

SELF ASSESSMENT TEST

1. In applying the cancer presumption, a police officer must make a prima facie showing that while employed as a police officer, he was exposed to a known carcinogen and developed or manifested cancer within the statutory time frames?

True False

2. Once this showing is made, the burden then shifts to the employer to rebut the presumption by establishing two elements: (1) that the primary site of the cancer has been identified, and (2) that the carcinogen is not reasonably linked to the disabling cancer?

True False

3. Liability for design defects in military equipment cannot be imposed when: (1) the United States approved reasonably precise specifications; (2) the equipment conformed to those specifications; and (3) the supplier warned the United States about the dangers in the use of the equipment that were known to the supplier but not to the United States?

True False

4. The determination of whether a worker is an employee or an independent contractor primarily concerns whether the worker or the one for whom the work is rendered has the right to control the manner and means of accomplishing the work?

True False

5. One engaged in the business or selling or otherwise distributing product components who sells or distributes a component is subject to liability for harm to persons or property caused by the product into which the component is integrated if: (1) the component is defective and the defect causes the harm, or (2) the seller or distributor of the component substantially participates in the integration of the component into the design of the product and the integration of the component causes the product to be defective and the defect in the product causes the harm?

True False

6. Anyone rendering service for another, other than as an independent contractor, is presumed to be an employee?

True False

7. The running of the statute of limitations is not tolled when the employer fails to provide the required claim form and notice after the employer has knowledge of the employee's injury?

True False

8. A police officer injured while driving on his day off to testify in court, is engaged in a special mission at the time of his injury?

True False

9. Employer to perform an activity that is within the course of employment but is unusual or extraordinary in relation to the employee's routine duties?

True False

10. The going and coming rule is riddled with exceptions. The central theme running through all the exceptions is that a benefit to the employer is conferred by the employee's trip?

True False

11. Aggregate disability payments for a single injury occurring on or after April 19, 2004, causing temporary disability shall not extend for more than 104 compensable weeks within a period of two years from the date of commencement of temporary disability payment?

True False

12. The hirer of an unlicensed and uninsured contractor does not have joint and several liability as an employer for workers' compensation purposes?

True False

13. In deciding whether to hold an employer liable, the inquiry should be whether the risk may fairly be regarded as typical of, or broadly incidental to, the employer's business. The risk arising out of the employment should not be so unusual or startling that it would seem unfair to include the loss resulting from it among other costs of the employer's business?

True False

14. Although an exception to the going and coming rule will be made when the trip involves an incidental benefit to the employer, the benefit must be sufficient enough to justify making the employer responsible for the risks inherent in the travel?

True False

15. A good faith personnel action is defined with a reasonableness test considering the totality of circumstances and not based upon a written standard?

True False

16. An injured worker is entitled to additional aggregate temporary disability payments for a total of 240 weeks within five years from the date of injury for a high-velocity eye injury?

True False

17. A vocational rehabilitation consultant may be an appropriate expert witness on the topic of diminished future earnings capacity (DFEC) to present evidence on and/or in rebuttal to the permanent disability rating schedule?

True False

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- This self-study activity has been approved for Minimum Continuing Legal Education credit by the State Bar of California in the amount of one hour.
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