

ADMINISTRATIVE PROCEDURES

Title: WORKERS COMPENSATION	Identification: 3.20
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	Effective Date: July 1, 2007
Authority: SBE 6A-14.0261; 6a-14.0436 FS 1001.64; 1001.65; Chapter 440 HCC Rule 6HX-10-3.13	Signature/Approval: Dr. Gwendolyn W. Stephenson

PURPOSE

This procedure establishes guidelines for injury/illness-in-line-of-duty (ILD) leave and the benefits available for employees under Workers' Compensation (W/C).

PROCEDURE

Full and part-time employees who are injured in the performance of his/her job at the College are eligible to receive medical and/or wage benefits in accordance with Workers' Compensation law.

The Department of Human Resources will be responsible for coordinating the submission of reports and related injury documentation to the Florida Community College Risk Management Consortium (FCCRMC), to the appropriate insurance carrier, and the Managed Care Coordinator.

The following guidelines apply to the benefits available, reporting requirements, treatment referral and treatment payments for Workers' Compensation:

1. BENEFITS

A. In-Line-of-Duty Leave:

Full-time College employees may receive ILD leave with pay for an injury or contagious/infectious disease contracted while in the performance of his/her duty at the College. The amount of ILD leave will not exceed 45 hours per calendar year, to include paid holidays, unless otherwise addressed by a bargaining agreement. Unused ILD leave will not carry over to the next calendar year and in no case will more than 45 hours be applied to the same injury. If the injury or illness satisfies the eligibility criteria for Family Medical Leave, that leave will be applied simultaneously. Any period of incapacity requiring an absence of three or more days from the workplace due to the injury or illness will be counted toward the 12-week entitlement under the Family and Medical Leave Act.

ILD leave provided by the College can be used to attend authorized W/C appointments, or for time when an employee is unable to work as a result of the injury and certified as such by an authorized W/C medical provider.

If the employee exhausts the ILD leave provided by the College, is able to work and still requires intermittent medical treatment, the employee must use leave in the following order: compensatory, sick, vacation, then frozen sick leave.

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If the employee is certified by an authorized W/C treating provider as being unable to return to work, and the 45 hours of ILD leave has been exhausted, the employee may be eligible for W/C wage benefits. Accrued compensatory, sick, vacation, or frozen sick leave time must be used to supplement the wage benefits paid by the carrier. If the employee does not have accrued leave of absence as noted above, the employee must use leave without pay.

B. Workers' Compensation Wage Benefits:

When ILD leave has been exhausted for a full-time employee who is certified by an authorized W/C treating provider as being unable to work, W/C wage benefits of 66 2/3% may be paid by the carrier. The employee will receive only wage benefits that he/she is eligible to receive, and the total compensation paid will not exceed the employee's regular rate of compensation.

Part-time employees are not eligible for ILD leave; however, when certified as unable to work, wage benefits of 66 2/3% may be paid by the carrier.

Human Resources will notify the insurance carrier when to begin paying W/C wage benefits to the employee.

C. Medical Benefits:

Authorized initial medical treatment and follow-up medical expenses for an on-the-job injury or illness are covered under W/C following proper approval and receipt of medical reports.

The College may authorize only the initial visit; all follow-up or referral treatments must be authorized by the insurance carrier or managed care coordinator.

D. W/C will not be paid to an employee for an injury that resulted primarily due to intoxication, influence of any narcotic drug, barbiturates, or other stimulants not prescribed by a physician, which affected the employee to a degree that the employee's normal faculties were impaired; or by the willful intention of the employee to injure or kill him/herself or another.

E. When an injury is incurred due to the employee's willful refusal to use protective equipment or to observe a safety rule as required by the laws of Florida or by the College, and the employee was notified of this law/rule prior to the accident, W/C will be reduced to 25% of the 66 2/3% to be paid.

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2 REPORTING

- A. The College is required to report an employee injury that involves medical care or lost work time within seven (7) calendar days following the date when the employee notified the College, and within 24 hours in the case of the death of an employee. The Department of Human Resources will be responsible for contacting the FCCRMC, the applicable insurance carrier, and the Managed Care Coordinator, and coordinating the necessary forms/reports for the College within the requisite time period noted above.
- B. The supervisor, employee, or witness must immediately notify the Office of Safety and Security of an employee's injury, who then must complete an Accident/Incident Report and a First Report of Injury (if medical attention is required). The employee must sign the First Report of Injury unless the employee's condition prohibits doing so.
- C. Security will be responsible for notifying Human Resources that an injury has occurred, medical treatment authorized, and that documentation will be forwarded.
- D. Employees are responsible for requesting and obtaining an ability to work report from the treating physician upon each treatment visit; discussing any restrictions outlined on that form with their supervisor; and providing a copy of the ability to work report to the Department of Human Resources immediately following treatment in order to maintain a complete record.
- E. . If an employee is unable to perform his/her duties, the employee's immediate supervisor will contact Human Resources on both the employee's first day absent from work and on the first day of his/her return to work. Human Resources will ensure that the carrier is notified regarding the employee's work status.

3. TREATMENT REFERRAL

- A. The Safety and Security Officer completing the injury report will authorize the initial medical treatment and provide the employee with an authorization form to take to the W/C physician or facility. In the case of emergencies, the approval may take place after the employee is sent for treatment. Security will be responsible for obtaining emergency medical treatment for the employee.
- B. Following the initial treatment, follow-up appointments or referrals to specialists must be authorized through the Managed Care Coordinator or insurance carrier. If the employee is dissatisfied with the treatment or provider, the employee must communicate that information to the Managed Care Coordinator for available options.
- C. The College may request a second medical opinion and option regarding the extent of the employee's injury/illness and the estimated length of the disability.

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4. LEAVE OF ABSENCE RECORDS

- A. The Payroll Office, which is the custodian of leave records, will be responsible for maintaining the official leave of absence records for an injured employee. The employee's administrative supervisor in conjunction with Human Resources and the Payroll Office will ensure that the employee's absences are properly recorded.

- B. ILD leave must be recorded on the Leave/OT Form and Time Reports. When ILD leave has been exhausted, the administrative supervisor and the Payroll Office must communicate with Human Resources to ensure the carrier is notified to begin W/C wage benefits, if appropriate.

History: Replaces Procedure 2.026, Workers' Compensation, dated June 18, 1993