

WORKERS' COMPENSATION

Policy & Procedure

Definition

Workers' Compensation – The Workers' Compensation law is designed to compensate employees for loss of earning power due to work related injuries or diseases, “arising out of and in the course and scope of their employment.” This coverage includes both medical expenses and loss time payments to an employee who is unable to work for an extended period of time due to a compensation injury or disease.

Scope

All state employees, regardless of merit status or type of employment, are covered under the Kentucky Workers' Compensation Law (KRS 342). (i.e. full time, part time employees, faculty, staff, student, graduate students).

Benefits

Medical Expense – Required medical expenses are normally paid in full for services rendered by hospitals, doctors and nurses, medicine, etc., if the claim is found to be compensable.

Loss time benefit – Indemnity payments for loss time are paid when an employee is unable to work for an extended period of time due to a work related injury or illness. These payments represent a 66 2/3% of the employee's average weekly wage. No compensation is payable for the first seven (7) days of disability unless disability continues for a period of more than fifteen (15) days, in which case compensation shall be allowed from the first day of disability. Merit System Rule 101 KAW 1:140 Section 3 (II) provides that “in cases of absence due to illness or injury for which Workers' Compensation benefits are received for lost time, sick leave may be utilized to the extent of the difference such benefits and the employee's regular salary.”

Employee Requirements

1. Report the injury or illness to the supervisor immediately
2. Sign and date all necessary forms (EX: IA-1 – First Report of Injury, Signature Page, Medical Waiver and Consent Form).
3. Keep the University Claims Office informed of work status. EX: doctor excuses, next doctor appointment, work restrictions, etc.
4. Contact our office or your supervisor before going to the doctor so we may insure they take proper paper work to the medical provider with them.
 - Facilities Services employees report injury/illnesses to Office Manager – Harold Denham (2-1439)
 - All other employees report to the University Claims Office (2-5523)

We cannot suggest a medical provider for the employee. However, we can suggest a recommendation for a medical provider. The employee does have a choice. They do not have to go to a medical provider that Occupational Medicine or any other medical provider referred them to go. As long as that medical provider accepts WC insurance the employee can go there.

Supervisor Requirements

1. **Injury Report** – When a supervisor has knowledge of a work related injury or illness to one of his/her employees, it is his/her responsibility as a representative of his/her employer to complete a Workers' Compensation First Report of Injury or Illness Report (IA-1) and submit the form to the University Claims Office (Mattox Building, Suite B). The IA-1 should be complete and thorough. This should be done within 24 hours after the injury/illness, as there is a time requirement on making the first payment to the injured employee. This time requirement cannot be met if the injury report is not received promptly. **Failure to comply with this statute can result in a fine being levied up to \$1,000.00 for each occurrence. The First Report of Injury (IA-1) must be completed and called in by or faxed by the supervisor immediately after notification or injury/illness.** Give specifics: i.e., right arm or left arm, upper back or lower back, etc. Each question must be completed accurately.
2. **Off Work Status** – If the employee is off work at the time the initial injury report was submitted, then it is necessary to complete an Off Work Status form to let the University Claims Office know that this employee is off work.
3. **Return to work** – It is also necessary to complete a Return to Work form upon the return of the employee back to work. This will notify the University Claims Office that this employee has returned and will be notified to stop payment.
4. **Medical Bills** – Should an employee receive a medical bill for their injury/illness, please turn this in to the University Claims Office of Workers Compensation, immediately.
5. **Accident Prevention** – Management, which includes all supervisors, has the responsibility of every activity of their department, and each supervisor must accept their same share of responsibility for worker safety. Alert, informed, and effective employees can prevent most injuries.