



# FOREST LAKES FIRE DISTRICT WORKERS' COMPENSATION POLICY NUMBER 0017b



## WORKERS' COMPENSATION POLICY

(See also Policy 0017a, Medical Leave)

### Purpose

The purpose of this document is to provide policy for the Forest Lakes Fire District (Fire District) regarding insurance benefits for work-related illness as required by law.

### Definitions

Under ARS 23-371-through 23-381 the Fire District is required to provide sick leave for all full time, temporary and seasonal employees. Currently the Fire District has less than 15 employees and therefore it follows the guidelines of a small employer.

### Policy

All employees of the FLFD are insured and are provided benefits under the Workers' Compensation Act in the event of work-related injury or illness, and it is District policy to follow regulatory requirements.

#### I. GUIDELINES

- A. It is the responsibility of both employees and management to comply with occupational safety and health standards, as well as hazard identification and elimination that are applicable to their own actions and job responsibilities.
- B. Employees are required to immediately report to their supervisor any illness or injury that is attributable to work, regardless of the severity.
- C. A District representative should maintain frequent contact with an injured employee to provide support and encouragement in the recovery process.
- D. It is the philosophy of FLFD to return injured or ill workers to employment within the District as soon as they are physically capable of carrying out the duties of the job and are released to return to work by the District physician. (See Light Duty policy)
- E. Any employee who has been absent due to a work-related illness or injury shall be required to undergo a Return to Work Examination or a Fitness for Duty Examination through the District-appointed physician.



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F. In order to avoid suffering a loss of income due to a work-related injury or illness, the District shall make up the difference between the employee's normal pay and the amount of compensation paid by Worker's Compensation payments so that the employee will receive approximately the identical base salary less the amount of taxes the public safety employee was paying. The employee may be excluded from receiving the difference in pay if the injury is the result of gross negligence on the part of the employee. This plan shall be known as the "Supplemental Benefits Program." In order to receive benefits under this plan, the employee must fill out an application to become a member of the program, which must be approved by the Chief and/or the District governing Board. The District will, on an individual basis, determine if the employee is entitled to benefits under the plan. If eligible under the plan, the employee shall be eligible to receive benefits under the program for an initial period of six months, which may, in the District's discretion, be extended for up to twelve months in total. While participating in the program, employees must comply with all risk management requirements, including evaluation for light duty options and rehabilitation programs. If the employee fails to comply with risk management decisions, the employee's right to continue receiving benefits under the program will be terminated. Other rights and obligations of the employee and employer under this section are more fully set forth in A.R.S. § 38-961, and are incorporated herein by reference.

G. While an employee is on Worker's Compensation, and if the employee is also eligible for the "Supplemental Benefits Program" described in section F above, the District will pay the employee contribution to PSPRS along with the District's contribution to PSPRS. Employees in the program are entitled to accrue credited service for the period of time enrolled in the Supplemental Benefits Plan.

H. While on leave for a work-related illness or injury, the District will continue to pay the District portion of the premiums for District-provided insurance for up to a period of 12 months. Beyond that period, the employee shall be required to pay the full premiums, including the District portion, or to discontinue coverage.

I. Under some circumstances, FLFD may require an injured or ill employee to be seen by a District-designated medical provider as a condition of filing a Workers' Compensation claim on behalf of the employee. If such requirement is made and the employee chooses not to be seen by the provider in accordance with this policy, the employee may be denied eligibility for Workers' Compensation payments.

J. In the event an employee suffers an injury or occupational illness while on the job and leaves work due to such an event, the employee shall be paid for the remainder of the scheduled 8-hour or 24-hour shift.



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K. It is the philosophy of FLFD to return injured or ill workers to employment if they are physically capable of carrying out the duties as required by a job analysis and if they are certified as able to return to duty by the District's designated physician. The availability of light duty work shall be evaluated by the Fire Chief on an individual case basis. Every effort shall be made to return the employee to the pre-injury job, a modified similar job or another position available within the District.

L. In the event that an employee on Workers' Compensation is approved for and offered a light duty assignment and chooses not to accept the assignment, he may be denied continuation of Worker's Compensation benefits, and may be subject to disciplinary action.

### **II. PROCEDURE FOR FILING A WORKERS' COMPENSATION CLAIM**

A. The employee is to notify the supervisor (or in the supervisor's absence, another member of management) of any work-related illness or injury within 24 hours. The employee and supervisor must both complete and sign a "Supervisor's Report of Industrial Accident" form and submit it to the Administration Office within three calendar days.

B. The employee shall be given a form to present to Summit Occupational Health at Summit Regional Medical Center, in the event that Occupational Health is not open Summit Regional Medical Center Emergency Room shall be utilized for evaluation and treatment.

C. The supervisor shall also complete the "Supervisor's Investigation" segment of the form as directed in the instructions. The supervisor shall obtain pertinent information about the accident, illness or injury, noting injury details, unsafe acts and conditions, witness statements, and remedies to prevent similar occurrences in the future.

D. The Administrative Assistant shall notify the Workers' Compensation carrier and provide any necessary reports, as required by law.

E. Subsequent to the District filing the claim report, the Workers' Compensation carrier shall send forms directly to the employee for completion and submission in order to process payments as necessary.

F. An employee who is absent from work for three days or longer due to a Worker's Compensation injury or illness shall also be placed on Family Medical Leave (see policy entitled "Family Medical Leave Act").



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Approved by the Forest Lakes Fire District Board on: \_\_\_\_\_.

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John Hennessey, Clerk

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