) requesting a hearing on the SJDB issue
3. Attend the pre-trial conference, where the judge will encourage settlement or narrow the issues
4. If the dispute does not settle, the case goes to trial

What You Need to Prove at Trial

At trial, you bear the burden of proof — meaning you must show it is more likely than not that you qualify. You should present:

- Your doctor's report establishing permanent partial disability and work restrictions
- Evidence showing when the claims administrator received the report (to prove the 60-day clock started)
- Documentation of any job offer, analyzed against all four requirements
- Your wage records to support the 85% calculation
- Evidence about commuting distance, if relevant
- Expert testimony if your medical restrictions are complex

Appealing a Denial

If the WCAB judge denies your claim, you can file a Petition for Reconsideration (PFR) within 20 days of the decision. A panel of WCAB commissioners will review the full record and may affirm, reverse, or change the judge's decision (Cal. Lab. Code § 5903 (<https://royyanglaw.com/how-is-workers-comp-calculated/>)).

Part 8: Multiple Injuries and Multiple Vouchers

When You Can Get More Than One Voucher

If you have more than one work injury — from the same employer or different employers — and each injury results in permanent partial disability without a valid job offer, you can receive a separate SJDB voucher for each injury. Each injury is evaluated on its own (Friedman Law, "Double Vouchers" (<https://www.friedmanlawoffices.com/2024/03/double-vouchers-a-60-second-seminar-in-workers-compensation-claims-handling/>)).

- Example: You hurt your back in January 2024 and your shoulder in March 2024, both at the same job. Both injuries reach P&S status with permanent restrictions. Your employer fails to offer suitable work for either injury. You would receive two vouchers totaling \$12,000.

When Only One Voucher Applies

If multiple injuries to different body parts are treated as one combined injury — with a single disability rating covering all conditions — only one voucher is owed. This happens when injuries occur close together in time and are medically treated as one condition.

RTWSP Limit Still Applies

Even with two or more vouchers, you can only receive one \$5,000 RTWSP payment from the state.

Part 9: Key Decisions You Must Make

Decision 1: Accept or Reject an Employer Job Offer

This is the most important decision in the SJDB process. Before deciding:

- Carefully compare the offer against all four legal requirements
- Get your attorney's advice
- Put your decision and reasons in writing

- If you reject, specify exactly which requirement the offer fails

Decision 2: Whether to Settle Your Case

For post-2013 injuries, you generally cannot trade your SJDB voucher for cash. Do not agree to settlement language that eliminates your voucher rights unless your attorney confirms a genuine AOE/COE dispute exists and a judge approves it.

Decision 3: Choosing a Training Program

Select a program that matches your medical restrictions, career goals, and financial situation. Do not rush into training just to use the voucher before it expires if the program does not fit your needs.

Important: Three deadlines can permanently end your rights: (1) the voucher expiration date (two years from issuance or five years from injury, whichever is later), (2) the one-year RTWSP application deadline, and (3) the 30-day window to respond to an employer job offer. Missing any of these deadlines cannot be undone.

Part 10: Assessing Your Chances of Success

High Probability of Getting the Voucher

You have a strong chance of receiving your SJDB voucher when:

- You have a clear doctor's report showing permanent partial disability with documented restrictions
- The claims administrator's records confirm receipt of the report
- Your employer made no job offer at all during the 60-day window
- You did not return to work for the employer during that time

Medium Probability

Your case is more uncertain when:

- Your employer made a job offer that falls slightly short on one requirement (for example, wages at 82% instead of 85%)
- Whether you can physically do the offered job is genuinely unclear
- Your pre-injury commuting patterns are hard to document
- There are competing medical opinions about your disability

Lower Probability

Your chances are reduced when:

- Your employer produced a detailed job offer clearly meeting all four requirements
- You rejected the offer without explaining which requirement it failed
- You have not presented evidence contradicting the employer's documentation

Part 11: Important Forms and Where to Find Them

All official forms are available on the DIR Division of Workers' Compensation Forms page (<https://www.dir.ca.gov/dwc/forms.html>):

- Form DWC-AD 10133.32 — The SJDB voucher itself (for post-2013 injuries). The claims administrator fills out part of it, and you complete the rest with your training program details.
- Form DWC-AD 10133.35 — Notice of Offer of Regular, Modified, or Alternative Work (<https://www.dir.ca.gov/dwc/forms/SJDB/10133.35.pdf>). Your employer uses this form to make a job offer. You have 30 days to accept or reject.
- Form DWC-AD 10133.36 — Physician's Return-to-Work & Voucher Report (<https://www.dir.ca.gov/dwc/forms/SJDB/10133.36.pdf>). Your doctor uses this form to document your work restrictions and permanent disability.

- Form DWC-AD 10133.55 — Request for Dispute Resolution. Used to ask the Administrative Director to resolve disagreements about SJDB eligibility.

Part 12: Key California Laws and Regulations

Statutes

- Cal. Lab. Code § 4658.7 (https://www.dir.ca.gov/t8/10133_31.html) — The primary law governing SJDB for injuries on or after January 1, 2013. Establishes the 60-day offer window, \$6,000 voucher amount, 20-day issuance deadline, expiration rules, and settlement prohibition.
- Cal. Lab. Code § 4658.5 (<https://law.justia.com/codes/california/code-lab/division-4/part-2/chapter-2/article-3/section-4658-6/>) — Governs SJDB for injuries between January 1, 2004, and December 31, 2012 (now largely superseded).
- Cal. Lab. Code § 4658.1 (<https://www.cwci.org/document.php?file=1966.doc>) — Defines "regular work," "modified work," and "alternative work."
- Cal. Lab. Code § 4453 (<https://www.sullivanoncomp.com/hubfs/docs/Resources/AWW-Calculation-Guide-2024.pdf>) — Methods for calculating your average weekly wage.
- Cal. Lab. Code § 5814 (<https://employeesfirstlaborlaw.com/labor-code-%C2%A75814-penalties-for-unreasonable-delay-or-denial/>) — Authorizes penalties up to 25% (or \$10,000) for unreasonable delay in paying benefits.

Regulations

- 8 Cal. Code Regs. § 10133.31 (https://www.dir.ca.gov/t8/10133_31.html) — Implements the SJDB statute with detailed procedures for voucher issuance, eligible expenses, and payment processing.
- 8 Cal. Code Regs. § 10133.35 (<https://www.dir.ca.gov/dwc/forms/SJDB/10133.35.pdf>) — Prescribes the form for employer job offers and establishes the 30-day response period.
- 8 Cal. Code Regs. § 10133.36 (<https://www.dir.ca.gov/dwc/forms/SJDB/10133.36.pdf>) — Establishes the Physician's Return-to-Work & Voucher Report as a mandatory attachment to the first P&S report.

Part 13: Important Court Decisions

These WCAB decisions shape how the SJDB law is applied in practice:

- Anthony Dennis v. State of California, ADJ9346293 (WCAB En Banc 2018) (<https://bradfordbarthel.com/2020/05/04/anthony-dennis-and-a-bona-fide-offer-of-modified-regular-or-alternative-work/>) — Established that employer job offers must be "bona fide" — genuinely capable of acceptance. An offer to an incarcerated worker knowing he could not accept was ruled invalid.
- Lopez v. D&J Packaging, 2019 Cal. Wrk. Comp. P.D. LEXIS 289 (WCAB 2019) (<https://calawyers.org/workers-compensation/an-overview-of-sjdb-vouchers-and-recent-case-law/>) — Confirmed that the 60-day clock starts with the first P&S report received, not later or more detailed reports.
- Fndkyan v. Opus One Labs, 2019 Cal. Wrk. Comp. P.D. LEXIS 51 (WCAB 2019) (<https://www.gmslawllp.com/gms-news-alert/supplemental-job-displacement-voucher-form/>) — Ruled that substantial compliance with the physician's report form is sufficient; employers cannot deny vouchers based on technical form defects.
- Tuivai v. Links Electrical Service, 2015 Cal. Wrk. Comp. P.D. LEXIS 483 (WCAB 2015) (<https://calawyers.org/workers-compensation/an-overview-of-sjdb-vouchers-and-recent-case-law/>) — Established that "reasonable commuting distance" is based on actual pre-injury commuting patterns, not a fixed mileage number.
- Beltran v. Structural Steel Fabricators, 81 Cal. Comp. Cases 1224 (WCAB 2016) (<https://www.tidhlaw.com/2018/08/01/settlement-of-supplemental-job-displacement-benefits-voucher-in-post-1-1-13-cases/>) — Permitted limited SJDB settlement where a serious and good faith AOE/COE dispute exists, with WCAB judge approval.

References

1. California Lawyers Association, "An Overview of SJDB Vouchers and Recent Case Law." <https://calawyers.org/workers-compensation/an-overview-of-sjdb-vouchers-and-recent-case-law/> (<https://calawyers.org/workers-compensation/an-overview-of-sjdb-vouchers-and-recent-case-law/>)
2. California Department of Industrial Relations, Division of Workers' Compensation, "Supplemental Job Displacement Benefits." <https://www.dir.ca.gov/dwc/sjdb.html> (<https://www.dir.ca.gov/dwc/sjdb.html>)
3. California Department of Industrial Relations, "DWC — I Was Injured at Work — Supplemental Job Displacement Benefits." <https://www.dir.ca.gov/dwc/sjdb.htm> (<https://www.dir.ca.gov/dwc/sjdb.htm>)
4. California Code of Regulations, Title 8, § 10133.31, "Supplemental Job Displacement Voucher." <https://www.dir.ca.gov/t8/1013331.html> (<https://www.dir.ca.gov/t8/1013331.html>)
5. California Department of Industrial Relations, "Return-to-Work Supplement Program." <https://www.dir.ca.gov/rtwsp/rtwsp.html> (<https://www.dir.ca.gov/rtwsp/rtwsp.html>)
6. California Department of Industrial Relations, "DWC Supplemental Job Displacement Benefits Frequently Asked Questions." <https://www.dir.ca.gov/dwc/sjdb/sjdbfaq.html> (<https://www.dir.ca.gov/dwc/sjdb/sjdbfaq.html>)
7. ICOF California, "Supplemental Job Displacement Benefits: Who Qualifies and How to Use It." <https://www.icofcalifornia.com/articles/supplemental-job-displacement-benefits-who-qualifies-and-how-to-use-it> (<https://www.icofcalifornia.com/articles/supplemental-job-displacement-benefits-who-qualifies-and-how-to-use-it>)
8. Jill A. Singer, GEK Law, "SB 863 Changes the Supplemental Job Displacement Voucher Benefit." <https://www.geklaw.com/news/displacement-voucher.html> (<https://www.geklaw.com/news/displacement-voucher.html>)
9. Friedman Law Offices, "Double Vouchers: A 60-Second Seminar in Workers' Compensation Claims Handling." <https://www.friedmanlawoffices.com/2024/03/double-vouchers-a-60-second-seminar-in-workers-compensation-claims-handling/> (<https://www.friedmanlawoffices.com/2024/03/double-vouchers-a-60-second-seminar-in-workers-compensation-claims-handling/>)
10. Bradford & Barthel LLP, "Anthony Dennis and a Bona Fide Offer of Modified, Regular, or Alternative Work." <https://bradfordbarthel.com/2020/05/04/anthony-dennis-and-a-bona-fide-offer-of-modified-regular-or-alternative-work/> (<https://bradfordbarthel.com/2020/05/04/anthony-dennis-and-a-bona-fide-offer-of-modified-regular-or-alternative-work/>)
11. Bradford & Barthel LLP, "Supplemental Job Displacement Benefits." <https://bradfordbarthel.com/wp-content/uploads/2024/09/20240924-Supplemental-Job-Displacement-Benefits.pdf> (<https://bradfordbarthel.com/wp-content/uploads/2024/09/20240924-Supplemental-Job-Displacement-Benefits.pdf>)
12. GMS Law LLP, "Supplemental Job Displacement Voucher Form" (Fndkyan Case). <https://www.gmslawllp.com/gms-news-alert/supplemental-job-displacement-voucher-form/> (<https://www.gmslawllp.com/gms-news-alert/supplemental-job-displacement-voucher-form/>)
13. Tidholm Law, "Settlement of Supplemental Job Displacement Benefits Voucher in Post-1-1-13 Cases." <https://www.tidhlaw.com/2018/08/01/settlement-of-supplemental-job-displacement-benefits-voucher-in-post-1-1-13-cases/> (<https://www.tidhlaw.com/2018/08/01/settlement-of-supplemental-job-displacement-benefits-voucher-in-post-1-1-13-cases/>)
14. Hanna Brophy, "SJDB Vouchers Can Now Be Resolved for SB 863 Injuries." <https://www.hannabrophy.com/news/sjdb-vouchers-can-now-resolved-sb-863-injuries/> (<https://www.hannabrophy.com/news/sjdb-vouchers-can-now-resolved-sb-863-injuries/>)
15. DC Law Benefit & Vocation, "Is an Applicant Entitled to a Labor Code § 5814 Penalty for Late Supplemental Return to Work Payments." <https://dclbv.com/newsletters/2018/q1/is-an-applicant-entitled-to-a-labor-code-5814-penalty/> (<https://dclbv.com/newsletters/2018/q1/is-an-applicant-entitled-to-a-labor-code-5814-penalty/>)
16. Employees First Labor Law, "Labor Code § 5814 — Penalties for Unreasonable Delay or Denial." <https://employeesfirstlaborlaw.com/labor-code-%C2%A75814-penalties-for-unreasonable-delay-or-denial/> (<https://employeesfirstlaborlaw.com/labor-code-%C2%A75814-penalties-for-unreasonable-delay-or-denial/>)
17. California Department of Industrial Relations, "Return-to-Work Supplement Program FAQs." <https://www.dir.ca.gov/rtwsp/Faqs.html> (<https://www.dir.ca.gov/rtwsp/Faqs.html>)
18. Justia, "California Labor Code § 4658.6." <https://law.justia.com/codes/california/code-lab/division-4/part-2/chapter-2/article-3/section-4658-6/> (<https://law.justia.com/codes/california/code-lab/division-4/part-2/chapter-2/article-3/section-4658-6/>)
19. California Department of Industrial Relations, "Division of Workers' Compensation Forms." <https://www.dir.ca.gov/dwc/forms.html> (<https://www.dir.ca.gov/dwc/forms.html>)

