

STANISLAUS COUNTY OFFICE OF EDUCATION

Safety Department

**Employee
Workers' Compensation
Manual**

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SEPTEMBER 2014

INTRODUCTION

The Stanislaus County Office of Education employees are our most valued assets. Their safety and well-being are a major concern for SCOE. When our employees are injured or ill it is our desire to assist them in a quick recovery and return to meaningful employment.

Goals

Gaining knowledge about the workers' compensation process will encourage the following outcomes:

- Assurance that an employee who is injured or becomes ill as a result of a work-related injury or illness receives all of his or her benefits, and has the best possible chance of a prompt return to his or her job;
- A more complete understanding of roles and responsibilities as they relate to the Workers' Compensation process;
- Regulatory compliance with all applicable Workers' Compensation laws.

WORKERS' COMPENSATION DEFINED

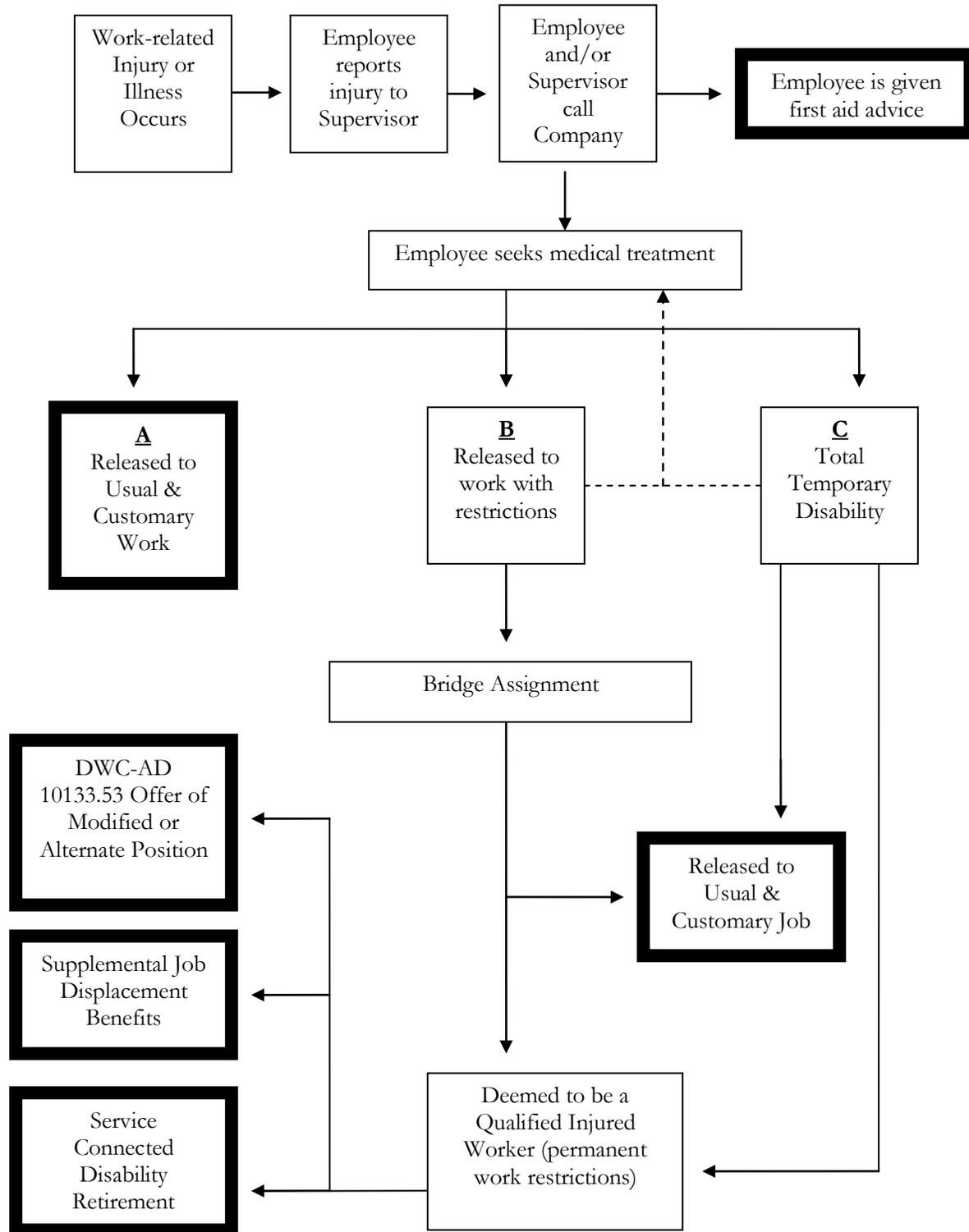
If an employee suffers an occupational injury or illness, workers' compensation pays their medical bills and, provides compensation to help replace lost income until they can return to work.

