# *WORKERS' COMPENSATION: REPORTING ON-THE-JOB INJURIES OR EXPOSURES*

| POLICY/PROCEDURE | Effective Date: | 07/01/2023 |
|---|---|---|
| Reporting On-the-Job Injuries or Exposures | **Revision #:** | 0 |
| **Associated Form(s):** | First Report of Injury Form<br>Medical/Work Status Form (as applicable) | |

## 1.0 Purpose:

This policy provides an overview of the workers' compensation coverage and on-the-job injury or exposure reporting procedures. The procedures include initiation of the policy and responsibilities of the persons coordinating this process.

## 2.0 Scope:

2.1 Person(s) Coordinating This Process: Affected employee, supervisor, human resources

2.2 All City of Belgrade employees

## 3.0 Definitions:

3.1 **On-the-Job Injury or Exposure:** Physical internal or external injuries or illnesses that occur accidentally through the course and scope of employment and are verified by medically objective findings.

3.2 **Coordinator(s):** Affected employee, supervisor, and human resources personnel responsible for the initiation and execution of a workers' compensation claim.

## 4.0 Policy:

All City of Belgrade employees are provided with workers' compensation coverage through the Montana Municipal Interlocal Authority (MMIA.) The workers' compensation program is facilitated by the City's Human Resources Department.

4.1 Eligibility:

- This coverage is provided at no cost to all employees.
- All claims for workers compensation are facilitated by the human resources Department, but human resources does not determine the acceptability or compensability of a claim.

4.2 Benefits:

- Workers' Compensation benefits are paid in cases of work-related injuries and illnesses that are compensable under the Montana Workers' Compensation Act.
- Upon acceptance of a claim, eligible benefits include, but are not limited to:
  - Approved medical, hospital, and related services;
  - Eligibility for wage compensation for employees who are temporarily unable to work, or if light duty accommodation is not available/feasible.

Currently, replacement wages are equal to 2/3 of the employee's average wage received at the time of injury, after a waiting period of four (4) workdays or 32 working hours, whichever comes first.
    - With the exception of law enforcement personnel, employees are not permitted to utilize accrued paid leave to make up the missing 1/3 compensation.
    - Pursuant to section 7-32-4132 of the MCA, Police Officers who are injured in the performance of their duties and are unable to perform their duties as a result of the injury, will receive additional compensation from the City in an amount to equal the difference between compensation paid by Worker's Compensation and the employee's regular net pay. The City paid amount is calculated by subtracting the Worker's Compensation payment from the employee's adjusted gross salary (less taxes and retirement.) This additional compensation is only payable for the first 12 months of disability; and
  - Eligibility for vocational rehabilitation and disability compensation in cases of permanent impairment.

4.3 Implementation of this policy focuses on accomplishing the following:

- Ensuring timely and accurate reporting;
- Establishing appropriate and effective lines of communication in the event of a work-related injury or illness;
- Ensuring compliance with the Montana Workers' Compensation Act;
- Facilitating a safe, healthy, and timely return to work.

## 5.0 Responsibilities and Procedures:

### 5.1 Employee Responsibilities:

- Initial Reporting: employees must report an on-the-job injury or exposure to their supervisor immediately, by the end of the shift, or as soon as practical/possible after the end of the shift, regardless of whether the employee seeks medical attention for the injury or exposure.
  - If medical attention is needed immediately and the employee is unable to contact their supervisor, the employee should obtain care first, then notify the supervisor as soon as possible.
  - The employee may go to any doctor or facility they choose initially, however, any time after acceptance of liability by MMIA, MMIA may designate a different treating physician, or approve the employee's choice.
  - The First Report of Injury is to be submitted to human resources as soon as possible, within 24 hours if practicable, even if no medical treatment is anticipated at that time. In no case is the First Report of Injury to be delayed longer than 30 days post injury or illness.

- Post Injury or Exposure: A professional Claims Adjustor will be assigned to the claim to determine whether the claim is accepted under state law and regulations. Employees are responsible for communicating and cooperating with the Claims Adjustor at MMIA regarding the specifics of their claim.
    - Employees must provide their Claims Representative and human resources with updated Medical Status Forms if an injury or exposure results in inability to work, or medical restrictions prior to returning to work.
    - If the employee is unable to immediately return to their regular position, the City may place the employee on a temporary work assignment or light duty accommodation (refer to the City's Return to Work policies and procedures.)

**5.2 Supervisor Responsibilities:**

- Initial Reporting: Upon notification of an on-the-job injury or exposure, the supervisor must immediately notify human resources and send the employee to complete the First Report of Injury Form. *NOTE: If immediate medical attention is needed, paperwork can be completed afterwards, but HR must be notified.*

- Post Injury or Exposure: The employee's supervisor must coordinate with the employee and human resources to review work restrictions and identify possible accommodation, prior to the employee returning to work.
    - If the employee is unable to immediately return to their regular position, the City may place the employee on a temporary work assignment or light duty accommodation (refer to the City's Return to Work policies and procedures.)