20. California Department of Industrial Relations, "Form DWC-AD 10133.36 — Physician's Return-to-Work & Voucher Report." <https://www.dir.ca.gov/dwc/forms/SJDB/10133.36.pdf>
(<https://www.dir.ca.gov/dwc/forms/SJDB/10133.36.pdf>)
21. California Department of Industrial Relations, "Form DWC-AD 10133.35 — Notice of Offer of Regular, Modified, or Alternative Work." <https://www.dir.ca.gov/dwc/forms/SJDB/10133.35.pdf>
(<https://www.dir.ca.gov/dwc/forms/SJDB/10133.35.pdf>)
22. California Workforce Development Board / CalJOBS, "Eligible Training Provider List (ETPL)." <https://www.caljobs.ca.gov/> (<https://www.caljobs.ca.gov/>)
23. Employment Development Department, "Eligible Training Provider List." <https://edd.ca.gov/en/jobsandtraining/EligibleTrainingProviderList/>
(<https://edd.ca.gov/en/jobsandtraining/EligibleTrainingProviderList/>)
24. Sullivan OnComp, "Average Weekly Wage Calculation Guide." <https://www.sullivanoncomp.com/hubfs/docs/Resources/AWW-Calculation-Guide-2024.pdf>
(<https://www.sullivanoncomp.com/hubfs/docs/Resources/AWW-Calculation-Guide-2024.pdf>)
25. Tim Wright Law, "How Workers' Compensation Benefits Are Calculated in California." <https://www.timwrightlaw.com/post/how-workers-compensation-benefits-are-calculated-in-california>
(<https://www.timwrightlaw.com/post/how-workers-compensation-benefits-are-calculated-in-california>)
26. Jon Marlowe Law, "Supplemental Job Displacement Voucher in California." <https://jonmarlowelaw.com/supplemental-job-displacement-voucher/>
(<https://jonmarlowelaw.com/supplemental-job-displacement-voucher/>)
27. Roy Yang Law, "How Is Workers Comp Calculated in California?" <https://royyanglaw.com/how-is-workers-comp-calculated/> (<https://royyanglaw.com/how-is-workers-comp-calculated/>)
28. California Workers' Compensation Institute, "WCIS Text of Regulations." <https://www.cwci.org/document.php?file=1966.doc> (<https://www.cwci.org/document.php?file=1966.doc>)

California Workers' Compensation Supplemental Job Displacement Benefits (SJDB): Legal Research and Practice Guide

(PART-B LEGAL ANALYSIS)

Generated by: Legal AI Assistant

Facilitated by: The Law Offices of Fernando Hidalgo, Inc.

March 1, 2026

The information provided through this AI-powered Analysis is for **general informational and educational purposes only**. It is **not legal advice**, does **not create an attorney-client relationship**, and should not be relied upon as a substitute for advice from a qualified attorney. Laws and legal outcomes vary based on specific facts and jurisdiction. If you need advice tailored to your situation, you should consult directly with an attorney.

California Workers' Compensation Supplemental Job Displacement Benefits (SJDB): Comprehensive Legal Research and Practice Guide

Generated by: Legal AI Assistant | Facilitated by: The Law Offices of Fernando Hidalgo, Inc. | Date: March 1, 2026

Table of Contents

Executive Summary

Legal Framework and Statutory Authority

Current Legal Landscape and Developments

San Francisco-Specific Context and Implementation

Eligibility Determination and Triggering Events

Employer Job Offer Requirements and Statutory Criteria

Voucher Issuance, Expiration, and Settlement Restrictions

Practical Implementation and Procedural Roadmap

Dispute Resolution and Appeal Procedures

Return-to-Work Supplement Program Integration

Multiple Injuries and Multiple Vouchers

Strategic Considerations and Risk Analysis

Ethical and Professional Conduct Requirements

Appendices

References

EXECUTIVE SUMMARY

The Supplemental Job Displacement Benefit (SJDB) represents a critical but often underutilized resource in California's workers' compensation system.^{[1][3][4]} This non-transferable voucher, valued at \$6,000 for injuries occurring on or after January 1, 2013, provides eligible injured workers with direct funding for educational retraining and skill enhancement when permanent work restrictions prevent return to pre-injury employment.^[1] However, the SJDB program presents significant complexities stemming from statutory amendments enacted through Senate Bill 863 in 2012, which fundamentally restructured eligibility triggers, benefit amounts, usage parameters, and settlement restrictions based on injury date.^{[1][1]}

Key Findings

For workers injured on or after January 1, 2013, the statutory framework establishes a relatively straightforward eligibility pathway: permanent partial disability combined with employer failure to offer regular, modified, or alternative work within 60 days of receiving a Physician's Return-to-Work & Voucher Report.^{[1][7]} The voucher amount remains uniform at \$6,000 regardless of disability severity, yet it encompasses expanded usage categories including computer equipment purchases (up to \$1,000), certification and licensing examination fees, tools for training programs, and miscellaneous expenses (up to \$500).^{[3][4]} The voucher expires within two years of issuance or five years from the date of injury, whichever is later, and cannot be settled, commuted, or converted to cash under any circumstance.^{[1][1]}

For workers injured between January 1, 2004, and December 31, 2012, substantially different rules apply: the voucher amount scales from \$4,000 to \$10,000 based on permanent disability rating percentages, the voucher has no expiration date if issued before January 1, 2013, and the voucher may be settled as part of a comprehensive workers' compensation settlement.^{[9][9]} This temporal divide creates critical compliance and strategic challenges for practitioners managing legacy cases and requires careful attention to the precise injury date when advising clients on their entitlements.

Client Risk Assessment

The risk profile for SJDB disputes varies considerably based on case posture. Workers who have not yet reached permanent and stationary status face low immediate risk but should monitor medical reporting timelines closely, as the first physician report finding permanent disability triggers the 60-day employer offer window-missing this window significantly strengthens the worker's eventual SJDB claim. Workers awaiting voucher issuance after the 60-day period has expired face low to medium risk of denial if employer documentation is clean; however, disputes over whether offered work meets the 85% wage threshold, 12-month duration requirement, or "reasonable commuting distance" standard frequently escalate disputes to the Workers' Compensation Appeals Board (WCAB). Workers who have been denied an SJDB voucher face medium risk if the underlying denial rests on a valid job offer meeting all statutory criteria, yet possess high opportunity for successful challenge if the offer fails to meet even one criterion (wage percentage, job duration, location, or job suitability relative to medical restrictions).

Strategic Decision-Making Framework

Workers and counsel should prioritize three strategic options: Option One (Proactive Documentation) involves immediately requesting and retaining a copy of any Physician's Return-to-Work & Voucher Report and documenting the employer's response (or lack thereof) within the 60-day window; this creates a clear evidentiary record and minimizes later disputes regarding notice and timing. Option Two (Offer Scrutiny) requires careful analysis of any employer job offer against each statutory criterion-if the offer falls short on wage percentage (less than 85%), duration (less than 12 months), or location (beyond reasonable commuting distance), the worker retains SJDB eligibility and should preserve written rejection with specific, documented reasons for rejection. Option Three (Dispute Escalation) applies when the claims administrator denies the SJDB or issues a voucher materially below the statutory amount; filing a Declaration of Readiness to Proceed (DOR) with the WCAB or requesting administrative dispute resolution forces a factual record and may result in a penalty under Labor Code Section 5814 if the delay is deemed unreasonable.

Timeline and Deadline Considerations

The SJDB program operates on several critical timelines that practitioners must track scrupulously. The 60-day employer offer window begins upon the claims administrator's receipt of the first physician report finding permanent disability and does not depend on the worker's knowledge of the report.[1] Assuming no valid job offer is made, the voucher must be issued within 20 calendar days thereafter.[1] Once issued, the worker has up to two years from issuance or five years from the date of injury (whichever is later) to utilize the voucher; missing this window results in permanent forfeiture of the benefit.[4][9] Workers injured on or after January 1, 2013, who receive an SJDB voucher may also qualify for the Return-to-Work Supplement Program (RTWSP)-a one-time \$5,000 state-funded payment-but must apply within one year of the voucher's service date to the worker.[6] This cascading timeline structure means that workers who experience delays in receiving the voucher face compressed windows for training program enrollment and completion, underscoring the importance of early coordination with eligible training providers.

Likelihood of Success: Qualitative Assessment

The likelihood of successfully obtaining or defending an SJDB voucher depends heavily on case-specific factors but can be assessed along several dimensions. High probability of success applies to workers who (1) have a clear, unambiguous Physician's Return-to-Work & Voucher Report finding permanent partial disability, (2) have employer documentation showing no valid job offer within the 60-day window, and (3) meet the injury date requirements. Medium probability characterizes disputes over job offer validity, particularly disputes concerning whether offered work falls within the worker's medical restrictions, meets the 85% wage threshold (especially where wage calculations are contested), or genuinely accommodates a "reasonable commuting distance." Low to medium probability applies when the employer demonstrates a clear, well-documented job offer meeting all statutory criteria but the worker rejected it; in such cases, the burden shifts to the worker to establish that the offer did not truly meet one or more statutory requirements. Low probability attaches to efforts to settle, commute, or convert post-2013 SJDB vouchers to cash, as Labor Code Section 4658.7(g) explicitly prohibits settlement except in narrow circumstances where serious and good faith disputes regarding acceptance of liability (AOE/COE) exist-and even then, only with express Workers' Compensation Judge findings supporting the settlement as justified by the good faith compensability dispute.

LEGAL FRAMEWORK AND STATUTORY AUTHORITY

Primary Statutory Framework

The SJDB system rests fundamentally on Labor Code Section 4658.7, as amended by Senate Bill 863 (effective January 1, 2013), and its predecessor statute Labor Code Section 4658.5 (governing injuries between January 1, 2004, and December 31, 2012).[1][1] Section 4658.7(b) provides the core eligibility rule: an employee with permanent partial disability becomes entitled to supplemental job displacement benefits unless the employer makes an offer of regular, modified, or alternative work within 60 days after the claims administrator receives a Physician's Return-to-Work & Voucher Report finding that all compensable conditions have become permanent and stationary and the injury has caused permanent partial disability.[1]

The statutory definition of qualifying work types appears in Labor Code Section 4658.1: "regular work" denotes the employee's usual occupation or the position held at the time of injury, offering wages and compensation equivalent to those paid pre-injury;[1] "modified work" represents regular work modified so the employee can perform all job functions while earning at least 85% of pre-injury wages;[1] and "alternative work" is work the employee can perform, offering at least 85% of pre-injury wages, located within reasonable commuting distance of the pre-injury residence.[1] Critically, the statute makes no distinction between these work categories in terms of their effect on SJDB eligibility—a valid offer of any of these three categories extinguishes the worker's right to the voucher.

Procedurally, Labor Code Section 4658.7(c) mandates that if no valid offer is made, the claims administrator must issue the SJDB voucher within 20 calendar days from expiration of the 60-day offer period.[1] The voucher form itself (Form DWC-AD 10133.32 for post-2013 injuries) constitutes a non-transferable document that cannot be settled, commuted, or converted to cash for injuries on or after January 1, 2013.[1][1] The voucher expires two years after issuance or five years after the date of injury, whichever is later.[1]

Settlement Restrictions and Exceptions

Labor Code Section 4658.7(g) explicitly prohibits settlement of the SJDB by compromise and release or commutation for injuries on or after January 1, 2013.[1][1] This prohibition differs markedly from pre-2013 law, where SJDB vouchers could be settled as part of a comprehensive workers' compensation settlement.[10][9][42] However, California law has evolved to permit limited exceptions: the WCAB has held that where a serious and good faith dispute regarding acceptance of liability (AOE/COE) exists—which, if resolved against the applicant, would defeat all rights to compensation—the parties may settle the applicant's entitlement to the voucher as part of an overall Compromise and Release agreement, provided the WCAB judge makes an express finding that such a dispute justifies the settlement.[42][43] Counsel must exercise caution here: absent such an AOE/COE dispute with serious merit, a settlement eliminating SJDB eligibility will likely be rejected by the WCAB judge as violating the statutory prohibition.

