Workers’ Compensation Training for Supervisors

presented by the
Personnel Services
Department of Human Resources
Workers’ Compensation

- What is workers’ compensation?
- Who is covered?
- Employee & Supervisor Responsibility
- Benefits
  - Wage Employees
  - Full Time Employees
    - Traditional Sick Leave Program
    - Virginia Sickness & Disability Program
What is Worker’s Compensation?

- Program which protects state employees from financial loss due to lost work (wages), medical expenses, and other cost associated with a covered injury.

- Injury/Illness must rise out of and in the course and scope of employment subject to the Workers’ Compensation Act.
Who is Covered?

- Part-time Employees
  - Wage Employees
  - Student Wage
  - Part-time Faculty
  - 120-day hires, one-time pays, etc.

- Full-time Employees
  - Classified Staff
  - Teaching & Research Faculty
  - Administrative & Professional Faculty
Employee Responsibility

- Seek medical treatment, if required
- Report Injury/Illness to Supervisor
- Select physician from approved list
- Keep all appointments & follow medical instructions
- Get doctor excuses for time missed
- Work with & keep supervisor informed
- If VSDP - call UNUM @ 1-800-652-5602 to initiate short-term disability claim
Supervisor’s Responsibilities

- Ensure medical attention is provided
- Complete Employer’s Accident Report (EAR)
  - Preparation instructions on HR website under FORMS
  - Must be delivered to Human Resources within 24 hours
- Investigate accident
  - Provide photograph w/detailed description
  - Request assistance from Safety
Supervisor’s Responsibilities

- Provide *Panel Physician List*
- Provide *Workers’ Compensation Fact Sheet*
- Have employee complete *Employee Description of Incident portion of Supervisor’s Incident Report for Worker’s Compensation*
- Obtain witness statements if required
- If injured/ill employee is a VSDP participant he/she must call UNUM 1-800-652-5602
Supervisor’s Responsibilities

- Send supporting documents to HR
- Send all *original* work excuses to HR
- Follow-up with injured employee
- If employee is returned to work…
  - Are job accommodations required?
  - Can accommodate restrictions?
Supervisor’s Responsibility

- Complete *Workers’ Compensation Time Missed/Return to Work Notification*
  - *If cannot accommodate job modifications must provide specific work related reason*
  - *If accommodation is possible must provide information supporting decision*
  - *List date employee returns to full-duty*
- Attach original return-to-work slip
Workers Compensation - Forms

- Employer’s Accident Report (EAR)
- Panel Physician Form
- Fact Sheet
- Supervisor Statement
- Time Missed/Return to Work Notification
  - Workers’ Compensation Packet for Supervisors available on HR web site: www.radford.edu/~pers-web/forms-word.htm
Workers Compensation Benefits
All Employees

- Protection for lost wages
  - Benefits for lost wages are payable after a 7 calendar day waiting period
  - Lost wage benefit based on 2/3 of average weekly wage for 52 week period preceding the injury
- Pays for medically necessary expenses
- Protection against other losses attributed to the work related injury or illness
Workers Compensation Benefits
Wage Employees

- After waiting period, eligible for 2/3 average weekly wage (AWW)
  - Beginning with 8th day of absence
  - Benefits paid directly by MCI
  - Benefits paid after claim certified as compensable by MCI
  - No pay check from the University
- After missing 21 days, eligible for 2/3 AWW for the 7-day waiting period
- Must provide return-to-work release
Use leave/LWOP for time missed until injury accepted as compensable
Benefits for an approved lost-time claim as follows:

- **Day 1-7**
  - Agency pays full salary
  - Leave used for medically documented absences is restored
Day 8 – 92

- Agency pays full salary
- Agency reimbursed by MCI for 2/3 of AWW
- Agency pays remaining 1/3 as a supplement
- After 21 days, agency is reimbursed for 2/3 AWW for first 7-calendar days
- Employee does not earn leave after missing 90 consecutive calendar days
Full-Time Employees
Traditional Sick Leave

- Day 93 and beyond
  - Agency 1/3 supplement ends
  - Employee must use leave balances to cover 1/3 time missed (2.7 hours per day)
  - After exhausting leave, employee no longer receives pay check from agency
  - MCI pays 2/3 AWW directly to employee
  - Employee placed on LWOP
VSDP & WC are different programs
- coordinate with each other
- independent of each other

WC is primary & offsets short-term disability (STD) benefits
May qualify for STD benefits while WC claim is being processed

- miss more than 7 calendar days?
- initiate STD claim by contacting UNUM at (800) 652-5602

7-calendar day waiting period

Use leave/LWOP for time missed pending STD/WC approval
Full-Time Employees

VSDP

- Leave used during waiting period not restored
  - If WC claim approved & employee misses more than 21 days, 2/3 of leave during waiting period may be restored
- WC benefits retroactive to 8\textsuperscript{th} day missed
- WC 2/3 AWW reimbursed to the agency
- University pays employee STD payments IAW UNUM instructions
  - WC benefit (2/3 AWW) exceeds the VSDP 60 percent income replacement level, employee will not receive a VSDP benefit
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<th>Workdays at 80%</th>
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If employee does not return to full, unrestricted duty, employee enters long-term disability (LTD) at 60% income replacement beginning on day 126.

WC pays 2/3 AWW as primary payer and offsets LTD benefits.

After 500 weeks WC benefits end, LTD may continue at 60% pre-disability salary.
Summary

- Seek medical treatment
- Report injury to supervisor
- Supervisor completes EAR
- Panel Physician Form
- Statements
- Return to Work/Time Missed Notification
  - Must have business reasons if job modifications denied
- Follow-up with injured employee
- Employee uses personal leave/LWOP pending approval of claim
Workers’ Compensation

Questions?

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