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# Workers' Compensation for Paralegals -PL 042

## Fall 2015 (HYBRID)

09/01/2015 until 12/15/2015

Section: 8567: Tuesdays - 8:40 – 10:10 p.m. – CE 205 and on line/Etudes

**Office hours: before or after class and by appointment**

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**Instructor:** F. Deborah Zexter, Attorney at Law

**Email:** dzexter@yahoo.com

*I require that you contact me on my personal email address and not my school email address. If you email me, you must include the following information in the subject: full name and class, for example: Jane Doe, Law 1, Section 4908*

**Etudes:** [www.myetudes.org](http://www.myetudes.org)

This is a hybrid class that is presented in class and on Etudes. WLAC's website address is: [www.wlac.edu](http://www.wlac.edu) . If you have any problems with the Etudes portal please go to <http://wlac.edu/online/students.asp>

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### Required For This Class

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1. YOU ARE REQUIRED TO HAVE THE BOOK AND ATTEND CLASS. (NO EXCUSES)
2. YOU MUST HAVE ACCESS TO A COMPUTER, THE INTERNET AND ETUDES EACH WEEK. (NO EXCUSES)
3. Read & Follow the Syllabus.
4. Pay attention to announcements and e-mails.
5. Check e-mail and Etudes each week for extra credit, materials and resources.
6. All emails MUST have the following SUBJECT: *full name and class, for example: Jane Doe, Law 1, Section 4908*
7. Read each assigned Chapter.
8. Prepare Chapter Outline for each chapter, in your own words.
9. Participate in each and every class discussion and assignment.
10. Do the EXAMS & ASSIGNMENTS on time.

**11.NO LATE WORK WILL BE ACCEPTED – PLEASE DO NOT ASK TO TURN IN YOUR WORK LATE. I WILL NOT RESPOND TO SUCH REQUESTS. NO LATE WORK WILL BE ACCEPTED EXCEPT FOR A TRUE EMERGENCY!**

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## Course Description

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This course covers the essentials of workers' compensation law in California in their application to everyday problems pertaining to litigation and filing of workers' compensation claims. Elementary safeguards regarding workers' compensation law are covered.

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## Students with Disabilities

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Students with disabilities who believe they may need accommodations in this class are encouraged to contact Supportive Services in *HRLC 119* or *via telephone at (310) 287-4450* as soon as possible to better ensure such accommodations are implemented in a timely fashion.

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## Grading and Evaluation (1000 Points)

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Chapter Outlines	400 points (16 Outlines – 25 Points Each)
Exam #1	100 points
Exam #2	100 points
Practical Assignment #1	100 points
Practical Assignment #2	100 points
Participation in Class Discussions	200 points

900- 1000 = A

800-899 = B

700 - 799 = C

600-699 = D

599 and below = F

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## Course Text

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**California Workers' Compensation Handbook: Stanford D. Herlick  
34th Edition  
ISBN: 9780769851846 Paperback**

### Paralegal Program Objectives

1. The Paralegal Studies Program is designed to prepare the student to assist the attorney in both private and public sectors in all phases of legal work and to equip the student with the knowledge necessary to enter the legal service fields as an entry-level paralegal.
2. To insure quality paralegal education at the community college level.

3. To familiarize students with the legal system and the role of the paralegal in the delivery of legal services in the public and private sectors.
4. To train students to be prepared to use and apply the most current paralegal skills.
5. To educate students to intelligently and ethically serve the legal community.
6. To train students in critical paralegal skills such as investigation, legal research, interviewing, written and oral communications.
7. To educate, train and provide students with the theoretical background to perform the paralegal's tasks in substantive areas of law and legal specialties.
8. To educate and train students in areas of procedural law emphasizing the paralegals role in litigation, mediation and arbitration.
9. To educate students about the general principles of ethical legal practice as defined by the American Bar Association's Standing Committee on Ethics and Professional Responsibility, and California's Business & Professions Code §6450.
10. To encourage students to contribute to the advancement of the legal profession.
11. To provide counseling during the program and to assist students in preparing for and obtaining meaningful careers in the paralegal field.