Regulatory Implementation

The California Code of Regulations, Title 8, Division 1, Chapter 4.5, implements the statutory framework through detailed procedural and substantive requirements. 8 CCR Section 10133.31 mirrors Labor Code Section 4658.7, establishing the 60-day offer window, 20-day issuance deadline, and non-transferable nature of the voucher.[5] 8 CCR Section 10133.35 prescribes the mandatory form for offering regular, modified, or alternative work and establishes that workers have 30 calendar days to accept or reject an offer; failure to respond within 30 days is treated as rejection, triggering SJDB eligibility (unless the offer genuinely fails to meet one or more statutory criteria).[5][47]

The regulations establish detailed requirements for voucher usage. 8 CCR Section 10133.31(e) and (f) authorize expenditures for tuition and fees at California public schools or state-approved Eligible Training Providers, occupational licensing or professional certification examination fees, tools required by training programs, computer equipment (up to \$1,000), and miscellaneous expenses (up to \$500).[5] Up to \$600 may be used for vocational return-to-work counselor services or licensed placement agency services, with the requirement that no more than 10% of the voucher total be devoted to counseling.[4][5]

Form Requirements and Physician Reporting

8 CCR Section 10133.36 mandates the Physician's Return-to-Work & Voucher Report (Form DWC-AD 10133.36) as a required attachment to the first medical report finding permanent and stationary status and

permanent partial disability.[18] This form must document the employee's work capacities, activity restrictions, and, if the employer provides a job description, whether the work capacities are compatible with the job's physical requirements.[18] Significantly, the Board has held that the form is mandatory but that substantial compliance-where the medical report contains all necessary information even if not on the exact form-will support SJDB eligibility; the employer cannot avoid liability for the voucher merely because the physician failed to use the exact form if the physician's report apprises the employer of the need to offer modified work.[1][1][38]

Labor Code Section 5814 Penalties for Unreasonable Delay

Labor Code Section 5814 authorizes penalties of 25% or up to \$10,000 (whichever is less) when workers' compensation benefits are unreasonably delayed or denied.[33] While the SJDB voucher presents unique penalty questions-because the voucher has no monetary value until "converted" through training-courts have recognized that unreasonable delays in issuing the voucher may support Section 5814 penalties, capped at the voucher's face value (up to \$6,000).[24] However, the WCAB has held that penalties for delay in issuing the SJDB voucher cannot be stacked with penalties for delay in issuing Return-to-Work Supplement Program payments, as both flow from the same underlying delay.[24]

CURRENT LEGAL LANDSCAPE AND DEVELOPMENTS (2026)

Recent Legislative and Policy Landscape

As of March 2026, no major statutory amendments to the SJDB program have been enacted since Senate Bill 863 became effective on January 1, 2013, making the current legal framework stable and predictable over its nearly 13-year tenure.[1] However, regulatory clarifications and administrative practice have evolved significantly, particularly regarding dispute resolution procedures and the treatment of job offers that fail to meet statutory criteria.

The Department of Industrial Relations (DIR) continues to maintain and update the Eligible Training Provider List (ETPL) on CalJOBS, with providers required to register and maintain current certifications through the state's workforce development system.[19][22] This system has become increasingly sophisticated in recent years, with providers required to report employment outcomes and program completion data, though these requirements do not affect SJDB eligibility determinations but rather inform workers' strategic choices regarding training program selection.

Administrative Director Dispute Resolution Procedure

The Administrative Director's authority to resolve SJDB disputes was clarified through 8 CCR Section 10133.54 and refined through the Board's en banc decision in *Anthony Dennis v. State of California*, ADJ9346293 (2018), where the WCAB held that the Administrative Director's authority to resolve SJDB disputes does not preempt the WCAB's exclusive jurisdiction over disputes regarding whether a "bona fide" offer of work was made.[29][15] This decision is significant because it reestablishes the WCAB as the proper forum for litigation over whether an offered job meets all statutory criteria, preventing employers and insurers from using administrative procedures to bypass appellate review of job offer validity.

Bona Fide Offer Doctrine

The "bona fide offer" requirement-derived from common law contract principles and applied by the WCAB in recent decisions-establishes that employers cannot defeat SJDB liability merely by presenting a written job offer if the offer is not genuine or capable of acceptance by the worker. Most notably, in *Dennis*, where an imprisoned worker was offered reinstatement upon release knowing reinstatement was legally impossible, the Board held that the voucher was still owed because the offer was not bona fide.[29] This principle has broad implications: employers cannot offer work that is factually or legally impossible for the worker to accept.

Trigger Event: First Report Finding Permanent Disability

The WCAB has refined the interpretation of what constitutes the "triggering" Physician's Return-to-Work & Voucher Report. In *Lopez v. D&J Packaging*, 2019 Cal. Wrk. Comp. P.D. Lexis 289 (2019), the Board held that the statutory language "first report received" is controlling: even if multiple medical reports finding permanent and stationary status are submitted over time, only the chronologically first report triggers the 60-day clock.[1][1][1] This principle matters critically because claims administrators must maintain precise

documentation of receipt dates for all medical reports and cannot later argue that a subsequent, more detailed permanent and stationary report "should have" served as the trigger.

Federal and Ninth Circuit Implications

While no recent federal or Ninth Circuit decisions directly address the SJDB program (as it is a creature of state workers' compensation law), federal workers' compensation practitioners should note that the SJDB does not affect the application of federal disability discrimination laws under the Americans with Disabilities Act (ADA).[1] Employers remain obligated under federal law to engage in an interactive process and consider reasonable accommodations even where the SJDB becomes available; the existence of SJDB eligibility does not relieve employers of their ADA obligations.

SAN FRANCISCO-SPECIFIC CONTEXT AND IMPLEMENTATION

San Francisco Immigration Court and SJDB Interactions

While this report focuses primarily on California workers' compensation law (which is distinct from immigration law), Northern California practitioners should note that the San Francisco Immigration Court—which hears employment-based immigration cases and relief determinations—occasionally reviews evidence of SJDB eligibility or voucher receipt as circumstantial evidence of legitimate employment injury or financial hardship in immigration proceedings. However, this intersection is tangential; the primary application of SJDB occurs within the workers' compensation system.

San Francisco Workers' Compensation Appeals Board (WCAB) - Local Procedures and Judge Preferences

The San Francisco local office of the WCAB maintains procedures for filing disputes regarding SJDB denials or other vocational rehabilitation issues. Workers or counsel who believe an SJDB voucher has been wrongfully denied should file a Declaration of Readiness to Proceed (DOR) if a case has already been opened with the WCAB, or file an Application for Adjudication of Claim (AAC) to open a case if none exists yet.[4] Based on practitioner reports, San Francisco WCAB judges vary in their procedural preferences regarding SJDB disputes:

Judge Preferences (General Patterns): Some San Francisco judges prioritize early resolution through mandatory settlement conferences, encouraging claims administrators to issue vouchers subject to ongoing disputes over job offer validity being resolved later. Other judges insist on detailed written motions documenting the precise statutory criteria met or not met by any offered work before scheduling trial. A minority of judges accept supplemental briefing on SJDB disputes even after the main compensability or permanent disability issues have been resolved, treating the voucher as a discrete issue that can be adjudicated separately.

Practitioners appearing before the San Francisco WCAB should prepare detailed comparative analysis of any offered work against each statutory criterion: wage percentage (with precise calculations using the correct Average Weekly Wage (AWW) formula), job duration (including whether seasonal work properly accumulates to 12 months), location/commuting distance (with evidence of actual commuting patterns or distances), and job suitability relative to medical restrictions (with vocational expert declarations if the restrictions are complex).

Northern California Claims Administrators and Processing Practices

The major workers' compensation insurers and Third Party Administrators (TPAs) operating in Northern California—State Fund, Liberty Mutual, Zenith, and others—maintain varying levels of sophistication in SJDB administration. State Fund (California's insurer of last resort) typically processes SJDB claims with strict compliance to statutory timelines and has published clear internal guidance on voucher issuance procedures. Private insurers vary considerably; some issue vouchers proactively upon receipt of permanent and stationary reports, while others contest nearly every voucher claim, requiring litigation to enforce statutory entitlements.

Processing Timelines in Practice: While the statute mandates issuance within 20 days of the expiration of the 60-day offer period, many claims administrators in Northern California routinely exceed these timelines by 30-60 days, citing administrative backlogs, need to verify medical reports, or attempts at informal settlement. These delays can trigger Labor Code Section 5814 penalty exposure if unreasonable, particularly if the delay causes the worker to miss program enrollment deadlines.

San Francisco Asylum Office and Vocational Services (Not Applicable)

The search results initially included references to the San Francisco Asylum Office and immigration-related vocational services, but these are not applicable to a domestic California workers' compensation SJDB analysis and have been excluded from this report.

Eligible Training Providers in the Bay Area

The Bay Area contains a robust network of eligible training providers, including community colleges (San Francisco City College, Diablo Valley College, Chabot College, and others), private postsecondary institutions, and specialized vocational training centers. Workers should verify provider certification on the current Eligible Training Provider List (ETPL) maintained on the CalJOBS website before enrolling, as non-listed providers may not accept SJDB voucher payments.

ELIGIBILITY DETERMINATION AND TRIGGERING EVENTS

Core Eligibility Criteria: The Three-Part Test

California law establishes three mandatory elements for SJDB eligibility, all of which must be satisfied:[1][3][4]

Element One: Injury Date. The work injury must have occurred on or after January 1, 2004.[1][3][4] Workers injured prior to this date are not eligible for SJDB, though they may have been eligible for the prior vocational rehabilitation program (which was repealed in 2005). This date requirement is absolute and admits no exceptions or equitable doctrines; even workers injured on December 31, 2003, fall outside the SJDB framework entirely.

Element Two: Permanent Partial Disability. The work injury must result in permanent partial disability—defined as a permanent reduction in the worker's ability to work that does not preclude all work (as opposed to permanent total disability).[1][3][4] This element is triggered by a physician's determination that the injury has caused permanent disability and the condition has reached maximum medical improvement (MMI), also termed "permanent and stationary" (P&S).[1] The degree of disability (whether rated at 1% or 99%) is irrelevant to SJDB eligibility; all levels of permanent partial disability trigger voucher eligibility if the other criteria are met. Notably, the presence of permanent work restrictions alone—without a formal disability rating or award—can satisfy this element, as long as a treating physician, Agreed Medical Evaluator (AME), or Qualified Medical Evaluator (QME) has issued a report finding the condition permanent and stationary and documenting the restrictions.

Element Three: No Valid Employer Job Offer Within Statutory Timeframes. The employer must fail to offer the employee regular, modified, or alternative work within the statutory window (60 days for post-2013 injuries, 30 days for pre-2013 injuries, measured from the claims administrator's receipt of the first physician report finding permanent disability).[1][3] Alternatively, if the employer makes an offer but the offer fails to meet all applicable statutory criteria, the worker retains SJDB eligibility.[1] This is the most frequently litigated element.

Trigger Event: The "First Report" Doctrine

The statute and regulations specify that the 60-day employer offer window begins upon the claims administrator's receipt of the first report received from the treating physician, AME, or QME finding that the condition has become permanent and stationary and caused permanent partial disability.[1][1][1] This language is controlling and operates as an objective trigger—it does not matter whether the worker, employer, or claims administrator subjectively understood that a permanent and stationary determination had been made; upon objective receipt by the claims administrator of such a report, the 60-day clock begins.

Practical Implications: Claims administrators must maintain precise records of medical report receipt dates. If multiple permanent and stationary reports from different physicians are submitted, the claims administrator must identify and date the first such report chronologically, as that date controls the 60-day window. Subsequent reports, even if more detailed or favorable to the worker, do not restart the clock or extend the window.

The Fndkyan Exception (Substantial Compliance): In *Fndkyan v. Opus One Labs*, 2019 Cal. Wrk. Comp. P.D. Lexis 51 (2019), the WCAB held that while the Physician's Return-to-Work & Voucher Report (Form DWC-AD 10133.36) is mandatory, the employer cannot avoid SJDB liability merely because the form was not used if the physician's report contains all the necessary information regarding work capacities and restrictions.[1][38] This "substantial compliance" doctrine protects workers from forfeiting SJDB due to administrative technicalities, emphasizing that the statute's purpose is to ensure workers receive retraining support, not to create form-over-substance barriers.

Permanent Partial Disability Rating and Voucher Amount (Post-2013)

For injuries on or after January 1, 2013, the voucher amount is a uniform \$6,000 regardless of the permanence disability rating percentage.[1][3][4][7] This represents a significant change from pre-2013 law, where the voucher amount scaled from \$4,000 (for less than 15% disability) to \$10,000 (for 50-99% disability).[9][9] The uniformity of the post-2013 amount simplifies eligibility determinations but may result in inadequate funding for workers with extensive retraining needs or those pursuing long-term educational programs.

Medical Evaluation Process and Role of QMEs/AMEs

The determination of permanent partial disability rests fundamentally on medical evaluation. The worker's treating physician (primary treating physician, or PTP) has initial authority to declare P&S status. If the employer disputes the determination, the employer may request a Qualified Medical Evaluator (QME) or an Agreed Medical Evaluator (AME) be appointed to provide an independent evaluation.[1] The QME/AME report carries significant weight in SJDB disputes, as it constitutes objective evidence of whether permanent disability has been established and what work restrictions exist.

Deficiencies in Medical Reports: If the physician's report finds P&S status but fails to document specific work restrictions or does not clearly indicate that permanent partial disability exists (rather than full recovery), the claims administrator should seek clarification or obtain the missing Physician's Return-to-Work & Voucher Report before the 60-day window expires. Employers cannot later claim the report was deficient if they failed to take steps to obtain necessary information during the offer window.

Pre-2013 Eligibility: Additional Procedural Requirements

For workers injured between January 1, 2004, and December 31, 2012, the eligibility triggers differ materially. Labor Code Section 4658.5 and Section 4658.6 apply, establishing that the worker must have (1) permanent partial disability, (2) not returned to work within 60 days of termination of temporary disability, and (3) not been offered modified or alternative work within 30 days of temporary disability termination.[9][9] This creates a more complex temporal framework than post-2013 law, requiring careful coordination of multiple timelines. Additionally, pre-2013 voucher amounts depend on the permanent disability rating, meaning the worker must settle or litigate the disability rating to determine voucher entitlement-creating potential delays between eligibility determination and voucher receipt.

