

MISSOURI SOUTHERN STATE UNIVERSITY POLICY

Policy #:		Effective:	July 2012	Category:	All University Employee Policies
Name:	WORKERS' COMPENSATION BENEFITS POLICY				

1.0 PURPOSE

The purpose of the policy is to provide guidance to University employees regarding the policy below in order to comply with the standards set forth by the University. This policy is necessary in order to maintain an effective and compliant workforce that meets the University mission.

2.0 SCOPE

University Employee Policy

3.0 POLICY

All employees are covered by Workers' Compensation insurance. Workers' Compensation provides for the payment of medical expenses and wage/salary compensation to an employee who suffers a work-related injury or who incurs an occupational disease arising out of and in the course and scope of employment with the University. Workers' Compensation also provides for death benefits should the injury or disease result in the death of the employee.

Workers' Compensation for the University is administered by the Missouri Office of Administration, Risk Management Section, the Central Accident Reporting Office (CARO). As such, the University is obligated to follow CARO's established procedures. While Human Resources provides assistance to employees regarding workers' compensation benefits, it does not have the authority to make determinations as to whether medical expenses and/or compensation are payable or the amount and duration of such payments. Such decisions are made by the State of Missouri and not by the University.

If an employee has a work-related injury, it must be reported immediately to the employee's supervisor and to Human Resources. Within 24 hours of a work-related injury (or by the next business day), the employee must file a State of Missouri Initial Injury Report form and a Medical Authorization form with Human Resources, Hearnes Hall Room 217. A Supervisor Statement and/or Witness Statement may also be required. All of these forms are available in Human Resources. If the injured employee is unable to come in person to complete these forms, the employee's supervisor must file them within this same time period.

Under Workers' Compensation, the State of Missouri will not pay for medical treatment received if an authorized medical provider is not used. Therefore, if an employee has a non-emergency injury, he or she must have his or her supervisor or Human Resources refer him or her to the University's authorized medical care provider prior to seeking treatment. If Human Resources or the employee's supervisor is unavailable, then the employee must contact 1-800-624-2354 for a referral to an authorized medical care provider prior to seeking treatment. The University's current authorized medical care provider in Joplin is Freeman OCCUMED. If an employee has a work-related injury and

outside medical care is not needed, or it is unclear whether it is needed, Human Resources will refer the employee to the University Health Center.

In the case of a medical emergency (e.g., potentially life and/or limb threatening), the injured employee's supervisor or another designated employee should take the injured employee to Freeman OCCUMED or to the Emergency Room at Freeman Hospital or Mercy Hospital. If the employee cannot be safely transported in a non-emergency vehicle, the supervisor or designated employee should call 911 and/or Campus Police and request an ambulance to take the employee to Freeman or Mercy Hospital. Again, Human Resources must be notified immediately and the required forms must be completed within 24 hours of the injury or by the next business day.

If an employee is unable to return to work following a work-related injury or illness, then the employee may be eligible for wage/salary compensation until released by a doctor to return to work. Workers' Compensation law requires a three-day waiting period following an accident or injury before payments are made to an employee, unless the employee is hospitalized or is unable to return to work for more than 14 days, in which case, payment for the three-day waiting period is allowed. An employee may elect to use accumulated vacation or sick leave instead of taking leave without pay during the three-day waiting period if it is unpaid under Workers' Compensation law. If the employee is off work for more than three calendar days, and meets the eligibility requirements for FMLA, he or she will be placed on FMLA (if eligible) and Workers' Compensation concurrently.

After the three-day waiting period, an employee may either: (1) take the compensation paid through Workers' Compensation *only* (generally, two-thirds of an employee's average weekly pay on a tax-free basis, up to a maximum set by state law) and go on leave-without-pay status, or (2) use accumulated vacation or sick leave to supplement the Workers' Compensation pay. An employee may receive compensation paid through Workers' Compensation and compensation from earned vacation leave. However, state law prohibits an employee from receiving more than his or her normal wage/salary as a result of receiving both Workers' Compensation pay and sick leave benefits. The employee must notify Human Resources of the type of leave he or she will use during the period of time the employee is unable to work.

An employee who is unable to return to work following a work-related injury or illness is required to provide a doctor's "off work" statement to his or her supervisor and Human Resources stating the necessity to be off work and the length of time the employee must remain off work. When returning to work, the employee will be required to provide his or her supervisor and Human Resources with a written release from the doctor. Any bills for medical and hospital expenses received by the employee should be forwarded to Human Resources for processing and distribution to CARO.

EARLY RETURN TO WORK PROGRAM

It is the University's goal, whenever feasible, to return all employees to regular or temporarily modified duty within three days or as soon as possible following an injury or illness. Modified work is usually a temporary modification of the employee's regular work based on the attending physician's written restrictions. Modified work might also include work tasks that the employee is assigned to perform outside those of his or her regular position in either the regularly assigned department or in another area or department.

The employee is responsible for notifying the supervisor of any work restrictions prescribed by the attending physician. The supervisor is responsible to work with Human Resources in looking for all

possible options to accommodate the physician's restrictions and to monitor the employee's compliance with those restrictions.

During the period of modified work, the employee remains in his or her regular position and classification and receives the regular wage. If a full-time employee is ordered by the physician to work less than his or her regular number of hours in the modified program, the employee may be due temporary partial disability compensation from CARO in addition to the wages earned from the University. This would be computed at 66 2/3% of the difference between the regular daily wage and the earned wages on the reduced work schedule.

REQUIREMENTS FOR EARLY RETURN TO WORK PROGRAM

To qualify for the temporary modified work program, all four requirements must be met:

1. The Workers' Compensation claim must be accepted
2. The employee must have a written release for modified work from his or her attending physician
3. Suitable modified work must be available at the University; and
4. The employee must agree to return to work and sign an "Early Return to Work Temporary Modified – Duty Assignment" form.

Duration of Early Return to Work Program

If the employee refuses to return to work under the modified duty program or if the modified work does not work out for reasons not related to the medical condition (attendance, cooperation, etc.), the employee's compensation payments from CARO will be discontinued.

If the employee participates in the modified duty program, the length of the program will be until one of the following five situations occur:

1. Ninety (90) consecutive calendar days have elapsed from the beginning date;
2. Work is no longer available;
3. The employee is released for regular work;
4. The attending physician indicates the employee has a permanent restriction that prevents return to the regular job; or
5. The claim for Workers' Compensation benefits is denied.

Note: in the case of #4, the employee would then be eligible to apply for other available positions in the University that he or she is qualified for. A second option is that the employee could apply for retraining and vocational rehabilitation through the appropriate state agency. And, in those extremely rare cases in which the employee could not benefit from retraining or vocational rehabilitation, the employee would begin the required waiting period for application for Long Term Disability benefits.

4.0 HISTORY

This policy may be revised, edited, changed or removed at any time with or without notice to applicable individuals.

5.0 RELATED DOCUMENTS