WORKER’S COMPENSATION
INFORMATION FOR SUPERVISORS

Reporting a Work-Related Injury/Illness
An "Employer’s Accident Report (EAR)" must be completed and sent to the Department of Human Resources within 24 hours of a notice that an injury/illness has occurred. The Department of Human Resources immediately files the EAR electronically with Managed Care Innovations (MCI), the Commonwealth of Virginia worker’s compensation carrier, who, in turn, files the EAR with the Virginia Worker’s Compensation Commission (VWCC). Failure to report timely may result in a fine assessed to the department by the VWC (Code of Virginia, Section 65.2-902).

It is your responsibility to ensure the EAR is properly completed and a thorough investigation of the incident is completed by interviewing the injured employee and any witnesses as soon as possible. However, other than ensuring the injured employee receives emergency treatment, preparation of the EAR should not be delayed. If departmental procedures require internal routing, suggest a copy of the EAR be used and the original EAR be sent to the Department of Human Resources without delay. Additional information discovered during the investigation may be recorded on the Supervisor’s Incident Report for Worker’s Compensation and forwarded at a later date (within 7 calendar days of the incident). If the injury involves a piece of equipment, note on the accident report. The University Safety Officer will investigate further, if warranted.

Complete all applicable questions when filling out the EAR. If a question does not apply, answer N/A. Questions regarding how the injury occurred and describing the nature of the injury should be answered giving as much detail as possible.

The Supervisor’s Incident Report for Worker’s Compensation, the Panel Physician Selection for Worker’s Compensation form, and the signed statement indicating that the employee was given a copy of the Worker’s Compensation Fact Sheet for Employees may be completed and forwarded later, but must be completed within 7 calendar days of the incident. Once the employee has selected a panel physician, you must refer the employee to that physician for medical treatment. You must also provide each injured/ill employee a Worker’s Compensation Fact Sheet for Employees.

Remind the employee to follow up his/her medical treatment with his/her family physician in the event the case is determined not to be compensable. If the claim is denied the employee may be responsible for charges associated with the medical treatment.

Transporting an Injured/Ill Employee
If an injured/ill employee cannot transport him/herself for medical treatment, you or a fellow employee should do so. You should also take the employee home if transportation arrangements cannot be made with a relative or friend. When emergency treatment is required, the rescue squad should be called.

Emergency Treatment
If an employee requires emergency treatment, you should refer him/her to the Emergency Room at Carilion New River Valley Medical Center immediately. Even though emergency care is given, the employee still must select a panel physician for follow-up care.
Compensability Decision

The decision on whether or not the employee’s injury is compensable is made by MCI as approved by the VWCC. The decision is usually made within 4 - 6 weeks of the date the injury/illness is reported.

The employee may be notified directly by MCI when a compensability decision is made. If the claim is denied MCI will inform the employee by mail of the decision and the reason(s) for the denial. The Department of Human Resources also receives a monthly report listing the compensability decisions made the previous month.

Worker’s Compensation Leave

All original doctor’s excuses, restrictions and return to work notices should be sent to the Department of Human Resources. You should make a copy for your records and the employee should keep a copy. All time missed must be approved by MCI before it is charged as Workers’ Compensation (WC) leave. You should remind the employee that any time missed not approved by MCI will be applied to the employee’s personal leave balances.

Cases Involving Lost Time From Work

If there is time lost from work, the worker’s compensation laws of the Commonwealth require that the employee’s salary be paid in the following manner:

Traditional Sick Leave and Virginia Retirement System (VRS) Disability Retirement Plan Procedures

After the employee has missed 90 consecutive calendar days, s/he will cease to earn annual and sick leave.

Radford University will continue to pay his/her salary for the first 92 cumulative calendar days (736 hours).

If, after 92 cumulative calendar days (736 hours) of worker’s compensation leave, the employee is unable to return to work, one-third of all time missed (2.7 hours each full 8-hour work day) will be charged to his/her remaining leave balances. As long as the employee remains on paid leave, Radford University will continue to pay his/her salary on the semi-monthly payroll schedule.

When all leave is exhausted, the employee will be placed on leave without pay, and two-thirds of his/her average weekly wage will be paid directly by MCI.

Virginia Sickness and Disability Program (VSDP) Procedures

The employee should contact Reed Group (the third party administrator for the VSDP) to report his/her injury/illness for consideration under short-term disability at 1-877-928-7021.

The employee must use available leave balances or be placed on leave without pay to cover the seven calendar day waiting period.

If the employee is approved for short-term disability (125 work days), s/he will continue to be paid according to the income replacement percentage (100%, 80% or 60%) established by VSDP and based on the employee's total months of state service.

After the employee has missed 90 consecutive calendar days, s/he will cease to earn annual leave.

If the employee is approved for long-term disability, s/he will be paid the appropriate amount directly from MCI or Reed Group.

Wage Employees
The wage employee will not be paid for the first 7 calendar days of lost time until s/he has missed 21 days. Time cards must be kept current each week.

Beginning with the 8th, the employee will be eligible to receive two-thirds of his/her average weekly wage directly from MCI.

If the employee misses 21 days due to the work related injury/illness and the injury/illness is accepted as compensable, the employee will be paid for the first 7 calendar days by MCI.

All payments will be made directly to the employee by MCI.

When an employee missing time for a work-related injury/illness is able to return to work, s/he must present a return to work slip from his/her panel physician listing any limitations/restrictions as determined by the physician. If the employee indicates s/he cannot perform certain tasks not listed by the physician, have the employee contact his/her treating physician to update the limitations/restrictions. If s/he cannot perform his/her normal duties due to limitations, s/he may be able to perform duties outside of his/her normal job classification up to 180 days. If you cannot accommodate the limitations/restrictions, complete Section I of the Worker's Compensation Time Missed/Return to Work Notification form indicating you cannot accommodate his/her restrictions and attach the original physician’s return to work notice. You must provide specific job related reasons if you are unable to accommodate job modifications to include information relating to any other placement possibilities at Radford University. Do not allow an employee to return to work without a return to work slip from his/her panel physician.

**Payment of Worker’s Compensation Medical Bills**

Radford University’s panel physicians are aware that they are to bill the university for services provided for work-related injuries/illnesses. If the employee brings any bills, receipts, etc. to you, you should immediately forward them to the Department of Human Resources. The Department of Human Resources will file the charges with the worker’s compensation carrier.

The employee may pay in full or pay the co-payment under his/her medical insurance for medications prescribed by a physician for a work-related injury/illness. The employee may be reimbursed for the prescription by submitting a Worker’s Compensation Request for Prescription Drug Reimbursement form with attached receipts to the Department of Human Resources.

Reimbursement for mileage to and from a treating physician is also provided. If the employee seeks reimbursement for mileage, s/he should complete a Worker’s Compensation Request for Mileage Reimbursement form and return it to the Department of Human Resources. The Department of Human Resources will file the request with the worker’s compensation carrier. It is our normal practice to verify mileage and appointment times with health care providers.

If you need further information, please call the Department of Human Resources at extension 5008.