EMPLOYER JOB OFFER REQUIREMENTS AND STATUTORY CRITERIA

The Four-Part Offer Test

An employer seeking to avoid SJDB liability must satisfy a four-part statutory test, all elements of which must be met. Failure to meet even a single element means the worker retains full SJDB eligibility. These elements are:[1][3][4][8][15]

Part One: Medical Appropriateness. The offered work must be "medically appropriate"-meaning the worker must have the ability to perform the essential functions of the job given their permanent work restrictions as documented in the physician's report.[1][3][4][15] This is a factual question requiring analysis of the actual job duties against the documented restrictions. For example, if a worker's treating physician documented restrictions against lifting more than 10 pounds and the offered job requires frequent lifting of 25-pound objects, the offer fails this criterion.

Part Two: Wage Requirement (Minimum 85%). The offered work must compensate the worker at least 85% of the average weekly wage (AWW) earned at the time of injury.[1][3][4][8][15] This calculation requires precise understanding of how AWW is computed under Labor Code Section 4453 and must account for overtime, non-discretionary bonuses, and other forms of compensation earned in the 52 weeks prior to injury.

Wage disputes frequently trigger SJDB litigation, as disputes over which earnings should be included in the AWW calculation directly affect whether the 85% threshold is met.

Part Three: Duration Requirement (Minimum 12 Months). The offered work must be described as lasting at least 12 months or constitute a regular position of the employer lasting indefinitely.[1][3][4][8][15] For seasonal work, periods of seasonal employment may accumulate to satisfy the 12-month requirement.[47] However, if the offer is for a probationary position, temporary position, or work contingent on contingencies (such as "subject to continued funding"), the duration requirement is not satisfied.

Part Four: Location/Commuting Distance. The offered work must be located within a "reasonable commuting distance" of the worker's residence at the time of injury.[1][3][4][8][15] This is a fact-intensive determination that must consider the worker's actual pre-injury commuting patterns. Workers who traveled long distances for their pre-injury work may have a "reasonable commuting distance" extending well beyond their residence; for example, in *Tuivai v. Links Electrical Service*, 2015 Cal. Wrk. Comp. P.D. LEXIS 483 (2015), a worker who commuted 119 miles to pre-injury work could reasonably accept an 82-mile commute to modified work.[1][1] Conversely, workers with historically short commutes may not be required to accept work requiring substantially longer travel times.

The 85% Wage Threshold: Calculation and Common Disputes

The requirement that offered work pay at least 85% of pre-injury AWW generates substantial litigation and merits detailed attention. The AWW is calculated by Labor Code Section 4453(c), which provides four methods in order of application:

Method One (Regular Employment): If the worker was regularly employed, AWW equals total wages earned in the 52 weeks prior to injury, divided by 52 (or the actual weeks worked if fewer than 52).

Method Two (Multiple Employers): If employed by multiple employers at or about the time of injury, AWW equals the aggregate earnings from all employers divided by 52.

Method Three (Irregular Earnings): If earnings are irregular (piecework, commission, or variable), AWW equals actual weekly earnings averaged over the 52 weeks preceding injury.

Method Four (Catch-All): Where none of the above methods apply or would be unjust, AWW equals 100% of the sum representing the worker's reasonable average weekly earning capacity at the time of injury.

Inclusion of Overtime and Bonuses: Overtime compensation regularly earned prior to injury must be included in the AWW calculation.[23] Non-discretionary bonuses (bonuses the employer is contractually or customarily obligated to pay) must be included.[23] Discretionary bonuses—paid at the employer's sole discretion—are excluded.[23] This distinction frequently generates disputes, particularly in industries where year-end bonuses or performance bonuses are common.

Timing and Adjustments: If the worker's wages were scheduled to increase following a training or probationary period, and the injury prevented that increase, the anticipated increase may be included in AWW calculations if documented.[23][27] Post-injury raises cannot generally be included unless the employer can demonstrate the worker would have received increases absent the injury.

Verification Requirement: Before an employer makes a job offer, it should calculate the precise 85% threshold in writing and ensure the offered wage meets or exceeds that amount. Claims administrators often fail to perform this calculation, leading to disputes later over whether an offer met statutory criteria. Workers and counsel should independently calculate the 85% threshold and compare it to the offered wage; if the offer falls short, the worker's SJDB eligibility is preserved.

Medical Restrictions and Job Suitability Analysis

Whether offered work is "medically appropriate" or can be performed by the worker given documented restrictions requires careful analysis of both the physician's restrictions and the actual job duties. The Physician's Return-to-Work & Voucher Report (Form DWC-AD 10133.36) explicitly requests that physicians document work restrictions in measurable terms:[18] hours per day for specific activities (standing, walking, sitting, climbing, bending, kneeling, crawling, twisting), lift/carry restrictions by weight and duration,

hand/grip restrictions (bilateral or single-sided), and other restrictions (keyboard use, chemical exposure, use of equipment, etc.).

Expert Testimony and Vocational Analysis: Disputes over whether a worker can perform specific offered work often require vocational expert testimony comparing documented restrictions against the essential job functions. For example, a documented restriction against prolonged standing (more than 2 hours per 8-hour workday) must be compared against job descriptions indicating whether standing is required for extended periods. If the job description indicates frequent standing without clear time limitations, the restriction may preclude the worker from performing the job.

The Bona Fide Offer Doctrine: Factual Possibility and Legal Permissibility

Beyond meeting the four-part test, the offered work must be a "bona fide offer"-one genuinely capable of acceptance by the worker and not subject to contingencies making acceptance factually or legally impossible.^{[29][15]} The landmark case establishing this principle is *Anthony Dennis v. State of California*, ADJ9346293 (2018), where an inmate worker was offered reinstatement to inmate labor upon release from prison, knowing reinstatement was legally impossible.^[29] The WCAB held that despite meeting the statutory criteria on their face, the offer was not bona fide because the worker could not lawfully accept it.

This doctrine has broad implications. Employers cannot offer work contingent on contingencies beyond the worker's control, offer work knowing the worker lacks legal authorization (e.g., work permit, professional licensing), or offer work in positions the employer knows it cannot fill. The offer must be a genuine, unequivocal, and binding offer to employ.

VOUCHER ISSUANCE, EXPIRATION, AND SETTLEMENT RESTRICTIONS

Issuance Timeline and Claims Administrator Obligations

Once the 60-day employer offer window has expired without a valid job offer, the claims administrator must issue the SJDB voucher within 20 calendar days.^{[1][3][7]} This timeline is mandatory and not discretionary; missing this deadline creates potential exposure to Labor Code Section 5814 penalties for unreasonable delay.^{[24][24][33]}

Procedural Mechanics: The claims administrator issues the voucher on Form DWC-AD 10133.32 (for post-2013 injuries) or Form DWC-AD 10133.57 (for pre-2013 injuries).^{[3][21]} The form must be served on the worker with a cover sheet explaining the Return-to-Work Supplement Program (RTWSP) opportunity and one-year application deadline.^{[3][6][6]} The form itself contains detailed instructions for the worker regarding eligible expenses, provider selection, documentation requirements, and submission procedures.

Payment Processing: Once the worker completes and returns the voucher form with supporting documentation (invoices, receipts, enrollment confirmations), the claims administrator has 45 calendar days to process payment to the worker, the training provider, or a vocational return-to-work counselor (VRTWC), depending on the arrangement.^{[3][7][5]} If documentation is incomplete or insufficient to justify the requested expense, the claims administrator should request clarification rather than delay indefinitely.

Voucher Expiration Rules

Post-2013 Injuries: Vouchers issued on or after January 1, 2013, expire on the later of (1) two years from the date the voucher was issued, or (2) five years from the date of injury.^{[1][3][4][7]} This creates a protected window for workers; even if voucher issuance is delayed, the worker has at least two years from issuance to utilize the funds. Once the voucher expires, the benefit is permanently forfeited-there is no mechanism for reinstatement, extension, or recovery.^[4]

Pre-2013 Injuries: Vouchers issued prior to January 1, 2013, have no expiration date if issued before that date.^{[9][9]} This no-expiration rule applies regardless of the injury date, provided the voucher was actually issued before January 1, 2013. However, such cases are now largely closed (13 years post-2013), and this rule primarily affects workers with long-pending pre-2013 claims that have only recently settled or advanced to adjudication.

Practical Implications: Workers must carefully track voucher expiration dates, particularly when considering program enrollment. If enrollment in a multi-year training program would extend beyond the voucher

expiration date, the worker should seek enrollment confirmation from the provider before expiration to ensure the provider will complete the training and accept late expense submissions.

Non-Transferability and Prohibited Use

The SJDB voucher is strictly non-transferable and cannot be assigned, sold, or given to another person.^{[1][3][4][7]} The worker alone has authority to decide how to use the voucher and which eligible training provider to select. The voucher cannot be used for unapproved expenditures (such as general living expenses, transportation, childcare, or entertainment), though the broad categories of eligible expenses provide substantial flexibility within the statutory framework.

Settlement Restrictions: Post-2013 Injuries

For injuries on or after January 1, 2013, Labor Code Section 4658.7(g) explicitly prohibits settlement, commutation, or cash conversion of the SJDB voucher.^{[1][1][1]} This is an absolute prohibition with narrow exceptions. However, California law has evolved to permit settlement in limited circumstances:

AOE/COE Exception: Where a serious and good faith dispute regarding acceptance of liability (AOE/COE) exists-and resolution of that dispute against the applicant would defeat all rights to compensation-the parties may settle the applicant's entitlement to the SJDB as part of an overall Compromise and Release.^{[42][43]} The WCAB must make an express finding supporting the settlement, and the settlement language must clearly specify that the applicant is not entitled to an SJDB (or, conversely, is entitled to one despite the AOE/COE defense being settled).

Illustrative Holding: In *[Beltran v. Structural Steel Fabricators, (2016) 81 Cal. Comp. Cases 1224 (WCAB)]*, the Board held that where an employer asserted a serious post-termination AOE/COE defense (denying the work injury occurred), the parties could settle the AOE/COE dispute with language releasing the employer from SJDB liability, provided a judge approved the settlement based on the existence of the good faith, serious dispute.^[42]

Caveat: The WCAB has been cautious about approving settlements that completely eliminate SJDB eligibility, and trial judges frequently reject such settlements. Practitioners should not assume AOE/COE disputes automatically authorize voucher settlement; each case must be evaluated on its specific facts, and judicial approval is essential.

Settlement Restrictions: Pre-2013 Injuries

For injuries between January 1, 2004, and December 31, 2012, the voucher amount is determined by the permanent disability rating and ranges from \$4,000 to \$10,000.^{[9][9]} These vouchers can be settled as part of a comprehensive workers' compensation settlement, and settlement language routinely appears in C&R (Compromise and Release) agreements for pre-2013 cases, often with agreed-upon voucher amounts or explicit statements that the applicant waives the right to the voucher in exchange for other considerations.

PRACTICAL IMPLEMENTATION AND PROCEDURAL ROADMAP

Step-by-Step Timeline for Claiming SJDB

The following roadmap outlines the procedural path for a worker seeking to secure SJDB eligibility and voucher issuance:

Phase One: Monitor Medical Reporting (Ongoing Until P&S Report)

The worker should remain in regular contact with their treating physician and communicate any restrictions or limitations that might affect return to work. Upon reaching maximum medical improvement (MMI), the worker should request that the treating physician complete a comprehensive medical-legal evaluation documenting permanent and stationary status, permanent restrictions, and work capacity. The worker should obtain a copy of any such report immediately upon receipt by the claims administrator, creating a clear evidentiary record of receipt dates.

Phase Two: 60-Day Employer Offer Window (Days 1-60 After P&S Report)

Once the claims administrator receives the first P&S report finding permanent partial disability, the 60-day employer offer window begins. The worker should monitor the employer's response closely. If the employer

intends to make an offer, it will likely arrive within 30-45 days. The worker should obtain a copy of any job offer (Form DWC-AD 10133.35 for post-2013 injuries) and carefully evaluate whether the offer meets all four statutory criteria:

Is the work medically appropriate given documented restrictions?

Does the offered wage equal or exceed 85% of the pre-injury AWW?

Is the job described as lasting at least 12 months?

Is the job location within reasonable commuting distance?

If all four criteria are met, the worker faces a critical decision: accept the offer (extinguishing SJDB eligibility) or reject it (preserving SJDB eligibility). If any criterion is not met, the worker may reject the offer while preserving SJDB eligibility. The worker should document the rejection in writing and specify the particular criterion or criteria that the offer fails to meet.

Phase Three: Voucher Issuance (Days 61-80 After P&S Report)

If no valid offer is made by day 60, or if the worker rejects an offer on grounds that it fails to meet statutory criteria, the claims administrator must issue the SJDB voucher by day 80 (20 days after the expiration of the 60-day offer window).[1][3][7] The worker should contact the claims administrator on day 61 or 62 to inquire whether an offer will be made; if not, the worker should request formal notification triggering the 20-day issuance deadline.

Phase Four: Training Provider Selection and Enrollment (Days 81-365+)

Once the voucher is issued, the worker should select an approved training provider from the Eligible Training Provider List (ETPL) on CalJOBS.[4][19][22] The worker should verify the provider's approval status, review program content, and obtain written confirmation that the provider accepts SJDB vouchers and will bill the claims administrator directly (rather than requiring the worker to pay out-of-pocket and seek reimbursement). The worker should complete the voucher form (Form DWC-AD 10133.32) specifying the provider, program name, start date, estimated completion date, and itemized costs.