An "occupational injury" or industrial injury is any injury, illness, or disease that results from work or working conditions, and that occurs during the employee's service to the employer. Even first-aid type injuries are covered by workers' compensation. Workers' compensation is a no-fault system with benefits paid no matter who is at fault.

Benefits guaranteed under workers' compensation include the following:

- Medical care to cure or relieve the effects of the occupational injury;
- Compensation payments to help replace lost wages;
- Permanent disability payments to compensate for diminished earning capacity;
- Death benefits paid to surviving dependents.

Workers' Compensation Claim Flow Chart



Coverage of Illnesses & Injuries

An injury or illness must “arise out of employment” (AOE) and occur during the “course of employment” (COE)

For example, if an employee injures himself or herself while stacking boxes; s/he would meet the test for both AOE and COE. The injury would have arisen out of his employment (stacking boxes) and would have occurred during the course of his or her employment.

A claim will most likely be denied if injuries occurred in one or more of the following situations:

- Normal commute to or from work
- Recreational activity that is not required by employer
- Horseplay
- Intoxication
- Self-inflicted injury
- Initial physical aggressor — the injuries of the person who starts a fight are not covered.
- Non-industrial medical conditions — such as the flu, seizures or injuries caused by non-work activities.

In addition there are general red flags that are indications that may warrant further investigation into the injury circumstances:

- Delay in reporting injury
- Other employment contributed to injury
- Seasonal work ending/potential work stoppage
- Injury follows disciplinary action/reduced hours
- Injury follows denial of time off request
- Dissatisfaction with job/assignment
- Frequent injury repeater

Types of Injuries and Illnesses

Injuries can be categorized in the following four ways:

1. **Specific incident:** a single injury to one or more parts of the body resulting from a specific incident. Examples are injuries resulting from a “slip and fall,” from breaking a glass beaker, or from lifting several heavy boxes.
2. **Cumulative injury:** an injury resulting from repetitive traumatic activities over a period of time. Examples are loss of hearing from repetitive loud work-related noises or overuse syndrome from repetitive use of a computer keyboard.
3. **Occupational disease:** a disease that is directly related to a person’s work and develops over time, such as asbestosis, which results from an employee’s long term exposure to asbestos.

4. **Aggravation of a pre-existing condition:** if employment aggravates a pre-existing condition, the employer could be liable for the portion of treatment due to the aggravation. The employer provides medical treatment until the employee returns to their pre-aggravation status.

Types of Claims

Workers' Compensation claims are divided into the following four types:

1. **Incidents:** no medical treatment is required.
2. **First Aid:** a situation where the employee only requires one-time first-aid treatment for the injury. The injury must be minor in nature, such as scratches, cuts, burns, splinters, or other minor work-related injuries. No time is lost beyond the day of the injury.
3. **Medical Only:** these claims involve only medical payments for examinations and/or treatment rendered. The injured employee has not lost more than three calendar days from work and is not receiving any other Workers' Compensation benefits as a result of the injury or illness. If the employee eventually misses more than three calendar days from work due to the work-related injury or illness, the claim converts to an indemnity claim.
4. **Indemnity Claim (Lost Time):** these claims involve Temporary Disability payments because an employee has lost more than three calendar days from work as a result of the occupational injury or illness. Time lost is confirmed by a medical disability slip. Medical reports from various physicians may need to be interpreted so that all applicable benefits are coordinated.
5. **Future Medical:** Claims which have an award of benefits. These are claims that are settled and have been awarded future medical care for the injury.

