

# **WORKERS COMPENSATION PROCESS**

When you are injured during work hours or on school grounds and need to seek medical attention, you have the right to our Workers Compensation program.

**IF YOU ARE INJURED:** Whether you choose to seek medical attention or not – ALL MUST BE LOGGED ONTO A FIRST AID LOG as soon as possible! A claim must be reported to your Supervisor within a 24 hour period. You then have 30 days to make your claim. If you just want to report at that time and seek treatment at a later date if you need to, that's fine. Putting it on a log protects you should you want to seek medical care at a later date. **IF YOU WISH TO SEEK MEDICAL ATTENTION, PLEASE CONTACT RISK MANAGEMENT, 386-437-7526, EXT. 3102 or 1204 OR EMAIL, bossardetd@flaglerschools.com or lovelettee@flaglerschools.com FOR PAPERWORK. YOU WILL NEED TO COMPLETE PAPERWORK TO ATTEND OUR WORK COMP DOCTOR.**

Even though you technically have up to two years to report and seek treatment, not reporting when the injury first occurs can hurt your claim and any potential benefits that may come your way. You can be denied benefits if it is not logged onto a first aid log when the injury first occurs.

We use a network of doctors – therefore, you must use our Workers Compensation Doctors – Mediquick is the clinic we use for an initial visit. Should you need further care from a specialist or therapy, you will be referred out from there. Those wishing to use their own physicians will have to pay for that visit if they are not on our network of doctors.

The ONLY time we use the Emergency Room/ER is when there is an emergency such as a broken limb or injuries extending out of normal range of care. X-rays are not considered an emergency room issue. Mediquick has the equipment to do X-rays. If you go to Mediquick and they feel you need to go to the Emergency Room, they will contact us and David Bossardet will authorize it. Injuries that happen over the weekend, if severe, can also go to the Emergency Room.

Once treated for your injury, you will be given a DW25 medical sheet indicating your work status. PLEASE return this sheet to RISK MANAGEMENT, so we can determine your work status. A copy of this will also need to go to your Supervisor.

**Light Duty** – If your doctor tells you that you CAN work but can only lift a certain amount of weight or can only stand so often and take breaks, whatever the case may be, you will return to work as long as your Supervisor can accommodate those restrictions.

## **PLEASE UNDERSTAND:**

- If the doctor takes return you to work with limitations – then you return. If you feel you cannot do the work but the doctor has returned you-you have the right to go home – HOWEVER, you will have to take your own sick time.
- If the doctor returns you to work and we cannot accommodate your restrictions, then you go home and you start your 10 ILOD (you are allowed 10 days that the district pays then you start Workers Compensation pay).
- If the doctor takes you out and you can't go back for a few days, you will then utilize your 10, In the Line of Duty days.

If you are out of work and have exceeded your 10 ILOD, you start 2/3 -1/3 pay. This means Workers Compensation pays 2/3 salary and we pay 1/3 of your salary. That 1/3 comes from any time you have accrued for sick time or vacation time. If you have exhausted that, you will only receive 2/3 pay until you return. PLEASE NOTE: you do not accrue vacation or sick time while you are out of work.

IMPORTANT TO NOTE: You do not have to use your 1/3 pay if you choose not to. It is YOUR responsibility to contact payroll (Dawn Curry) and let them know if you will use your 1/3 or not.

IT IS VERY IMPORTANT – that you do not miss your scheduled doctor appointments. If there is a conflict and you cannot make the appointment, you need to reschedule 24 hours in advance. Contact the caseworker that is assigned to you. Please make sure you bring your paperwork to our office each time you go to your treating physician. ALL employees should try and schedule their Doctor appointments after their normal work hours. If that is impossible, then they can utilize the 10 ILOD time. Only the actual time for the travel and appointment will be allowed. The employee must return to work if the work day has not ended. If you don't return, you may be subject to discipline by your Supervisor and the time not approved will be taken out of your accrued vacation/sick time. If you do not have any time left, you will not get paid for hours not approved.

ALSO – LIGHT DUTY relates to employees whose illness or injury is or was job-related. IF you are out under doctor's orders and it was an injury that was NOT work related, we do not accommodate light duty for that. Light Duty applies to Workers Compensation claims ONLY.

## **CHAPTER 6 (PERSONNEL)**

### **POLICY #661 - WORKPLACE INJURIES**

#### **1. Definitions**

- (a.) **Light Duty** – When an employee's physical requirements are modified by the Workers' Compensation Authorized Treating Provider resulting from a workplace injury. Light duty is also known as modified duty.
- (b.) **Lost Time** – When an employee is taken off of work by the Authorized Treating Provider or when an assessment by the injured employee's supervisor, the Risk Manager and the Director of Personnel concludes that the employee's work restrictions cannot currently be accommodated.