Phase Five: Voucher Submission and Payment Processing (Days 1-120 From Voucher Issuance)

The worker should submit the completed voucher form and supporting documentation (program enrollment confirmation, cost breakdown, invoices) to the claims administrator. The claims administrator has 45 calendar days to process payment.[3][5] If payment is not made within 45 days, the worker may file a Declaration of Readiness to Proceed (DOR) with the WCAB requesting a hearing to compel payment or may request Administrative Director dispute resolution.[4]

Phase Six: Program Completion and Reimbursement (Duration Varies)

The worker completes the training program, and the provider submits expense documentation to the claims administrator. The worker should maintain detailed records of all expenses and, if paying out-of-pocket, obtain signed receipts and invoices. Reimbursement should be processed within 45 days of the claims administrator's receipt of complete documentation.

Required Forms and Documentation

Form DWC-AD 10133.32 (Supplemental Job Displacement Nontransferable Voucher for Post-2013 Injuries)

This is the core voucher form. It contains two pages: the first page is completed by the claims administrator (worker name, injury date, voucher amount, claim number), and the second page is completed by the worker (provider selection, program details, expense categories). The worker should not attempt to alter or modify this form; instead, the worker should complete it as instructed and attach supporting documentation.[21][15]

Form DWC-AD 10133.36 (Physician's Return-to-Work & Voucher Report)

This mandatory form must be attached to the first medical report finding P&S status. It documents the worker's work capacities and restrictions in standardized format.[18][21] The worker should obtain a copy from their treating physician or ensure the physician submits it with the P&S report.

Form DWC-AD 10133.35 (Notice of Offer of Regular, Modified, or Alternative Work)

If the employer makes a job offer, it must use this form (for post-2013 injuries) or Form DWC-AD 10133.53 (for pre-2013 injuries).[21][47] The form includes space for the employer to document job title, wage, duration, location, and physical requirements, and space for the worker to accept or reject within 30 days.[47]

Supporting Documentation for Training Expenses

The worker must provide itemized receipts, invoices, or enrollment confirmations showing the nature and cost of each expense claimed under the voucher. For computer equipment, the provider or retailer should supply an itemized receipt showing equipment type, cost, and the worker's name. For tuition and fees, the educational institution should provide an official enrollment confirmation and cost statement. For books and supplies, receipts from bookstores or publishers are appropriate. For vocational counseling, a detailed invoice from the VRTWC showing hours worked and services provided is required.[5][15]

Eligible Training Providers and Provider Selection Strategy

Identifying Approved Providers

Workers injured on or after January 1, 2013, must select training from California public schools or providers certified on the state's Eligible Training Provider List (ETPL).[1][3][4][22][15] The ETPL is maintained on the CalJOBS website and is searchable by county, occupational cluster, and program type.[4][19][22] Workers should verify provider certification status before enrolling, as SJDB vouchers cannot be used at non-approved providers.

Evaluation Criteria for Effective Training Selection

Workers should consider several criteria when selecting among eligible providers:

Program Alignment with Medical Restrictions: The training must be physically feasible given documented work restrictions. For example, a worker with hand/grip restrictions should avoid programs requiring extensive manual dexterity or operation of specialized equipment.

Employment Outcomes and Job Placement Assistance: The worker should inquire about program completion rates, job placement rates, and average starting wages for program graduates. This information is sometimes available on the ETPL listing or can be requested directly from the provider.

Program Duration and Voucher Sufficiency: The worker should verify that the \$6,000 voucher (for post-2013 injuries) will cover all eligible expenses or determine what out-of-pocket costs will be required. Some programs cost significantly more than \$6,000; workers can cover the gap with personal funds, but should understand the financial commitment before enrolling.

Provider's Experience with SJDB Vouchers: Experienced providers maintain established relationships with claims administrators and expedite voucher processing. Workers should ask prospective providers whether they have processed SJDB vouchers in the past and whether they bill claims administrators directly.

DISPUTE RESOLUTION AND APPEAL PROCEDURES

Administrative Dispute Resolution (Pre-WCAB)

Request for Dispute Resolution (Form DWC-AD 10133.55)

If the claims administrator and worker cannot reach agreement on SJDB eligibility or voucher amount, either party may request the Administrative Director to resolve the dispute by filing Form DWC-AD 10133.55 (Request for Dispute Resolution).[20][5] The filing party must provide a clear statement of the dispute (e.g., "Worker contends job offer failed to meet the 85% wage threshold"), supporting documentation, and specify any relief sought.

Timeline for Administrative Determination

The Administrative Director typically issues a determination within 30-60 days of receiving a complete dispute request. If no determination is issued within 60 days, the request is deemed denied.[20] Either party may then appeal the determination to the WCAB by filing a petition and Declaration of Readiness to Proceed.

Limitations of Administrative Procedure

The Administrative Director's authority is limited to fact-finding and technical disputes (e.g., calculation of voucher amount, verification of provider approval status). For disputes requiring legal interpretation of whether a job offer is "bona fide" or "medically appropriate," the WCAB possesses exclusive jurisdiction, and a petition to the WCAB is appropriate even before requesting Administrative Director resolution.[29][15]

Workers' Compensation Appeals Board (WCAB) Procedures

Filing an Application for Adjudication of Claim (AAC)

If no WCAB case has yet been opened, the worker must file an Application for Adjudication of Claim (AAC) to open a case. The AAC must identify the injury date, date of injury, employer, and claims administrator, and specify the relief sought (e.g., "Applicant is entitled to an SJDB voucher of \$6,000" or "Applicant is entitled to a hearing to determine whether the employer's job offer meets statutory criteria").[13][15]

Filing a Declaration of Readiness to Proceed (DOR)

If a WCAB case has already been opened (typically because the applicant has already litigated compensability or permanent disability), the worker files a DOR to indicate readiness for a hearing on the SJDB issue.[4][13] The DOR should reference the specific issue to be heard (e.g., "SJDB entitlement dispute") and indicate whether the worker is represented by counsel.

Pre-Trial Conference and Settlement Encouragement

Upon receipt of the AAC or DOR, the WCAB will schedule a pre-trial conference (PTC). At the PTC, the WCAB judge will encourage the parties to settle the dispute or narrow the issues. Many SJDB disputes resolve at the PTC stage once both parties have reviewed the statutory criteria and compared them to the facts. If settlement does not occur, the judge will issue a case management order scheduling a trial.

Trial Procedures and Evidence

At trial, the applicant bears the burden of proving SJDB eligibility by a preponderance of the evidence. The applicant must establish that (1) the injury caused permanent partial disability, (2) the employer failed to make a valid job offer within the statutory window, or (3) any job offer made failed to meet all four statutory criteria. The worker should present the following evidence:

Physician testimony or a detailed physician report establishing P&S status and describing permanent restrictions;

Evidence of the claims administrator's receipt date for the P&S report, establishing the start of the 60-day window;

Documentation of any job offer made by the employer, analyzed against each of the four statutory criteria;

Evidence of the worker's AWW, demonstrating the 85% wage calculation;

Evidence of the job's location and the worker's pre-injury commuting patterns, supporting a "reasonable commuting distance" analysis;

Vocational expert testimony (if needed) establishing whether the offered work is "medically appropriate" given the documented restrictions;

Evidence of delays in voucher issuance (if seeking Labor Code Section 5814 penalties).

Judge's Decision and Order

The WCAB judge will issue a written decision and order finding whether the applicant has proved SJDB entitlement. If entitlement is established, the judge will order the claims administrator to issue the voucher and may award penalties under Labor Code Section 5814 if unreasonable delay is found. If entitlement is denied, the applicant may appeal to the WCAB Appeals Panel.

Petition for Reconsideration and Appeals Panel Review

Grounds for Petition

If the WCAB judge's decision denies SJDB entitlement, the applicant may file a Petition for Reconsideration (PFR) within 20 days of the decision, based on any of the grounds established in Labor Code Section 5903:[13][15]

The judge acted without or in excess of statutory or regulatory authority;

The decision was obtained by fraud;

The evidence does not justify the findings of fact;

Newly discovered evidence material to the applicant has come to light;

The applicant was prevented from presenting evidence at the hearing through excusable mistake.

Appeals Panel Consideration

If the PFR is granted, a WCAB panel (typically three justices) will review the entire record and either affirm, reverse, or modify the judge's decision. The panel applies a standard of review that defers to the judge's credibility determinations but freely reviews legal conclusions and applications of law to fact.

Certiorari and Federal Court Review

Judicial Notice and Limitations

A losing applicant generally cannot appeal a WCAB decision to superior court (the trial court) or higher appellate courts; workers' compensation decisions are insulated from ordinary appellate review. However, a party may seek a writ of certiorari in the appellate court if the WCAB decision is claimed to be unsupported by substantial evidence or to violate statutory authority.[13]

Practical Rarity

Certiorari petitions in SJDB cases are rare, as most statutory ambiguities have been resolved through case law and administrative guidance. Certiorari is primarily used when a party believes the WCAB has fundamentally misinterpreted a statute or acted in excess of its authority.

RETURN-TO-WORK SUPPLEMENT PROGRAM INTEGRATION

RTWSP Eligibility and the One-Time \$5,000 Payment

Workers injured on or after January 1, 2013, who receive an SJDB voucher (whether issued by the claims administrator or ordered by the WCAB) may also qualify for an additional, one-time payment of \$5,000 from California's Return-to-Work Supplement Program (RTWSP), funded by the state rather than the claims administrator.[6][6][34] This represents a significant opportunity for enhanced retraining support, as the total state and employer-funded support can reach \$11,000 (\$6,000 SJDB plus \$5,000 RTWSP).

Eligibility Criteria for RTWSP

Three eligibility criteria must be met:

Injury Date: The date of injury must be on or after January 1, 2013.[6][6]

SJDB Receipt: The applicant must have received an SJDB voucher furnished by a claims administrator.[6][6]

Timely Application: The applicant must apply for the RTWSP within one year from the date the SJDB voucher was served to the injured worker.[6][6]

Application Procedure and Timeline

Online Application Portal

The RTWSP is administered entirely online through an application portal maintained by the Department of Industrial Relations (DIR).[6][6][32] The applicant must submit the SJDB voucher in PDF or TIFF format, along with the following information:[6][6][32]

Full name and current mailing address;

Adjudication (ADJ) number (can be located through the EAMS public search function on the DWC website);

Workers' compensation claim number (provided by the claims administrator);

SJDB proof of service date (the date the voucher was mailed to the worker, found on page 6 of the voucher form);

Verification that the SJDB proof of service is duly signed by the claims administrator.

Processing Timeline and Determination

Upon receipt of a complete application, the DIR reviews the application and issues a determination (approval or denial) within 60 days.[6][6][32] If approved, the \$5,000 payment is issued by check within 25 days of the eligibility determination.[6][6][32] The state mails the check to the applicant's address on file; applicants should allow 30 days from the eligibility determination date for receipt of the check.[32]

Interaction with Other Benefits

No Duplication for Multiple Vouchers

An important limitation: regardless of the number of SJDB vouchers a worker receives (in the case of multiple work injuries), only one \$5,000 RTWSP payment is available per worker.[12] If a worker receives two separate SJDB vouchers (for two separate injuries), both vouchers are eligible for the RTWSP, but only one \$5,000 payment will be issued. This limitation prevents "double-dipping" but means workers with multiple injuries do not receive enhanced supplemental support for each voucher.

RTWSP and Section 5814 Penalties

The WCAB has held that delays in issuing an SJDB voucher cannot serve as the basis for imposing additional penalties under Labor Code Section 5814 on the RTWSP payment itself, as the RTWSP payment is made by the state (not the employer/insurer) and is not "compensation" within the meaning of Section 5814.[24][24] However, the original delay in issuing the voucher may support a penalty against the insurer, capped at the face value of the voucher.

MULTIPLE INJURIES AND MULTIPLE VOUCHERS

When Multiple SJDB Vouchers Are Possible

A worker may qualify for multiple SJDB vouchers if they sustain more than one work-related injury from the same or different employers, each resulting in permanent partial disability, and neither injury resulted in a valid employer job offer within the statutory window.[8][12] Each injury is evaluated independently for SJDB eligibility; the existence of one injury and one voucher does not bar a second worker from claiming a voucher for a separate, subsequent injury.

Practical Examples

Example One: Two Injuries from the Same Employer

Worker A sustains a back injury in January 2024 and a shoulder injury in March 2024, both from the same employer. Both reach P&S status with documented permanent restrictions. The employer fails to offer modified work within 60 days of either P&S report. Worker A would be eligible for two separate SJDB vouchers, totaling \$12,000 (\$6,000 per injury).[12]

Example Two: Injuries from Different Employers

Worker B sustains a knee injury working for Employer X in 2023 and a wrist injury working for Employer Y in 2025. Each injury results in permanent restrictions and unmet voucher criteria. Worker B would be eligible for two separate SJDB vouchers from two different claims administrators, totaling \$12,000.

Consolidated Claims and Single Voucher Scenarios

However, the WCAB has held that when multiple permanent disabilities are "indistinguishably intertwined" and treated as a single combined disability with one compensability award covering all conditions, only one SJDB voucher is owed.[12] This scenario arises when injuries to different body parts occur close in time, the physician treats them as a combined injury, and the WCAB awards a single permanent disability rating covering all conditions.

Eligibility for Multiple RTWSP Payments

As discussed above, only one \$5,000 RTWSP payment is available per worker, regardless of the number of SJDB vouchers received.[12] This represents a significant limitation for workers with multiple injuries, as the supplemental support is not multiplied across multiple vouchers.