Program Funding

SCOE pays its own Workers' Compensation benefits. There is no insurance carrier. Costs associated with claims are paid through York out of a fund into which each department contributes premiums. Premium payments made into the trust fund, which is managed by CRSIG, and is based on loss experience associated with each department's claims. Funding for this program is a departmental expense. Department managers and supervisors play a key role in controlling departmental costs by providing a safe work environment for employees and responding promptly when injuries occur.

Contact Info

York Insurance Services Group is SCOE's Workers' Compensation Claims Third Party Administrator (TPA). They will provide any medical or compensation benefits an injured worker is entitled to receive. Once a claim has been reported, an adjuster will be assigned and will make contact with the injured worker within 24 hours. If you have any questions, contact York or the Safety Department.

Safety Department

Lynda Adams
Safety Coordinator
209-238-1632

Safety Department

Georgia Sweeten
Safety Specialist
209-238-1633

Reporting Injuries and Illnesses

A workers' compensation claim can not be initiated without telephonic reporting.

Work-related injury and incidents must be properly reported within 24-hours of knowledge. Prompt reporting is critical to incident investigation and the accurate and timely provision of workers' compensation benefits. To facilitate this, injury reporting is now done by telephone. SCOE has retained the Company Nurse Injury Hotline which is staffed by registered nurses available to speak with employees 24 hours a day, 7 days a week. Access to the Company Nurse Injury Hotline will begin January 1, 2015.

Employees are able to speak to a RN within minutes of an injury occurring. The nurse will guide the caller through a series of questions to obtain information about the employee and the incident. Based on triage protocols, the nurse will identify the course of treatment and refer the employee to the most appropriate level of care- such as an ER or clinic- or they may provide simple first-aid or self-care guidelines. They do not diagnose injuries; only perform a triage process. If the nurse does not refer the employee to care but the employee wants to be treated, the nurse will note that on the report and refer the employee for care.

COMPANY NURSE

24 hour/7 days a week

Call 1-877-247-1445

to report a work related injury or incident.