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## Learning Outcomes

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This course will help students achieve the following institutional Student Learning Outcomes:

- A. **Critical Thinking:** Analyze problems by differentiating fact from opinions, using evidence, and using sound reasoning to specify multiple solutions and their consequences.
  - **Assessment:** The student will read court opinions and be able determine legal requirements
- B. **Ethics:** Practice and demonstrate standards of personal and professional integrity, honesty and fairness; apply ethical principles in submission of all college work.
  - **Assessment:** The student will read the required reading legal ethics and review outlines and summaries to gain knowledge of necessary legal ethics.
- C. **Communication:** Effectively communicate thought in a clear, well-organized manner to persuade, inform, and convey ideas in academic, work, family and community settings.
  - **Assessment:** The student will answer discussion questions on an assigned legal topic and participate in class discussions.
- D. **Civic Responsibility:** Apply the principles of civility to situations in the contexts of work, family, community and the global world.
  - **Assessment:** The student will do online research on the U.S. legal system and give a written account of what you learned from the experience in online discussions.
- E. Explain legal terminology used in the area of workers' compensation law.
- F. Apply the basic concepts of workers' compensation law to hypothetical situations.
- G. Prepare a proper court filing using the essential requirements of workers' compensation law.
- H. Access and utilize traditional and electronically formatted legal research as related to workers' compensation law.

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## College Policies and Standards

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**Attendance:** Students are expected to attend *all* classes for which they are registered, to be prompt and to remain in class/lab for the entire time. Students who are unable to attend class regularly, regardless of the reason or circumstance, should withdraw from the class. Instructors may drop a student from a class whenever a student is absent more hours than the number of hours the class meets per week. Withdrawal from class can affect eligibility for federal financial aid.

**Dropping a Class:** Students wanting to drop a class should drop online at [www.wlac.edu](http://www.wlac.edu), click "For Students," then "Student Information System." Students who stop attending a class are responsible for withdrawing from the class to prevent being issued a failing "F" grade in the class.

**Special Instructional Accommodation:** If there are special accommodations that you require to be successful in this course, please discuss your situation with the professor. To receive accommodations for a special need or disability, students must register with the Office of Disabled Student Program and Services, HLRC at (310) 287-4450. Tape recording of lectures and discussions will not be permitted without the consent of the instructor.

**Academic Integrity:** Students are responsible for the honest completion and representation of their work, for the appropriate citation of sources, and for respect of others' academic endeavors. When there is evidence of cheating or plagiarism in classroom work, the instructor may assign a failing grade, "F," or zero points to the examination or assignment in which the alleged cheating or plagiarism occurred. Before a substandard grade is issued the instructor will provide the student with supporting documentation of the plagiarism or cheating charge. Instructors have the authority to use plagiarism detecting instruments such as "Turn It In" to detect academic dishonesty. For assistance with classroom projects, papers and assignments, please visit the Learning Skills Center, HLRC.

**Standard of Student Conduct:** Faculty members are charged with responsibility for building and maintaining a classroom atmosphere conducive to learning. Disruptive, disrespectful, or obstructive behavior will be dealt with in terms specific to this syllabus and in accordance with the LACCD Standard of Student Conduct. Select forms of disciplinary action appropriate to the misconduct may be taken by an instructor when there is evidence that the student's behavior interferes with classroom instruction.

**The following types of disciplinary action may be taken by an instructor:**

- 1) **Warning**- A verbal or written notice, given to the student by an instructor. Continuation or repetition of the specified conduct may be cause for further disciplinary action.
- 2) **Removal by Instructor** - An instructor may remove (suspend) a student from his or her class for the day of the incident and the next class meeting. During this period of removal, the student shall not return to the class from which he or she was removed without the permission of the instructor of the class.

Students may refer to the College Catalog or the online student orientation at [www.wlac.edu](http://www.wlac.edu); click "Counseling, Assessment and Orientation," then scroll down to "Orientation" for complete details regarding the aforementioned policies.

**Cell Phone and Other Communication Devices:** If you bring your cell-phone to class, be sure to have it in a mode where it will **not ring** and disturb others. If you have to answer an emergency phone call, please step out of the classroom. Devices of this type should be placed on vibrate and never visible during class time. I will give you one warning and then you will be removed from class.

**Classroom and Campus Cleanliness:** Please help us keep the classroom and campus grounds clean. No food or beverages, except for water, is permitted inside instructional classrooms /labs. Please use the receptacles to dispose of trash.

### **Electronic Mail**

Electronic mail is the official method of communication for delivery of college information. Student email addresses will be recorded in the college's electronic directories and records. If you need to update an email address, visit [www.wlac.edu](http://www.wlac.edu), click "For Students," then "Student Information System." Once you log in, you can change your email by clicking "edit" at the top of the page next to your email address.

### **Instructional Support and Monitoring**

Monitor your academic progress online at [www.wlac.edu](http://www.wlac.edu) click "Counseling, Assessment and Orientation," then on the DegreeWorks icon, or visit the Counseling Office in A13. For instructional support and assistance with research projects, visit the Learning Skills Center and Library in HLRC.