STRATEGIC CONSIDERATIONS AND RISK ANALYSIS

Arguments Favoring Worker's Position (Pro-Applicant Frameworks)

Argument One: The Statute Creates a Presumption of Entitlement

Labor Code Section 4658.7(b) is framed as a presumption: the worker is entitled to SJDB unless the employer makes a valid offer. This framing shifts the burden to the employer to establish the offer meets all statutory criteria. The worker need only show the absence of a valid offer; the employer must prove affirmatively that its offer satisfied every requirement. This presumption favors applicants, particularly in close cases where offer validity is ambiguous.

Supporting Authority: [Calawyers.org SJDB Overview, discussing the statute's presumptive language][1][1][1]

Argument Two: The "Bona Fide Offer" Doctrine Prevents Technical Compliance

Even if an employer's written job offer appears to meet the four statutory criteria on paper, the offer fails if it is not genuinely capable of acceptance or is made in bad faith. This doctrine-established in [Dennis v. State of California][29][15]-protects workers from hollow offers and requires employers to make real, genuine offers of work.

Application: If an employer offers work knowing the worker is not qualified, cannot physically perform it despite claiming otherwise in the offer, or offers work in a position that does not actually exist, the offer fails, and the worker retains SJDB eligibility.

Argument Three: Substantial Compliance Doctrine (Fndkyan)

The Fndkyan v. Opus One Labs decision holds that technical non-compliance with the Physician's Return-to-Work & Voucher Report form does not bar SJDB eligibility if the physician's report contains all necessary information regarding permanent restrictions and capacity.[1][38] This prevents employers from exploiting administrative technicalities to avoid SJDB liability.

Application: If the physician's P&S report, though not on the exact form, clearly establishes permanent restrictions, the employer cannot successfully argue the voucher is not owed merely because the form was not used.

Argument Four: The First Report Doctrine Protects Workers from Moving Targets

The Lopez v. D&J Packaging decision establishes that the 60-day clock begins with the chronologically first P&S report, not the most detailed or most recent one.[1][1] This prevents employers from claiming that they needed more information or that a later report should have triggered the window. Once the first report is received, the clock begins, regardless of subsequent medical information.

Application: If the claims administrator received a P&S report in January 2024, the 60-day window began in January, and the employer cannot avoid SJDB liability by claiming insufficient information was available until a follow-up report in March 2024.

Argument Five: The "Reasonable Commuting Distance" Is Fact-Intensive and Favors Pre-Injury Patterns

The statutory language does not define "reasonable" as a fixed distance but instead requires analysis of the worker's actual pre-injury commuting patterns. In *Tuivai v. Links Electrical Service*, the WCAB accepted an 82-mile commute as reasonable because the worker had commuted 119 miles pre-injury.[1][1] This framework favors workers who had longer pre-injury commutes and resists arbitrary distance limitations.

Application: A worker who drove 50 miles daily to pre-injury work cannot be forced to accept modified work at 35 miles away but argue it is still "reasonable"; conversely, a worker with a five-mile pre-injury commute cannot be required to accept work at 30 miles away.

Arguments Favoring Employer's Position (Pro-Defendant Frameworks)

Argument One: Clear Statutory Language Prevents Judicial Expansion

The statute establishes four bright-line criteria for valid job offers. If an offer meets all four, the employer has discharged its obligation, and the worker has no SJDB entitlement. Employers argue that courts should not expand these criteria beyond their plain language and that workers cannot manufacture additional reasons to reject otherwise statutory-compliant offers.

Counter-Point: This argument faces the inherent tension that the "bona fide offer" doctrine adds a fifth, judge-made requirement beyond the statute. The WCAB has adopted this doctrine as an essential safeguard, making pure textualist arguments weak.

Argument Two: The Worker Made a Strategic Decision Rejecting Valid Work

If the employer clearly offered work meeting all four criteria-proper wage, 12-month duration, within medical restrictions, and reasonable distance-and the worker rejected it out of preference rather than genuine inability, the worker should bear the consequences. The worker had the opportunity to take the job and decline SJDB; the choice to pursue retraining should not be subsidized by the employer.

Counter-Point: This argument fails if the worker can demonstrate any deficiency in the offered work; moreover, workers have legitimate reasons to prefer retraining (career advancement, safety concerns, genuine medical conflict) that are not captured by the statutory criteria alone.

Argument Three: The Claims Administrator's Compliance with Timelines Supports Finality

If the claims administrator issued the voucher on schedule and the worker accepted it without objection or timely appeal, the matter should be deemed closed. Employers argue against reopening SJDB disputes long after the statutory windows have closed, citing principles of finality and administrative convenience.

Counter-Point: Finality principles are weak in workers' compensation, where workers' interests in medical and vocational support are protected by strong statutory mandates. Moreover, if the delay was the claims administrator's fault, the worker should not be penalized for failing to predict future disputes.

Risk Assessment: Qualitative Bands

High Probability of Worker Success

Workers face high probability of obtaining SJDB when:

A clear, unambiguous P&S report exists with documented permanent restrictions;

The claims administrator's records show receipt of the P&S report;

The employer made no job offer whatsoever within the 60-day window;

The worker did not return to work for the employer within the statutory window.

In such cases, the legal elements of entitlement are straightforward, and litigation risk is low unless the claims administrator disputes the P&S report's authenticity or timing.

Medium Probability of Worker Success

Workers face medium probability when:

A job offer was made but falls short on one criterion (e.g., wage is 82% instead of 85%, or duration is 10 months instead of 12);

The offered work's suitability relative to medical restrictions is genuinely ambiguous;

The worker's pre-injury commuting pattern is unclear, making "reasonable distance" contestable;

The P&S determination itself is subject to competing medical opinions.

In such cases, fact-intensive analysis is needed, and the outcome depends on credibility assessments and expert testimony.

Low Probability of Worker Success

Workers face low probability when:

The employer produced a detailed job offer clearly meeting all four statutory criteria and documenting each step;

The worker explicitly rejected the offer without citing specific statutory deficiency;

The worker has not presented evidence contradicting the employer's documentation of job suitability, wage level, or duration;

The WCAB judge credited the employer's evidence of offer validity.

In such cases, reversal on appeal is difficult without compelling new evidence or clear legal error by the judge.

Risk Analysis: Settlement Valuation Framework

Valuation Considerations

The economic value of SJDB entitlement varies significantly based on the worker's circumstances. For a worker who will utilize the full \$6,000 voucher to complete a training program resulting in improved employment, the full \$6,000 value is realized. For a worker unlikely to enroll in retraining (due to age, disability, or lack of interest), the voucher may have diminished practical value. Lawyers and claims administrators should consider:

Likelihood of Worker Utilizing the Voucher: If the worker is near retirement age, severely disabled, or has expressed disinterest in retraining, the present economic value of the voucher may be discounted.

Wage Replacement Opportunity: If the training is likely to result in re-employment at higher wages, the SJDB supports not just the immediate training cost but the worker's long-term earning capacity.

RTWSP Supplement Opportunity: If the worker can and will apply for the RTWSP within one year, the \$5,000 supplemental payment should be factored into valuation.

Dispute Resolution Costs: The expense of litigating SJDB disputes (attorney time, expert testimony) must be weighed against the benefit of securing entitlement.

Settlement Range for Disputed Claims

In contested SJDB cases, settlements often take the form of the employer/insurer agreeing to issue the voucher (if it was being denied) or agreeing to withdraw objections to the worker's claimed training expenses (if the voucher was issued but payments were being contested). Cash settlements for SJDB claims are disfavored under post-2013 law, though they occasionally occur when an AOE/COE defense creates settlement flexibility.

ETHICAL AND PROFESSIONAL CONDUCT REQUIREMENTS

California Rules of Professional Conduct Applicability

Attorneys and representatives assisting workers with SJDB claims must comply with the California Rules of Professional Conduct, particularly rules addressing competence, candor, and communication.[1] SJDB law is

specialized within workers' compensation practice, and attorneys who are not experienced in this area should either develop competence through CLEs and practice advisories or refer clients to qualified counsel.

Duty of Candor to Tribunal

When representing a worker or claims administrator in SJDB disputes, counsel must not misrepresent or omit material facts from the WCAB. For example, if the worker's medical report clearly documents a particular restriction but the worker's trial testimony glosses over that restriction, counsel must not allow the testimony to stand uncorrected. Similarly, if the employer's job offer genuinely meets all statutory criteria, counsel for the worker cannot ethically argue that it fails to do so.

File Documentation and Record-Keeping

Counsel should maintain detailed files documenting all communications regarding SJDB eligibility, including:

Copies of all medical reports submitted to the claims administrator, with dated evidence of receipt;

Copies of any job offer forms (DWC-AD 10133.35 or prior forms);

Correspondence regarding the 60-day offer window timeline;

Evidence of voucher issuance or denial;

Training provider selections and enrollment documentation;

Payment records and reimbursement documentation.

Poor file organization frequently leads to missed deadlines (voucher expiration, one-year RTWSP application deadline) and creates malpractice exposure.

Avoiding Conflicts of Interest

An attorney or representative cannot simultaneously represent a worker and the claims administrator in an SJDB dispute. If an attorney has been representing a worker on the underlying injury claim and is later engaged to handle the SJDB dispute, the attorney must ensure no conflict arises from prior communications or admissions made in the injury case.

RISK WARNINGS AND DISCLAIMERS

Irreversible Consequences and Time-Sensitive Decisions

Voucher Expiration is Permanent: Once an SJDB voucher expires (two years from issuance or five years from injury date, whichever is later), the benefit is permanently forfeited and cannot be recovered, extended, or reinstated.[1][4] Workers who fail to enroll in a training program before expiration lose the entire benefit.

RTWSP Application Deadline (One Year): Workers injured on or after January 1, 2013, must apply for the RTWSP within one year of the SJDB voucher's service date, or they forfeit the \$5,000 supplemental payment.[6][6] This is a hard deadline with no exceptions or extensions.

First Report Doctrine is Controlling: Once the claims administrator receives a P&S report finding permanent disability, the 60-day clock begins. The worker cannot later claim the clock should have begun on a different date, even if a more detailed or authoritative report arrives later.

Information Requiring Expert Consultation

Medical and Vocational Expertise: Disputes over whether the worker can perform offered work given documented restrictions, whether offered work is "medically appropriate," or whether the worker's restrictions are genuinely permanent require input from treating physicians, QMEs, or vocational rehabilitation professionals. Workers should not attempt to self-diagnose restrictions or job suitability without expert guidance.

Wage Calculation and Financial Analysis: Determining the correct AWW, applying the 85% threshold, and evaluating whether offered wages meet statutory requirements requires careful financial analysis. Disputes over wage calculations frequently require expert testimony or forensic financial analysis.

Employment Law and Tax Considerations: The interaction between SJDB benefits and unemployment insurance (UI) or supplemental disability insurance (SDI) may create tax implications or benefit offset issues. Workers should consult with tax or financial advisors regarding any potential interaction.

Client Decision Points Requiring Informed Consent

Decision One: Accept or Reject an Employer Job Offer

If the employer makes a job offer, the worker must decide whether to accept the job (extinguishing SJDB eligibility) or reject the offer (preserving SJDB eligibility for retraining). This decision should be made only after careful analysis of the offer against all four statutory criteria, with counsel's guidance. The worker should document the decision and reasons for rejection in writing.

Decision Two: Settle the SJDB Dispute (Post-2013 Injuries)

For post-2013 injuries, settlement of SJDB entitlement is generally prohibited, except in narrow AOE/COE dispute scenarios. Workers should understand that they cannot exchange SJDB eligibility for cash in most circumstances and should not agree to settlement language waiving the voucher unless their attorney has explained the narrow exception and confirmed that an AOE/COE defense genuinely exists.

Decision Three: Enroll in a Training Program

The worker should make an informed choice regarding training provider and program, understanding the costs, duration, and employment prospects. The worker should not rush into training merely to use the voucher before expiration if the training does not align with the worker's capabilities and career goals.

APPENDICES

Appendix A: California Statutes Governing SJDB

Labor Code Section 4658.1 (Definitions)

Defines "regular work," "modified work," and "alternative work," establishing the baseline definitions for offer validity.

Labor Code Section 4658.5 (Pre-2013 SJDB, now superseded)

Governs injuries between January 1, 2004, and December 31, 2012, establishing the 30-day offer window and variable voucher amounts based on disability rating.

Labor Code Section 4658.6 (Pre-2013 Offer Requirements, now superseded)

Details the conditions for valid job offers under pre-2013 law, including wage thresholds and duration requirements.

Labor Code Section 4658.7 (Post-2013 SJDB - Primary Statute)

The foundational statute for post-2013 injuries, establishing the 60-day offer window, 20-day issuance deadline, \$6,000 voucher amount, settlement restrictions, and expiration rules.

Labor Code Section 5814 (Penalties for Unreasonable Delay or Denial)

Authorizes penalties of 25% or up to \$10,000 for unreasonable delay or denial of benefits, applicable to SJDB voucher delays.

Appendix B: California Regulations Governing SJDB

8 CCR Section 10133.31 (Post-2013 Voucher)

Implements Labor Code Section 4658.7, detailing voucher issuance, eligible expenses, expiration, settlement restrictions, and payment procedures.

8 CCR Section 10133.35 (Notice of Offer Form, Post-2013)

Prescribes Form DWC-AD 10133.35, the mandatory form for offering regular, modified, or alternative work to post-2013 injured workers.

8 CCR Section 10133.36 (Physician's Return-to-Work & Voucher Report)

Establishes the mandatory form documenting the worker's work capacities and restrictions, required attachment to the first P&S report.

Appendix C: Key Case Holdings and BIA Precedents

Matter of Anthony Dennis v. State of California, ADJ9346293 (WCAB En Banc 2018)

Holding: Employers cannot avoid SJDB liability by making job offers that are not bona fide (i.e., genuinely capable of acceptance). An offer of work to an inmate knowing reinstatement was impossible upon release does not satisfy the statutory obligation, and the voucher is owed.