In case of a life or limb threatening injury dial 9-1-1

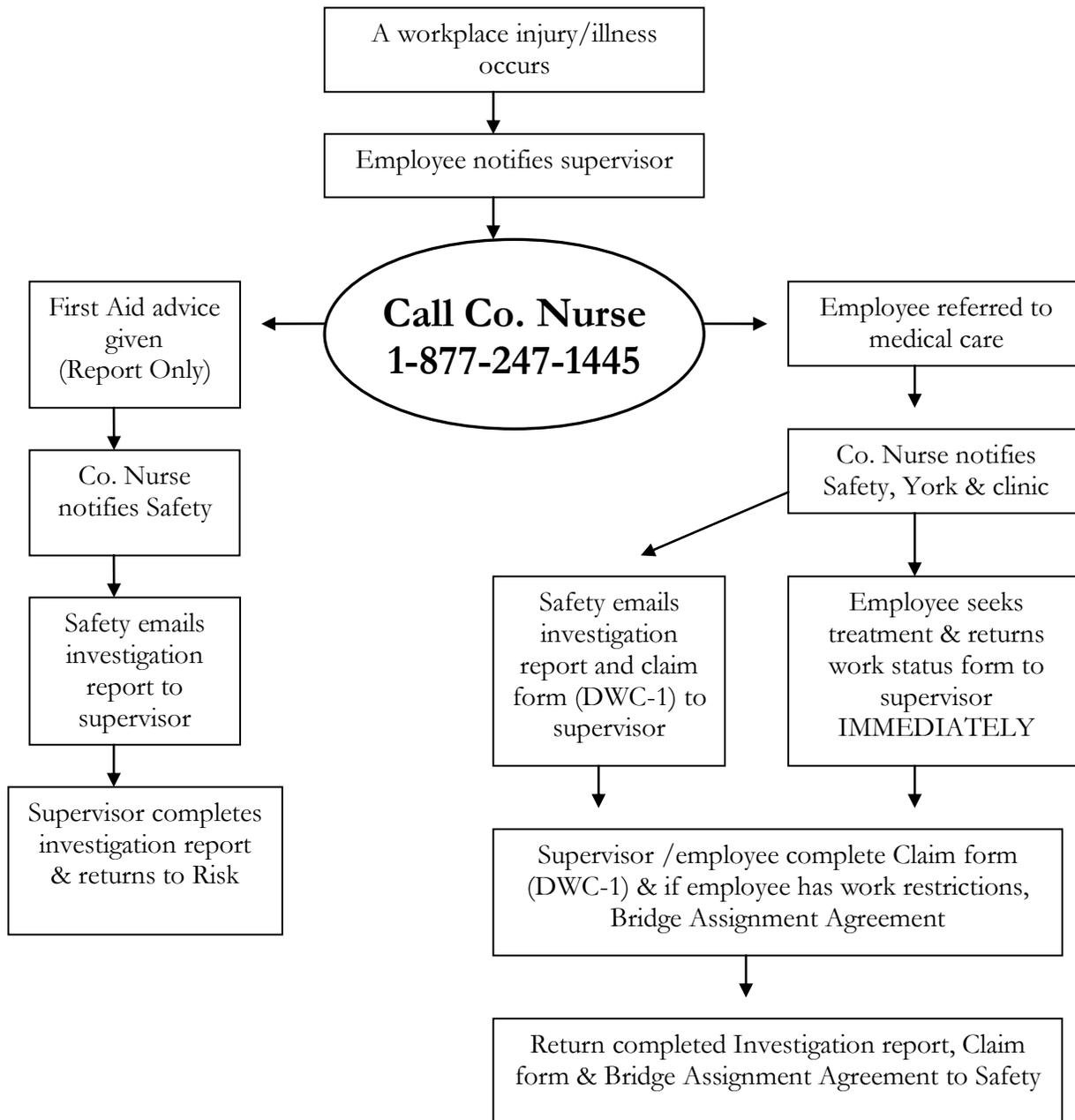
In addition to affording employees immediate access to a medical professional, the Company Nurse services also seamlessly provides claim information to all stakeholders. Once the employee hangs up, electronic notification of the call is sent to the Safety Department and if referred to medical care; the clinic or ER and the claims administrator, York. This allows much of the paperwork involved in the submittal of a workers' compensation claim to be done electronically. Per California law, SCOE is not responsible for medical treatment that is self-procured prior to the filing of a workers' compensation claim. Which means, they have sought medical treatment for an injury that they have not reported to their supervisor or Safety.

When you call Company Nurse:

You must listen carefully to the message, as you will be prompted to select appropriate option numbers for the following three types of calls:

Type of Call	Select this option is...	Voicemail?
Nurse Triage	An injury has occurred. Nurses will assess the injury over the phone and refer the injured employee to the most appropriate level of care.	NO
Report Only	The injury is minor and does not require medical care, or the employee has already obtained medical treatment. All injuries should be reported to the Injury Hotline.	NO
Company Nurse office	For non-injury related calls to be directed to the Company Nurse Corporate office	YES

Injury Reporting Process



Please Note:

- Company Nurse should be used for ALL injury reporting, including when an employee has already been treated by their own personal physician. If an employee has pre-designated, they need to let Company Nurse know, then the employee must call Safety so we can verify we have the pre-designation on file. The injury information is then forwarded to York electronically to set up a claim file so that benefits may be administered.
- A confirmation number will be provided at the end of each call. Write it down so you can reference it if you need to call back for any reason so that your report can be accessed.
- Company Nurse is NOT the claims administrator and is a separate and distinct company from York.

The nurses do not determine claim compensability, only initiate the claim process and provide injury triage and care advice.