***NO LATE WORK WILL BE ACCEPTED EXCEPT FOR A TRUE EMERGENCY!***

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**Text Reading Assignments**

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**DO THE FOLLOWING EVERY WEEK  
FOR EACH CHAPTER**

1. Read Weekly Assigned Chapters.
2. Prepare Chapter Outline and submit ON TIME in CLASS.
3. Determine if there are any other assignments, for example a Current Event or Exam.
4. All changes to the syllabus will be announced in class or on line in ETUDES.
5. YOU ARE RESPONSIBLE FOR ALL DUE DATES AND DEADLINES. PLEASE BE CAREFUL!

# SCHEDULE

## WEEK 1 – TUESDAY, SEPTEMBER 1, 2015

Chapter 1: The California Plan

Homework: Outline Chapter 2

In class assignment – Outline chapter 1

## WEEK 2 – TUESDAY, SEPTEMBER 8, 2015

Chapter 2: Compensation Coverage - Employment

Homework: Outline Chapter 3

## WEEK 3- TUESDAY, SEPTEMBER 15, 2015

Chapter 3: Insurance and Self-Insurance

Homework: Outline Chapter 4 and Practical Assignment #1 - Please keep a copy for you and hand a copy in to me in class.

## WEEK 4 – TUESDAY, SEPTEMBER 22, 2015

Chapter 4: Medical Treatment:

Homework: Outline Chapter 5

## WEEK 5 – TUESDAY, SEPTEMBER 29, 2013

Chapter 5: Compensation Payments

Homework: Outline Chapter 6

**EXAM #1**

WEEK 6 – TUESDAY, OCTOBER 6, 2015

Chapter 6: Permanent Disability

**EXAM #1**

Homework: Outline Chapters 7 and 8

WEEK 7 – TUESDAY, OCTOBER 13, 2015

Chapter 7 and 8: Death Benefits and The Injury

Homework: Outline Chapter 9

WEEK 8 – TUESDAY, OCTOBER 20, 2015

Chapter 9: Penalties

Homework: Outline Chapter 10

WEEK 9 – TUESDAY, OCTOBER 27, 2015

Chapter 10: Liens

Homework: Outline Chapter 11

WEEK 10 – NOVEMBER 3, 2015

Chapter 11: Settlements – Compromise and Release

Homework:

Homework: Outline Chapters 12 and 13

**EXAM #2**



[WEEK 11 – NOVEMBER 10, 2015](#)

**EXAM #2**

**Chapters 12 and 13: Damage Suits – Subrogation and Jurisdiction**

**Homework: Outline Chapter 14**

[WEEK 12 – NOVEMBER 17, 2015](#)

**Chapter 14: Procedure**

**Homework: Outline Chapter 15**

[WEEK 13 – NOVEMBER 24, 2015](#)

**Chapter 15: Appeals**

**Homework: Outline Chapter 16**

**Homework: Practical Assignment #2 – Please keep a copy for you and hand it in to me on the last day of class.**

[WEEK 14 – DECEMBER 1, 2015](#)

**Chapter 16: Supplemental Job Placement Benefits Homework:**

**Homework: Practical Assignment #2**

[WEEK 15 – DECEMBER 15, 2015](#)

**Current Events**

# **SIXTEEN CHAPTER OUTLINE ASSIGNMENTS**

## **EACH IS WORTH 25 POINTS (400 POINTS)**

One of the best pieces of advice that I give my students is to outline their textbook readings for classes. The two primary reasons why I encourage this is because developing the outlines will help students in their understanding and retention of material in the text chapters and creating an outline will also provide a study guide for course exams. *Outlines will be graded on the basis of accuracy, punctuation and form.*

### **HOW TO OUTLINE A CHAPTER IN OUR TEXTBOOK**

1. Don't try and read a chapter in a short period of time. In order to retain information from textbooks, students are better served by reading a chapter over the course of several reading periods. To cram the reading of a chapter into one sitting, it will be difficult to understand and retain text let alone develop an outline.
2. Use chapter and section headings in the course text as headings for the outline. It helps to turn section headings into questions and then use the related text to answer the question. For example, a textbook section titled "Articles of Confederation" could be altered to an outline heading such as "What were the Articles of Confederation." After each heading, summarize the chapter text relevant to the answering of that question.
3. Start with the chapter title and chapter number at the top of the page.
4. Read anything in bold, underlined or in italics. Write that information down. Vocabulary words are incredibly important. Don't just write the definition down that you see in the back of the book or on the side, read the one in the text and get a fuller picture of how the word is used and the context.

### **EXAMPLE**

- I. Chapters Are Divided into Sections
  - A. Sections each have specific information
  - B. Indenting the descriptions of each section makes it easier to read
    1. When you don't indent it is harder to find the information
    2. When you don't indent it is harder to study from your outline
  - C. Outlines should have enough information to help on a test.