Application: Job offers must be genuine, unequivocal, and lawfully capable of acceptance. Technical compliance with the four-part test is insufficient if the offer is not bona fide.

Lopez v. D&J Packaging, 2019 Cal. Wrk. Comp. P.D. Lexis 289 (WCAB 2019)

Holding: The 60-day employer offer window begins upon receipt of the first P&S report by the claims administrator, regardless of when subsequent reports are submitted.

Application: Claims administrators must track the date of the chronologically first P&S report finding permanent disability, not the most detailed or authoritative report. Multiple reports do not restart or extend the clock.

Fndkyan v. Opus One Labs, 2019 Cal. Wrk. Comp. P.D. LEXIS 51 (WCAB 2019)

Holding: The Physician's Return-to-Work & Voucher Report form is mandatory but substantial compliance suffices. If the physician's P&S report contains all necessary information regarding work capacities and restrictions, the form requirement is satisfied even if the exact form is not used.

Application: Employers cannot avoid SJDB liability by claiming the P&S report was deficient merely because the physician did not use the exact DWC form.

Tuivai v. Links Electrical Service, 2015 Cal. Wrk. Comp. P.D. LEXIS 483 (WCAB 2015)

Holding: The statutory requirement that offered work be within a "reasonable commuting distance" is fact-intensive and depends on the worker's pre-injury commuting patterns, not an arbitrary fixed distance.

Application: A worker who commuted 119 miles pre-injury can be required to accept modified work at 82 miles; a worker with a five-mile pre-injury commute cannot be required to travel 30 miles for offered work.

Beltran v. Structural Steel Fabricators, (2016) 81 Cal. Comp. Cases 1224 (WCAB)

Holding: Where a serious and good faith dispute regarding acceptance of liability (AOE/COE) exists, which if resolved against the applicant would defeat all rights to compensation, the parties may settle the applicant's entitlement to an SJDB voucher with WCAB approval.

Application: SJDB settlement for post-2013 injuries is narrowly permitted when genuine compensability disputes exist. The WCAB judge must make findings supporting the settlement.

Appendix D: Current Official Forms

Form DWC-AD 10133.32: Supplemental Job Displacement Nontransferable Voucher (Post-2013)

Available at <https://www.dir.ca.gov/dwc/forms.html>

Form DWC-AD 10133.35: Notice of Offer of Regular, Modified, or Alternative Work (Post-2013)

Available at <https://www.dir.ca.gov/dwc/forms.html>

Form DWC-AD 10133.36: Physician's Return-to-Work & Voucher Report (Post-2013)

Available at <https://www.dir.ca.gov/dwc/forms.html>

Appendix E: SJDB Program Guidance Documents

DWC Supplemental Job Displacement Benefit (SJDB) Frequently Asked Questions

Comprehensive FAQ addressing eligibility, voucher amounts, expiration, training providers, and dispute procedures. Updated regularly by the DWC.

Return-to-Work Supplement Program (RTWSP) Overview and FAQs

Official guidance on the \$5,000 supplemental payment program, including eligibility, application procedures, and deadlines.

Eligible Training Provider List (ETPL)

California's official list of approved training providers accessible via the CalJOBS portal. Workers must select providers from this list for SJDB voucher expenses.

REFERENCES

- [1] California Lawyers Association, "An Overview of SJDB Vouchers and Recent Case Law," <https://calawyers.org/workers-compensation/an-overview-of-sjdb-vouchers-and-recent-case-law/> (<https://calawyers.org/workers-compensation/an-overview-of-sjdb-vouchers-and-recent-case-law/>)
- [2] Visionary Law Group, "How SJDB Vouchers Pay for Job Training After a Work Injury," <https://visionarylawgroup.com/supplemental-job-displacement-benefit-california/> (<https://visionarylawgroup.com/supplemental-job-displacement-benefit-california/>)
- [3] California Department of Industrial Relations, Division of Workers' Compensation, "Supplemental Job Displacement Benefits," <https://www.dir.ca.gov/dwc/sjdb.html> (<https://www.dir.ca.gov/dwc/sjdb.html>)
- [4] California Department of Industrial Relations, "DWC - I was injured at work - Supplemental Job Displacement Benefits," <https://www.dir.ca.gov/dwc/sjdb.htm> (<https://www.dir.ca.gov/dwc/sjdb.htm>)
- [5] California Code of Regulations, Title 8, Section 10133.31, Supplemental Job Displacement Voucher, https://www.dir.ca.gov/t8/10133_31.html (https://www.dir.ca.gov/t8/10133_31.html)
- [6] California Department of Industrial Relations, "Return-to-Work Supplement Program," <https://www.dir.ca.gov/rtwsp/rtwsp.html> (<https://www.dir.ca.gov/rtwsp/rtwsp.html>)
- [7] California Department of Industrial Relations, "DWC Supplemental Job Displacement Benefits Frequently Asked Questions," https://www.dir.ca.gov/dwc/sjdb/sjdb_faq.html (https://www.dir.ca.gov/dwc/sjdb/sjdb_faq.html)
- [8] ICOF (Injured Workers' Rights Organization), "Supplemental Job Displacement Benefits: Who Qualifies and How to Use It," <https://www.icofcalifornia.com/articles/supplemental-job-displacement-benefits-who-qualifies-and-how-to-use-it> (<https://www.icofcalifornia.com/articles/supplemental-job-displacement-benefits-who-qualifies-and-how-to-use-it>)
- [9] Jill A. Singer, GEK Law, "SB 863 Changes the Supplemental Job Displacement Voucher Benefit," <https://www.geklaw.com/news/displacement-voucher.html> (<https://www.geklaw.com/news/displacement-voucher.html>)
- [1] Michael P. Burns, "An Overview of SJDB Vouchers and Recent Case Law," California Lawyers Association, <https://calawyers.org/workers-compensation/an-overview-of-sjdb-vouchers-and-recent-case-law/> (<https://calawyers.org/workers-compensation/an-overview-of-sjdb-vouchers-and-recent-case-law/>)
- [10] Michael P. Burns, "Double Vouchers: A 60-Second Seminar in Workers' Compensation Claims Handling," <https://www.friedmanlawoffices.com/2024/03/double-vouchers-a-60-second-seminar-in-workers-compensation-claims-handling/> (<https://www.friedmanlawoffices.com/2024/03/double-vouchers-a-60-second-seminar-in-workers-compensation-claims-handling/>)

- [11] Roy Yang Law, "What to Do If Your Workers' Compensation Claim Is Denied," <https://royyanglaw.com/workers-comp/denial/> (<https://royyanglaw.com/workers-comp/denial/>)
- [12] Bradford & Barthel LLP, "Double Vouchers in Workers' Compensation," <https://www.friedmanlawoffices.com/2024/03/double-vouchers-a-60-second-seminar-in-workers-compensation-claims-handling/> (<https://www.friedmanlawoffices.com/2024/03/double-vouchers-a-60-second-seminar-in-workers-compensation-claims-handling/>)
- [13] Roy Yang Law, "How Is Workers Comp Calculated in California?" <https://royyanglaw.com/how-is-workers-comp-calculated/> (<https://royyanglaw.com/how-is-workers-comp-calculated/>)
- [14] Visionary Law Group, "Job Retraining After Injury California: Your Guide to Vocational Rehabilitation," <https://visionarylawgroup.com/job-retraining-after-injury-california/> (<https://visionarylawgroup.com/job-retraining-after-injury-california/>)
- [15] Jon Marlowe Law, "Supplemental Job Displacement Voucher in California," <https://jonmarlowelaw.com/supplemental-job-displacement-voucher/> (<https://jonmarlowelaw.com/supplemental-job-displacement-voucher/>)
- [16] California Lawyers Association, "Supplemental Job Displacement Voucher (SJDB) Overview," <https://calawyers.org/workers-compensation/an-overview-of-sjdb-vouchers-and-recent-case-law/> (<https://calawyers.org/workers-compensation/an-overview-of-sjdb-vouchers-and-recent-case-law/>)
- [17] California Department of Industrial Relations, "Division of Workers' Compensation Forms," <https://www.dir.ca.gov/dwc/forms.html> (<https://www.dir.ca.gov/dwc/forms.html>)
- [1] California Code of Regulations, Title 8, Section 10133.31(h), Settlement Prohibition (https://www.dir.ca.gov/t8/10133_31.html)
- [18] California Department of Industrial Relations, "Physician's Return-to-Work & Voucher Report (Form DWC-AD 10133.36)," <https://www.dir.ca.gov/dwc/forms/SJDB/10133.36.pdf> (<https://www.dir.ca.gov/dwc/forms/SJDB/10133.36.pdf>)
- [19] California Workforce Development Board, "Eligible Training Provider List (ETPL)," <https://www.caljobs.ca.gov/> (<https://www.caljobs.ca.gov/>)
- [20] Bradford & Barthel LLP, "Labor Code 4658.7 - SJDB Voucher Post SB863," <https://bradfordbarthel.com/wp-content/uploads/2024/09/20240924-Supplemental-Job-Displacement-Benefits.pdf> (<https://bradfordbarthel.com/wp-content/uploads/2024/09/20240924-Supplemental-Job-Displacement-Benefits.pdf>)
- [21] California Department of Industrial Relations, "DWC Forms," <https://www.dir.ca.gov/dwc/forms.html> (<https://www.dir.ca.gov/dwc/forms.html>)
- [22] Employment Development Department, "Eligible Training Provider List," https://edd.ca.gov/en/jobs_and_training/Eligible_Training_Provider_List/ (https://edd.ca.gov/en/jobs_and_training/Eligible_Training_Provider_List/)
- [1] California Lawyers Association, "SJDB Vouchers and Case Law - Lopez v. D&J Packaging," <https://calawyers.org/workers-compensation/an-overview-of-sjdb-vouchers-and-recent-case-law/> (<https://calawyers.org/workers-compensation/an-overview-of-sjdb-vouchers-and-recent-case-law/>)
- [23] Tim Wright Law, "How Workers' Compensation Benefits Are Calculated in California," <https://www.timwrightlaw.com/post/how-workers-compensation-benefits-are-calculated-in-california> (<https://www.timwrightlaw.com/post/how-workers-compensation-benefits-are-calculated-in-california>)
- [9] Jill A. Singer, "SB 863 Changes the Supplemental Job Displacement Voucher Benefit," <https://www.geklaw.com/news/displacement-voucher.html> (<https://www.geklaw.com/news/displacement-voucher.html>)
- [15] Roy Yang Law, "What to Do If Your Workers' Compensation Claim Is Denied - SJDB Information," <https://royyanglaw.com/workers-comp/denial/> (<https://royyanglaw.com/workers-comp/denial/>)

- [8] ICOF California, "Supplemental Job Displacement Benefits," <https://www.icofcalifornia.com/articles/supplemental-job-displacement-benefits-who-qualifies-and-how-to-use-it> (<https://www.icofcalifornia.com/articles/supplemental-job-displacement-benefits-who-qualifies-and-how-to-use-it>)
- [7] Inland Empire Workers' Comp Lawyer, "California Workers' Compensation Vocational Vouchers," <https://www.inlandempireworkerscomplawyer.com/vocational-voucher/> (<https://www.inlandempireworkerscomplawyer.com/vocational-voucher/>)
- [1] California Lawyers Association, "Settlement Restrictions on SJDB Vouchers," <https://calawyers.org/workers-compensation/an-overview-of-sjdb-vouchers-and-recent-case-law/> (<https://calawyers.org/workers-compensation/an-overview-of-sjdb-vouchers-and-recent-case-law/>)
- [15] DC Law Benefit & Vocation, "Is an Applicant Entitled to a Labor Code Section 5814 Penalty for Late Supplemental Return to Work Payments," <https://dclbv.com/newsletters/2018/q1/is-an-applicant-entitled-to-a-labor-code-5814-penalty/> (<https://dclbv.com/newsletters/2018/q1/is-an-applicant-entitled-to-a-labor-code-5814-penalty/>)
- [24] DC Law Benefit & Vocation, "Labor Code Section 5814 Penalties for SJDB Delays," <https://dclbv.com/newsletters/2018/q1/is-an-applicant-entitled-to-a-labor-code-5814-penalty/> (<https://dclbv.com/newsletters/2018/q1/is-an-applicant-entitled-to-a-labor-code-5814-penalty/>)
- [6] California Department of Industrial Relations, "Return-to-Work Supplement Program FAQs," <https://www.dir.ca.gov/rtwsp/Faqs.html> (<https://www.dir.ca.gov/rtwsp/Faqs.html>)
- [5] California Code of Regulations, Title 8, Section 10133.31(j), Payment Procedures (https://www.dir.ca.gov/t8/10133_31.html)
- [25] State Fund California, "Supplemental Job Displacement Benefits (SJDB)," <https://www.statefundca.com/injured-worker/retraining-benefit/> (<https://www.statefundca.com/injured-worker/retraining-benefit/>)
- [26] Scher, Bassett & Hames, "What Are Permanent Partial Disability Benefits in California?" <https://scherandbassett.com/what-are-permanent-partial-disability-benefits-california/> (<https://scherandbassett.com/what-are-permanent-partial-disability-benefits-california/>)
- [27] Tim Wright Law, "How Workers' Compensation Benefits Are Calculated," <https://www.timwrightlaw.com/post/how-workers-compensation-benefits-are-calculated-in-california> (<https://www.timwrightlaw.com/post/how-workers-compensation-benefits-are-calculated-in-california>)
- [3] Visionary Law Group, "Supplemental Job Displacement Benefit California," <https://visionarylawgroup.com/supplemental-job-displacement-benefit-california/> (<https://visionarylawgroup.com/supplemental-job-displacement-benefit-california/>)
- [4] California Department of Industrial Relations, "DWC Supplemental Job Displacement Benefits," <https://www.dir.ca.gov/dwc/sjdb.html> (<https://www.dir.ca.gov/dwc/sjdb.html>)
- [28] Sullivan OnComp, "Average Weekly Wage Calculation Guide," <https://www.sullivanoncomp.com/hubfs/docs/Resources/AWW-Calculation-Guide-2024.pdf> (<https://www.sullivanoncomp.com/hubfs/docs/Resources/AWW-Calculation-Guide-2024.pdf>)
- [1] GMS Law LLP, "Supplemental Job Displacement Voucher Form - Fndkyan Case," <https://www.gmslawllp.com/gms-news-alert/supplemental-job-displacement-voucher-form/> (<https://www.gmslawllp.com/gms-news-alert/supplemental-job-displacement-voucher-form/>)
- [29] Bradford & Barthel, "Anthony Dennis and a Bona Fide Offer of Modified, Regular, or Alternative Work," <https://bradfordbarthel.com/2020/05/04/anthony-dennis-and-a-bona-fide-offer-of-modified-regular-or-alternative-work/> (<https://bradfordbarthel.com/2020/05/04/anthony-dennis-and-a-bona-fide-offer-of-modified-regular-or-alternative-work/>)
- [30] OrthoLegal Group, "Supplemental Job Displacement Benefits in California's Workers' Compensation System," <https://ortholegalgroup.com/supplemental-job-displacement-benefits-in-californias-workers->

compensation-system/ (<https://ortholegalgroup.com/supplemental-job-displacement-benefits-in-californias-workers-compensation-system/>)

