

Subject: ON-THE-JOB INJURY OR ILLNESS/ WORKERS COMPENSATION

Date: May 7, 2002

Pages: 1 of 2

Replaces Policy Dated: July 10, 1993

PURPOSE: To establish procedures to be followed when an employee suffers an on-the-job injury or illness in the workplace.

STATEMENT OF POLICY: It is the policy of Pinal County to provide employee compensation for on-the-job injury and illness in compliance with Title 23, Article 6 of the Arizona Revised Statutes.

POLICY APPLICATION: All employees (and bonafide volunteers) are covered under the Workers' Compensation Law, which provides compensation for loss of salary during periods of disablement from work and medical coverage for injuries and/or diseases arising out of and in the scope of employment. Employees who do not wish to obtain the exclusive remedy of the Workers' Compensation Act and, who wish to retain the right to sue their employer, may reject the Act. An election to reject must be in writing (A.R.S. 23 § 906) and be submitted to the Human Resources Department before the employee incurs a qualifying injury or illness.

PROCEDURE: Employee responsibilities are as follows:

1. Report all on-the-job injuries or illnesses, no matter how slight, to their supervisors immediately.
2. Seek medical attention, if necessary and appropriate, at the nearest medical facility.
3. Ensure the medical facility is informed that the injury is job related and that he/she is employed by Pinal County.
4. After treatment, if the employee is released to return to work, the employee must obtain a written release from the physician. This statement must include any work restrictions or physical limitations necessary. This release must be given to the employee's supervisor immediately upon the employee's return to duty.
5. If the employee is not released to return to work, he/she must obtain a statement from the physician stating:
 - A. That the employee is unable to return to work.
 - B. When the employee may be expected to return to work
 - C. Any work restriction or job limitations which may be necessary
6. All Physician statements must be provided to the employee's supervisor immediately upon the employee's return to duty, but in no case later than 24 hours.

The Supervisor's responsibilities are as follows:

1. Report all on-the-job injuries or illnesses to Risk Management within 24 hours.
2. Forward all Physician Notices or Releases to Risk Management immediately upon receipt.
3. Complete all of the following forms and reports, as applicable, and forward them to Risk Management within 24 hours:
 - A. Form 101 – Employers Report of Industrial Injury.
 - B. Supervisors Report of Injury
 - C. Supervisors Vehicle Accident Report.
 - D. Employee's Report of Injury

Employees who have not been released to return to work will have their recovery and ongoing medical care monitored by Risk Management. Every effort will be made to return an employee to duty as soon as practicable.

ON- THE-JOB INJURY OR ILLNESS, WORKERS COMPENSATION

Page 2 of 2

Upon being released to return to work the employee's Appointing Authority will return the employee to work in their original assigned classification. If work restrictions prevent the assignment of an employee within their original classification, the employee will be assigned to a "Light Duty" assignment necessitated by their physical or medical limitations. Such a "Light Duty" assignment is not considered an out of classification assignment and the employee will retain their original position and classification even though they may be assigned to a different classification on a temporary basis. If no such "Light Duty" assignment is possible in the employee's original department, Risk Management will undertake a review of all County departments to determine the availability of a temporary assignment, which satisfies the employees work restrictions. If there is not a light duty position within Pinal County for the injured employee, the employee can seek light duty outside Pinal County's employment. If the employee refuses to work in a light duty position, the worker's compensation benefits will cease.

If the employee's injury results in a permanent impairment that prevents the employee's return to their original classification, the employee must seek an alternative assignment under the provisions of the County's "Reasonable Accommodation" Policy.

EMPLOYEE COMPENSATION WHILE ON WORKERS COMPENSATION: If the injury claim is determined by the County's Claims Administrator to be valid, the injured employee will receive 66 2/3% of his/her base monthly wage, not to exceed the maximum wage set by the Legislature.

The compensation begins on the 8th day of the injury. If the injured employee is off work for a minimum of 14 days, on the 15th day compensation shall be made retroactive from the date of the injury. All workers compensation checks will be delivered to Risk Management, who will be responsible for issuing the check to the employee. An employee who receives Workers' Compensation benefits may use sick leave to make up the difference between the Workers' Compensation payments and current hourly rate of pay by completing a "Workers Compensation Supplementation Agreement" which is available from Risk Management. If the employee has exhausted sick leave, then he/she may use vacation and/or compensatory time to make up the difference.

If an employee uses sick, vacation, or compensatory time to make up the difference between compensation received through Workers' Compensation and the employee's current hourly rate, it shall be the responsibility of the supervisor or Appointing Authority to record the appropriate time on the bi-weekly time sheet. The employee will be required to endorse their workers compensation check over to the County who will credit it to the appropriate leave account on a pro-rata basis. Employees shall not be permitted to utilize sick, vacation, or compensatory time in such a way that would compensate the employee with an amount greater than his/her current hourly rate of pay. In the unlikely event an employee receives payments from their leave account and workers compensation, which are in excess of their regular wage rate, the employee will be required to repay such overages. Failure to do so will be considered theft of County funds and will subject the employee to disciplinary action up to and including termination.

Workers Compensation benefits will be eliminated if an employee refuses a light duty assignment that they are qualified for, and can perform with or without reasonable accommodation. An employee who refuses a light duty assignment that they are qualified for, and can perform with or without reasonable accommodation may be disciplined for such refusal, up to and including termination.