#### **2. Reporting and treatment of workplace injuries**

- (a.) When an employee is injured at work he/she shall notify his/her supervisor within 24 hours.
- (b.) If the injured employee declines treatment, the supervisor will document the injury on the "Employee First Aid Log." This documentation protects the employee in the event that he/she desires to receive treatment at a later date.
- (c.) If the injured employee wants medical treatment, the employee's supervisor will ensure treatment is provided, documented and reported in accordance with the "North East Florida Educational Consortium Claims Manual."

#### **3. Follow-Up**

- (a.) The injured employee shall attend all scheduled medical appointments. If an injured employee cannot attend an appointment, he/she shall notify the District's Workers Compensation Third Party Administrator (TPA) and the medical provider at least 24 hours before the appointment.

- (b.) Employees should schedule appointments after their normal work hours. If this is not possible, the employee can attend the medical appointment during work hours utilizing “Illness in the Line of Duty” leave in accordance with the District’s policy. Only the actual time for the travel and the appointment will be allowed. The employee must return to work if the workday has not ended, otherwise, the employee may be subject to progressive discipline that may include termination.
- (c.) Following an appointment for treatment of a workplace injury, the employee will immediately contact his supervisor and provide current work status documentation. The supervisor will send the work status documentation to the Risk Management Office.

#### **4. Light Duty**

- (a.) Injured employees are often returned to work on light duty with specific restrictions. If an employee is returned to work, the supervisor will not assign duties that are beyond the employee’s restrictions. If an injured employee willfully violates his work restrictions, he may be subject to progressive discipline that may include termination.
- (b.) Light duty only relates to employees whose illness or injury was job-related.
- (c.) Supervisors shall evaluate the restrictions placed on the employee and determine the ability of the employee to perform any needed work. If the supervisor feels that the employee’s restrictions cannot be reasonably accommodated, he will send the employee home and immediately notify the Risk Management Office. The Risk Management Office will schedule an assessment of the employee’s work capabilities.
  - 1. The injured employee’s supervisor, the Risk Manager and the Director of Personnel will conduct the assessment.
  - 2. If the assessment concludes that the employee’s restrictions cannot be reasonably accommodated, they will place the employee on “Lost Time” status pending further assessment of restrictions or another position becomes available within his restrictions.
- (d.) The light duty program requires the participation of all injured employees who are released to perform light duty work by the Authorized Treating Provider. If an injured employee refuses to participate in the program, Workers’ Compensation benefits may cease, and the employee may be subject to progressive discipline that may include termination.
- (e.) While on light duty, the injured employee will receive his normal hourly rate of pay and benefits. Scheduled hours of work may be reduced.
- (f.) Light duty is temporary and is not considered a permanent accommodation to a workplace injury.
- (g.) A light assignment may not extend beyond 120 days. When an employee has been in a light duty assignment for 120 days, an assessment will be made regarding the employee’s progress.
- (h.) When an employee has reached Maximum Medical Improvement (MMI) as determined by the Authorized Treating Provider, an assessment will be made regarding the employee’s ability to return to his regular job duties.
  - 1. The injured employee’s supervisor, the Risk Manager and the Director of Personnel, will conduct the assessment.

2. If the assessment concludes that the employee cannot perform his regular job duties with or without reasonable accommodation, posted jobs will be reviewed to determine the employee's ability to work in other positions. If the employee is qualified and meets the minimum physical requirements for a posted job, he/she will be considered for that job. If selected for the job, salary will be determined according to transfer guidelines.
3. If an employee refuses to accept an offered job, the employee will be terminated.
4. If a position is not available for the employee, the employee will be terminated.

## **5. Lost Time**

- (a.) An injured employee in lost time status is to contact his supervisor daily (not including weekends and holidays), to update the supervisor on his/her condition.
- (b.) An employee in lost time status is required to return all district-owned equipment and vehicles to his supervisor.
- (c.) Once an employee has been released to return to work, he will notify his supervisor immediately. Failing to do so may subject the employee to progressive discipline that may include termination.
- (d.) The injured employee will not accumulate leave or sick time while in lost time status.
- (e.) Lost time due to a workplace injury will count toward the employee's Family and Medical Leave Act of 1993 (FMLA) entitlement.

**Statutory Authority:** 440 F.S.

Confirm the receipt of packet: \_\_\_\_\_ Date: \_\_\_\_\_