[3] Visionary Law Group, "How SJDB Vouchers Pay for Job Training After a Work Injury," <https://visionarylawgroup.com/supplemental-job-displacement-benefit-california/> (<https://visionarylawgroup.com/supplemental-job-displacement-benefit-california/>)

[1] California Department of Industrial Relations, "DWC Supplemental Job Displacement Benefits," <https://www.dir.ca.gov/dwc/sjdb.html> (<https://www.dir.ca.gov/dwc/sjdb.html>)

[31] Employees First Labor Law, "Supplemental Job Displacement Benefits - Retraining Voucher," <https://employeesfirstlaborlaw.com/supplemental-job-displacement-benefits-retraining-voucher/> (<https://employeesfirstlaborlaw.com/supplemental-job-displacement-benefits-retraining-voucher/>)

[15] California Department of Industrial Relations, "DWC FAQs on SJDB," https://www.dir.ca.gov/dwc/sjdb/sjdb_faq.html (https://www.dir.ca.gov/dwc/sjdb/sjdb_faq.html)

[24] DC Law Benefit & Vocation, "Is an Applicant Entitled to a Labor Code Section 5814 Penalty," <https://dclbv.com/newsletters/2018/q1/is-an-applicant-entitled-to-a-labor-code-5814-penalty/> (<https://dclbv.com/newsletters/2018/q1/is-an-applicant-entitled-to-a-labor-code-5814-penalty/>)

[32] California Department of Industrial Relations, "Return-to-Work Supplement Program FAQs," <https://www.dir.ca.gov/rtwsp/Faqs.html> (<https://www.dir.ca.gov/rtwsp/Faqs.html>)

[15] California Department of Industrial Relations, "Petition Appealing Denial of Return-to-Work Supplement Decision," <https://www.dir.ca.gov/dwc/iwguides/IWGuide23.pdf> (<https://www.dir.ca.gov/dwc/iwguides/IWGuide23.pdf>)

[33] Employees First Labor Law, "Labor Code Section 5814 - Penalties for Unreasonable Delay or Denial," <https://employeesfirstlaborlaw.com/labor-code-%C2%A75814-penalties-for-unreasonable-delay-or-denial/> (<https://employeesfirstlaborlaw.com/labor-code-%C2%A75814-penalties-for-unreasonable-delay-or-denial/>)

[34] Aegis Law Firm, "Understanding California's Return-to-Work Supplement Program," <https://www.aegislawfirm.com/blog/2025/07/understanding-californias-return-to-work-supplement-program/> (<https://www.aegislawfirm.com/blog/2025/07/understanding-californias-return-to-work-supplement-program/>)

[11] State Fund California, "Supplemental Job Displacement Benefits (SJDB)," <https://www.statefundca.com/injured-worker/retraining-benefit/> (<https://www.statefundca.com/injured-worker/retraining-benefit/>)

[1] California Lawyers Association, "An Overview of SJDB Vouchers and Recent Case Law," <https://calawyers.org/workers-compensation/an-overview-of-sjdb-vouchers-and-recent-case-law/> (<https://calawyers.org/workers-compensation/an-overview-of-sjdb-vouchers-and-recent-case-law/>)

[23] Tim Wright Law, "How Workers' Compensation Benefits Are Calculated in California," <https://www.timwrightlaw.com/post/how-workers-compensation-benefits-are-calculated-in-california> (<https://www.timwrightlaw.com/post/how-workers-compensation-benefits-are-calculated-in-california>)

[35] Employees First Labor Law, "Vocational Rehabilitation Benefits After a Work Injury in California," <https://employeesfirstlaborlaw.com/vocational-rehabilitation-benefits-after-a-work-injury-in-california/> (<https://employeesfirstlaborlaw.com/vocational-rehabilitation-benefits-after-a-work-injury-in-california/>)

[4] California Department of Industrial Relations, "DWC Supplemental Job Displacement Benefits," <https://www.dir.ca.gov/dwc/sjdb.html> (<https://www.dir.ca.gov/dwc/sjdb.html>)

[15] California Department of Industrial Relations, "DWC FAQs on SJDB," https://www.dir.ca.gov/dwc/sjdb/sjdb_faq.html (https://www.dir.ca.gov/dwc/sjdb/sjdb_faq.html)

[36] PLB Law, "Understanding the Role of Vocational Rehabilitation in California Workers' Compensation Cases," <https://www.plblaw.com/understanding-the-role-of-vocational-rehabilitation-in-california-workers-compensation-cases/> (<https://www.plblaw.com/understanding-the-role-of-vocational-rehabilitation-in-california-workers-compensation-cases/>)

- [1] California Lawyers Association, "An Overview of SJDB Vouchers and Recent Case Law," <https://calawyers.org/workers-compensation/an-overview-of-sjdb-vouchers-and-recent-case-law/> (<https://calawyers.org/workers-compensation/an-overview-of-sjdb-vouchers-and-recent-case-law/>)
- [37] California Code of Regulations, Title 8, "Definitions for Article 6.5 and 7.5," <https://www.cwci.org/document.php?file=1966.doc> (<https://www.cwci.org/document.php?file=1966.doc>)
- [38] GMS Law LLP, "Supplemental Job Displacement Voucher Form," <https://www.gmslawllp.com/gms-news-alert/supplemental-job-displacement-voucher-form/> (<https://www.gmslawllp.com/gms-news-alert/supplemental-job-displacement-voucher-form/>)
- [15] California Department of Industrial Relations, "DWC FAQs on SJDB," https://www.dir.ca.gov/dwc/sjdb/sjdb_faq.html (https://www.dir.ca.gov/dwc/sjdb/sjdb_faq.html)
- [39] California Code of Regulations, Title 8, Section 10116.9, "Definitions for Article 6.5 and 7.5," https://www.dir.ca.gov/t8/10116_9.html (https://www.dir.ca.gov/t8/10116_9.html)
- [40] Injured Worker Online, "Did You Know? Insurance Carriers Are Responsible for Obtaining the Signed Return to Work From Physicians," <https://www.injuredworkeronline.com/blog/did-you-know-insurance-carriers-are-responsible-for-obtaining-the-signed-return-to-work-from-physicians> (<https://www.injuredworkeronline.com/blog/did-you-know-insurance-carriers-are-responsible-for-obtaining-the-signed-return-to-work-from-physicians>)
- [41] Heiting & Irwin, "Vocational Rehabilitation As It Once Was - No Longer Exists," <https://www.heitingandirwin.com/vocational-rehabilitation-as-it-once-was-no-longer-exists/> (<https://www.heitingandirwin.com/vocational-rehabilitation-as-it-once-was-no-longer-exists/>)
- [42] Tidholm Law, "Settlement of Supplemental Job Displacement Benefits Voucher in Post-1-1-13 Cases," <https://www.tidhlaw.com/2018/08/01/settlement-of-supplemental-job-displacement-benefits-voucher-in-post-1-1-13-cases/> (<https://www.tidhlaw.com/2018/08/01/settlement-of-supplemental-job-displacement-benefits-voucher-in-post-1-1-13-cases/>)
- [1] California Lawyers Association, "An Overview of SJDB Vouchers and Recent Case Law," <https://calawyers.org/workers-compensation/an-overview-of-sjdb-vouchers-and-recent-case-law/> (<https://calawyers.org/workers-compensation/an-overview-of-sjdb-vouchers-and-recent-case-law/>)
- [43] Hanna Brophy, "SJDB Vouchers Can Now Be Resolved for SB 863 Injuries," <https://www.hannabrophy.com/news/sjdb-vouchers-can-now-resolved-sb-863-injuries/> (<https://www.hannabrophy.com/news/sjdb-vouchers-can-now-resolved-sb-863-injuries/>)
- [44] Justia, "Section 4658.6 - 2025 California Code," <https://law.justia.com/codes/california/code-lab/division-4/part-2/chapter-2/article-3/section-4658-6/> (<https://law.justia.com/codes/california/code-lab/division-4/part-2/chapter-2/article-3/section-4658-6/>)
- [15] California Department of Industrial Relations, "DWC FAQs on SJDB," https://www.dir.ca.gov/dwc/sjdb/sjdb_faq.html (https://www.dir.ca.gov/dwc/dwc/sjdb/sjdb_faq.html)
- [45] Bradford & Barthel, "SJDB Cheat Sheet," <https://bradfordbarthel.com/wp-content/uploads/2022/03/SJDB-Cheat-Sheet-3-14-22.pdf> (<https://bradfordbarthel.com/wp-content/uploads/2022/03/SJDB-Cheat-Sheet-3-14-22.pdf>)
- [46] Tuolumne Judicial Personnel Administration, "DWC-AD 10133.35 - Notice of Offer of Regular, Modified, or Alternative Work," <https://www.tuolumnejpa.org/documents/dwc-ad-10133-35-notice-of-offer-of-regular-modified-or-alternative-work/> (<https://www.tuolumnejpa.org/documents/dwc-ad-10133-35-notice-of-offer-of-regular-modified-or-alternative-work/>)
- [15] California Department of Industrial Relations, "DWC FAQs on SJDB," https://www.dir.ca.gov/dwc/sjdb/sjdb_faq.html (https://www.dir.ca.gov/dwc/sjdb/sjdb_faq.html)
- [47] California Department of Industrial Relations, "Form DWC-AD 10133.35 - Notice of Offer of Regular, Modified, or Alternative Work," <https://www.dir.ca.gov/dwc/forms/SJDB/10133.35.pdf> (<https://www.dir.ca.gov/dwc/forms/SJDB/10133.35.pdf>)

[7] California Department of Industrial Relations, "DWC - I Was Injured at Work - Supplemental Job Displacement Benefits," <https://www.dir.ca.gov/dwc/sjdb.htm> (<https://www.dir.ca.gov/dwc/sjdb.htm>)

[48] Cornell Law School, "Cal. Code Regs. Tit. 8, Section 10133.35," <https://www.law.cornell.edu/regulations/california/8-CCR-10133.35> (<https://www.law.cornell.edu/regulations/california/8-CCR-10133.35>)

[49] Work Lawyers, "Job Displacement Benefits in California - An Easy Guide to SJDB," <https://www.worklawyers.com/supplemental-job-displacement-benefits-sjdb/> (<https://www.worklawyers.com/supplemental-job-displacement-benefits-sjdb/>)

[1] California Lawyers Association, "An Overview of SJDB Vouchers and Recent Case Law," <https://calawyers.org/workers-compensation/an-overview-of-sjdb-vouchers-and-recent-case-law/> (<https://calawyers.org/workers-compensation/an-overview-of-sjdb-vouchers-and-recent-case-law/>)

[7] California Department of Industrial Relations, "DWC - I Was Injured at Work - Supplemental Job Displacement Benefits," <https://www.dir.ca.gov/dwc/sjdb.htm> (<https://www.dir.ca.gov/dwc/sjdb.htm>)

[50] Center for Labor Research and Education, University of California Berkeley, "Pocket Guide to Workers' Compensation in California," <https://cper.berkeley.edu/wp-content/uploads/2025/11/Pocket-Guide-to-Workers-Compensation-in-California-eBook.pdf> (<https://cper.berkeley.edu/wp-content/uploads/2025/11/Pocket-Guide-to-Workers-Compensation-in-California-eBook.pdf>)

[37] California Workers' Compensation Institute, "WCIS Text of Regulations," <https://www.cwci.org/document.php?file=1966.doc> (<https://www.cwci.org/document.php?file=1966.doc>)

Date Last Updated: March 1, 2026

Disclaimer: This report is provided for informational and educational purposes and does not constitute legal advice. The law of workers' compensation is complex and changes frequently through judicial decisions, regulatory amendments, and administrative guidance. Individuals seeking to understand their specific rights or obligations regarding Supplemental Job Displacement Benefits should consult with a qualified California workers' compensation attorney licensed to practice in their jurisdiction.