**5.3 Human Resources Responsibilities:**

- Initial Reporting: Human Resources is responsible for submitting the First Report to MMIA as soon as practical/possible.
    - Human resources may assist the employee with any questions during the claim process, but it is the employee's responsibility to coordinate their claim with MMIA.
    - Human resources does not determine the acceptability or compensability of the claim.

- Post Injury or Exposure: Human Resources will coordinate with the employee and supervisor to review work restrictions and identify possible accommodation, prior to the employee returning to work.
    - Human resources is responsible for working with the employee's supervisor to assess if a temporary work assignment or light duty accommodation is available (refer to the City's Return to Work policies and procedures.)

**Revision History:**

| Effective Date: | Revision #: | Document Author | Description of Change |
|---|---|---|---|
| 07/2023 | 0 | Human Resources Director | Initial Release. |

# *WORKERS' COMPENSATION: RETURN TO WORK*

| POLICY/PROCEDURE | Effective Date: | 07/01/2023 |
|---|---|---|
| Return to Work Policy | **Revision #:** | 0 |
| **Associated Form(s):** | Medical/Work Status Form<br>Light Duty Agreement (as applicable) | |

## 1.0 Purpose:

This policy provides the process whereby an employee who suffers a work-related injury or exposure may return to work as soon as medically appropriate. This process may include temporary assignment to a position with modified work duties. The procedures include initiation of the policy and responsibilities of the persons coordinating this process.

## 2.0 Scope:

2.1 Person(s) Coordinating This Process: Affected employee, supervisor, human resources

2.2 All City of Belgrade employees

## 3.0 Definitions:

3.1 **Work-related Injury or Exposure:** Physical internal or external injuries or illnesses that occur accidentally through the course and scope of employment and are verified by medically objective findings.

3.2 **Coordinator(s):** Affected employee, supervisor, and human resources personnel responsible for the initiation and execution of a return-to-work and/or temporary light duty assignment.

## 4.0 Policy:

The City of Belgrade promotes a successful recovery from any work-related injury or exposure and establishes these guidelines for employees and supervisory personnel to follow when an employee has received a diagnosis from a medical professional that the employee is not able to immediately return to work in his/her current position without restrictions. These guidelines include temporary modification of or change in the employee's job duties to accommodate the injured employee's physical limitations, allowing for a return to work at the earliest medically appropriate date.

Upon receipt of the signed Medical/Work Status Form from a medical professional, the Director of Human Resources, injured employee, and the employee's supervisor shall review any limitations or restrictions that may be placed on the employee. If practicable, every effort will be made to implement a program that meets the needs of the injured employee and the City that will permit the employee's return to a temporary transitional employment position. At no time will an employee be assigned to perform work that could pose a safety and/or health risk to the employee or others.

4.1 Transitional Plan:

Transitional employment includes only short-term duties having some or all the following characteristics:

- Limited physical ability requirements.
- Can be taught to injured employee quickly.
- May be subject to flexible work schedule, including shortened workdays.
- Will minimize exposure of the worker to further injury and will not slow recovery time.

The duties in the transitional employment period may be adjusted from time to time as medical restrictions are lifted or modified.

## 5.0 Responsibilities and Procedures:

### 5.1 Employee Responsibilities:

- Employees will submit a copy of the Medical/Work Status Form to the Human Resources Department as soon as practicable but not later than the next regularly scheduled work shift for both the employee and the Human Resources Department. If the employee is physically unable to submit the copy in person, he/she may notify the Human Resources Department by telephone or submit the copy electronically.
- Employees will notify their supervisor and human resources of pending medical appointments and/or physical therapy.
- Employees will submit copies of all intermediate Medical/Work Status Forms to human resources upon receipt or on the next business day.
- Employees will immediately report any discomfort and/or concern related to temporary work assignments.
- Upon receipt of the signed Medical Release from the medical professional, the employee shall resume the regular duties of the position.

### 5.2 Supervisor Responsibilities:

- The supervisor shall ensure that the work schedule and duties assigned in the transitional plan are being completed in an acceptable manner and are not negatively impacting the employee, other employees, or the safety and operations of the department.
- The supervisor shall work with human resources if it is determined that the transitional plan needs to be modified.

### 5.3 Human Resources Responsibilities:

- In coordination with the employee's supervisor, human resources will write and initiate the light duty agreement with the employee, if applicable.
- In coordination with human resources, the employee's supervisor shall ensure that the transitional plan is not negatively impacting the employee or slowing recovery time.
- Human resources shall maintain the official record and all documentation regarding the work-related injury and the return-to-work plan as well as the release of all modifications and restrictions.

**Revision History:**

| Effective Date: | Revision #: | Document Author | Description of Change |
|---|---|---|---|
| 07/2023 | 0 | Human Resources Director | Initial Release. |