If you are taken off work:

- If you require medical attention on the date of the injury, you will be paid for a full day's work regardless of the number of hours worked.
- Absences due to the industrial injury are only allowed to be coded as a workers' compensation absence with a doctor's note. All absences must be reported to the Absence Report Hotline and an Absence Report Form must be filled out.
- Notify your supervisor immediately if you begin to lose time due to the industrial injury and fill out an Absence Report Form.

Replacing Lost Wages

- Temporary disability benefits are paid if a physician certifies that an illness or injury causes an employee to lose time from their regular job and they suffer a loss of wages because no temporary alternative assignment was available.
- Temporary disability payments are paid per the California Education Labor Code.
- Temporary disability payments will be as a payroll check from SCOE.

RETURN TO WORK/STAY AT WORK

SCOE values its employees and their contributions; therefore, we must provide an injured or disabled employee the opportunity to return to temporary or transitional work as soon as his/her condition permits. Transitional work allows an employee with temporary work restrictions to work in a modified, alternative, or reduced-hours capacity, for a defined period of time, while recuperating from an illness or injury.

One proven way of decreasing a disabled employee's recovery time is by allowing him/her to return to work with temporary work restrictions. A shorter recovery period often results in a quicker return to regular job duties, which benefits both the employee and the department.

SCOE's Bridge Assignment Program is how to accomplish return to work. This program allows an employee with temporary work restrictions to work in a transitional position, for a defined period of time while recuperating from an injury or illness. Transitional work can be:

Modified Work – Changing, transferring, or eliminating specific job duties within the employee's regular job to meet the temporary work restrictions;

Alternative Work – Offering the employee tasks other than his/her regular job to meet the temporary work restrictions;

Reduced-Hours Work – Offering less than full-time work to meet the temporary work restrictions (based on a doctor's note).

The assignments must be designed to provide meaningful tasks to the employee, assist with the employee's recovery, and enhance productivity.

Transitional Duty is:	Transitional Duty is NOT:
Productive and Necessary	Punitive
Temporary	Permanent
Structured to adhere to medical restrictions	A “job”
An effective use of employee’s existing skills	A promotion or demotion

All transitional duty assignments are to be offered in writing utilizing the Bridge Assignment Agreement (BAA) and the employee’s acknowledgement or refusal (signature) obtained. When possible, the assignment should be presented to the employee in person upon notification of a limited work release.

If an employee refuses to sign the Bridge Assignment Agreement Form or refuses the assignment by not arriving for work on the date and time specified, Safety is to be notified immediately. In most instances, Workers’ Compensation law allows temporary total disability benefits to be suspended in the event an employee refuses a valid Bridge Assignment.

Procedure

The following steps apply when an injury results in work restrictions for your employee:

1. The employee submits a physician’s work status to his or her department outlining physical restrictions and expected duration.
2. The department contacts the Safety Department to discuss possible transitional assignments or notifies Safety that transitional work has been identified.
3. If a suitable assignment can not be found in the home department, Safety will work with other SCOE divisions/departments to find appropriate transitional tasks. **Note:** the employee’s home department will be responsible for paying the employees salary even if they are working transitional duty elsewhere at SCOE.
4. The employee accepts the assignment and begins working. The Bridge Assignment Agreement (BAA) form should be used to document offered transitional duty assignments.
5. The employee should provide medical information extending the temporary restrictions or releasing him/her to full duty after each doctor’s visit. If the employee is released to full duty, he/she will return to his/her usual and customary job.
6. Transitional Duty may be extended when it is determined that the additional time would facilitate a return to full regular duties and would not adversely affect SCOE’s operational goals or the objectives of the Return to Work Process.

Responsibilities

Employee:

1. The employee is responsible for providing the department with a report from his/her doctor indicating the physical restrictions and the expected duration after every medical appointment.
2. If a medically appropriate transitional assignment has been found, the employee must accept the assignment; otherwise, he/she jeopardizes his/her temporary disability benefits.
3. The employee is responsible for working within the work restrictions provided by the physicians and must notify his/her supervisor if there are difficulties performing the transitional work.

