

## *P.O. 241 Workers' Compensation*

Effective From:	7-15-2012	Effective To:	Current
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### *OO. P.O. 241 - Workers' Compensation*

#### 1. DEFINITION

- i) Workers' Compensation - Is a law which provides that an employee may be entitled to medical and income benefits if he is injured on the job. It may also entitle the dependents of an employee who is deceased as a result of job-related injuries to benefits. An employee may be entitled to income benefits if he is prevented by the job-related injury from returning to work for more than seven (7) days. The Workers' Compensation law grants an employee one year to file a claim. After one year, the claim becomes prescribed and no benefits can be paid.

#### 2. PROCEDURE

- i) When an employee is injured on the job, the following steps should be followed:
  - a) The employee shall immediately notify his supervisor of the injury.
  - b) The Supervisor shall complete the First Report of Injury Form ([DPSMF 1390](#)) for submittal to HRM within 24 hours and a copy should be forwarded to the Section Safety Officer. The First Report of Injury Form can be submitted to HRM in Suite 201 of the OMF/OMV Building, or the form can be faxed to HRM at (225) 925-3970. The employee shall complete the Post Offer-of-Employment Medical Inquiry Form and submit it to HRM within seven (7) days of the injury.
  - c) HRM shall file the claim with the Office of Risk Management (ORM) if the employee is expected to miss work for more than seven (7) days or if medical treatment or evaluation is sought.
  - d) The ORM will assign an adjuster to the employee's case and the adjuster will contact the employee.
- ii) If the employee is sent for medical treatment or evaluation, the hospital or physician should be instructed to submit the bill to: ORM - Claims Unit, P. O. Box 1106, Baton Rouge, LA 70821-9106
- iii) Employees shall not use their personal health insurance for on the job injuries

#### 3. LEAVE RE-CREDITING

- i) If an employee is off of work for more than seven (7) days due to a work-related injury and is unable to work, the employee may be entitled to income benefits for the lost time. Income benefits are payable from the eighth day off of work. The first seven (7) days become payable after the employee has missed more than 42 days of work. If the employee uses leave, two-thirds of the leave, or the maximum allowed, shall be re-credited to the employee. Whenever an employee is off for more than seven (7) days due to a work-related injury, the HRM must be notified. An employee who will be absent due to a work-related injury for an extended period of time, shall be placed on Family Medical Leave, provided that the injury meets the criteria to be considered a "serious health condition" and the employee meets the criteria for being an "eligible employee" under the Family and Medical Leave Act (FMLA).
- ii) An employee who exhausts his sick leave must request approval through his chain-of-command through the Budget Unit Head or Deputy Superintendent to use compensatory time and/or annual leave. Until the approval is granted, the employee will be placed on leave without pay.
- iii) In order to buy back the leave, the following steps will be followed:
  - a) HRM will receive the income benefit check from the ORM;
  - b) HRM will send the employee a letter requesting the employee grant LSP the authority to endorse the Workers' Compensation check for the employee;

- c) The employee returns the authorization to HRM;
- d) HRM will calculate the amount of leave to buy back and make the necessary entries in the ISIS-HR payroll system to credit the leave to the employee and to adjust the employee's taxable income. (Workers' Compensation benefits are not taxable.); and
- e) When an employee is on Workers' Compensation and Family and Medical Leave simultaneously, his leave balances shall be reduced in ISIS-HR as follows: Sick, Straight Compensatory Leave, Annual Leave.

4. SUPPLEMENTAL REPORT OF INJURY FORM

- i) Communication between the supervisor, employee, and HRM is essential to ensure medical bills are paid timely, and that benefit checks can be processed as quickly as possible. HRM must be notified as soon as possible for any of the following reasons:
  - a) After an injury has occurred.
  - b) Once medical treatment or evaluation is sought.
  - c) Once an employee has missed seven days of work.
  - d) When an employee returns to work.
- ii) The Supplemental Report of Injury Form shall be completed and submitted to HRM in the following situations:
  - a) An employee returns to work after an extended absence.
  - b) An employee dies as a result of the work related injury.
  - c) An employee previously had not been absent from work but now will be on extended absence.

5. INCIDENT/ACCIDENT REPORTING

- i) The Incident/Accident Reporting Form (DA2000) shall be completed when an employee is injured and does not need medical attention or is not going to be away from work due to the injury. This form shall be kept by the supervisor in the employee's file. A copy shall be forwarded to HRM, the Safety Program Coordinator in OMF/Administrative Support Section and the Section Safety Coordinator. A copy of DA2000 should not be forwarded to the ORM.
- ii) All concerns regarding Workers' Compensation should be directed to HRM.