Department:

1. The department is responsible for providing a transitional assignment within the department upon receipt of the employee's medical restrictions.
2. If no transitional work is available, the department is responsible for documenting why an assignment is not possible and notifying Safety immediately.

Safety Department:

1. Safety is responsible for working with the employee's department in arranging and documenting a transitional assignment within the employee's medical restrictions and skills.
2. All questions regarding medical information provided to the department will be handled by Safety.
3. Safety works with the department to complete an analysis of the employee's job to be reviewed by the treating physician if it is determined to be necessary.
4. Assist departments in establishing departmental transitional task banks.

EMPLOYEE TRANSITIONAL WORK INFORMATION

SCOE values its employees and their contributions; therefore, SCOE strives to provide an injured or disabled employee the opportunity to return to temporary or transitional work as soon as his/her condition permits. Transitional work allows an employee with temporary work restrictions to work in a modified, alternative, or reduced-hours capacity on a temporary basis, while recuperating from an illness or injury. In most cases, transitional work has a positive impact on an employee's recovery time while preparing to return to regular work.

Please understand that this is not a permanent change in your position.

In your particular case, your treating physician has released you for transitional work and your department can accommodate your work restrictions. Depending on the nature of your work restrictions, your transitional work may or may not be that different from your regular job. Your supervisor will discuss the details of your transitional work plan with you. These details will be documented in a Bridge Assignment Agreement so that your supervisor and you will both have a clear understanding of your job duties and/or work restrictions.

If your transitional job is full-time, you will receive your regular pay and benefits during your transitional assignment. If you have only been released to work on a part-time basis, your pay, benefits, and hours will be adjusted accordingly. Please call your Claims Examiner if you have questions about your pay.

To ensure a successful Bridge Assignment, your cooperation is vital. You need to be an active participant in this program to make it work. Therefore, the following provides some guidelines for you to follow:

- Follow the work restrictions recommended by your physician. If asked to perform a task that exceeds your restrictions or you feel unable to perform a task, it is your responsibility to immediately notify your supervisor.
- Follow all work and safety rules at the location of your transitional work assignment.
- Notify your supervisor by the start of your shift if you are unable to report to work for any reason. Call the Absence Reporting Hotline and fill out an Absence Report Form.
- If you must leave work for a doctor of physical therapy appointment, you must receive prior approval from your supervisor.
- Perform your transitional work in a professional and responsible manner, just as you would in your regular position.
- Notify your supervisor immediately, and provide medical documentation, if your physician:
 - Takes you off of work.
 - Changes your work restrictions.
 - Releases you to your regular position without work restrictions.

If you have any questions or concerns with this Bridge Assignment Program, please contact your supervisor or the Safety Department.



BRIDGE ASSIGNMENT AGREEMENT

EMPLOYEE:	DATE OF INJURY:
JOB TITLE:	DEPT/DIVISION:

TREATING PHYSICIAN:	
WORK RESTRICTIONS	
You have been released to perform work with the temporary restrictions as outlined above. SCOE is able to accommodate your return to work and has duties available within these restrictions. Your new assignment is as follows:	
BRIDGE ASSIGNMENT	
START DATE	END DATE*

*The assignment end date is the date of the next medical appointment.

Bridge Assignments are designed for temporary placement only. At the end of this Bridge Assignment, SCOE will determine whether or not to assign a new Bridge Assignment based on the Employee's physical restrictions, the availability of transitional work and the business needs of SCOE.

In order to prevent further injury or aggravation to my condition, I agree that I will work within my work restrictions and if I am given an assignment outside of these restrictions, I will immediately inform Safety and furthermore acknowledge that this agreement does NOT represent a permanent change of duties or responsibilities. I also understand that I am required to notify both my direct Supervisor and the one I am assigned to on the Bridge Assignment if I am going to be absent and will give prior notice if I have a medical appointment during work hours.

EMPLOYEE: _____ DATE: _____

SUPERVISOR: _____ DATE: _____

DEPARTMENT: _____ DATE: _____

SAFETY: _____ DATE: _____

Original: Safety

Copy to: Department
Employee