

## HRM Monthly Checkup for Units WORKERS' COMPENSATION

*The following checklist is designed to help you maintain compliance with State, Civil Service, and AgCenter requirements in the area of Workers' Compensation. Any employee who is injured while on the job (no matter the severity of the injury) must complete the documentation described below. This checklist will serve as a useful reminder for employees who have responsibility for completing the necessary workers' compensation forms for their unit. For employees who are relatively new to this function, it will help ensure that you are maintaining all required procedures. Please take a few moments to complete the checklist and review the explanatory material. You are not required to return the HRM Monthly Checkup to this office. It is for self-audit purposes only.*

### BASIC REQUIREMENTS

Workers' compensation is an employer paid insurance program designed to protect employees from loss of income due to injuries sustained in the scope of their employment. Generally the law provides for payment of medical expenses recommended by attending physicians and for limited compensation payments made when employees are absent from work for more than one week.

- All employees are required to report an on the job injury.** Delays in reporting an employee injury or illness will affect the employee's health and their entitlement to compensation benefits. The event causing the injury or illness must arise out of and be within the course and scope of employment. Any fraudulent action by an employer, employee or any other person for the purpose of obtaining or defeating any benefit or payment of workers' compensation will subject a person to criminal and/or civil penalties.
- Notice of Compliance** poster must be placed in a convenient and conspicuous place in the unit. Each unit should designate someone to ensure that injuries which occur at their location are reported and documented on the appropriate forms.
- Incident/Accident Investigation Form.** This form must be completed by the designated person in the unit or the immediate supervisor of the individual who has been injured. This form must be completed for any injury, with or without medical treatment.
- Employer Report of Injury/Illness Form (LDOL-WC-1007).** This form must be completed by the designated person in the unit or the immediate supervisor of the individual who has been injured. This form is only needed if the injury suffered by the employee required medical treatment. Otherwise, only submit the Incident/Accident Investigation Form.
- Authorization for Medical Treatment.** This form should be provided to the injured employee so that he/she may present it to their treating physician. The form informs the physician (and medical billing department) that the injury should be covered under workers' compensation.
- Return-to-Work Policy (PS-37).** According to PS-37 units must make accommodations within reason for an employee who is released by his treating physician on light duty. Units should contact HRM for assistance with this provision.
- Medical Certification Policy (PS-34).** This policy governs medical certification requirements.

- Family Medical Leave Act (FMLA).** When an employee is absent from work due to a work related injury, the supervisor should review FMLA provisions to determine whether the FMLA covers the absence. The FMLA guarantees that FMLA-eligible employees will be allowed to use a total of up to 12 weeks of annual leave, sick leave, compensatory leave (for classified employees, non-payable) or leave without pay, as appropriate, within a 12 month period due to the employee's serious medical condition as defined by the FMLA. Refer to the FMLA form at <http://www.lsuagcenter.net/hrm/Documents/MedNot.doc> for details. Medical certification to support the request is required. Refer to AgCenter PS-34 for additional details.

## RECORD-KEEPING

- The *Incident/Accident Investigation Form* and the *Employer Report of Injury/Illness* as applicable, must be completed and returned to the Human Resource Management Office, 103 J. N. Efferson Hall, immediately following the employee's report of injury to the unit. The unit may fax these forms to (225) 578-8284. The originals must be forwarded via mail to LSU AgCenter, HRM, P.O. Box 25203, Baton Rouge, LA 70894-5203.
- Maintain a file for the injured employee. This file should contain copies of those forms that were completed and sent to HRM. In addition to these forms, the file should contain future copies of medical invoices which may be submitted by the employee following treatment/billing. All original medical invoices must be forwarded via mail to LSU AgCenter, HRM, P.O. Box 25203, Baton Rouge, LA 70894-5203.
- For assistance in completing the forms or if you require additional information contact Kathy Loyd ([kloyd@agcenter.lsu.edu](mailto:kloyd@agcenter.lsu.edu) or 225/578-8229), Sandra Schober ([sschober@agcenter.lsu.edu](mailto:sschober@agcenter.lsu.edu) or 225/578-4631) or Torii Freeman ([tfreeman@agcenter.lsu.edu](mailto:tfreeman@agcenter.lsu.edu) or 225/578-4640).

## COMMON QUESTIONS

- What is the process for recording employee time?** For any leave that an employee may take related to their injury, he/she is required to charge sick leave first, then compensatory leave, then annual leave, and finally, leave without pay (if necessary) to cover his/her absence from work.
- What happens if an employee has accrued leave?** If an employee has accrued leave, he/she will be re-credited 2/3's of any paid leave used while absent from work under workers' compensation. All leave re-credits will be calculated by the HRM Office. The employee will be responsible for signing re-credit checks after they are processed by the HRM Office.
- What happens if an employee does not have accrued leave?** If an employee does not have any accrued leave or uses all of his/her previously accrued leave while on workers' compensation, he/she will be placed on leave without pay. In LWOP status he/she will receive payment for 2/3's of salary from the Office of Risk Management. This check will be issued after the work status of the employee is verified by the HRM Office.
- When does the injured employee receive payment?** The employee is not eligible for compensation until the employee has missed seven consecutive days due to their workers' compensation injury. The Office of Risk Management (ORM) will begin calculating the


compensation for the employee after the eighth consecutive day. The employee will not be paid for the first seven days, unless he/she remains absent from work for 42 consecutive days. The payments from ORM are coordinated through HRM. ORM will compensate the employee for 2/3's of his leave or if the employee is on LWOP then 2/3's of his salary.

- What should you do if an employee's injury is questionable?** If the unit doubts the validity of the workers' compensation claim, the unit head should immediately contact the HRM Office for assistance.
- What happens if an employee returns to work and re-injures himself?** **Contact the HRM Office**
- What happens if an employee returns to work and then is unable to work?** **Contact the HRM Office**
- What happens if you discover an injury was not reported timely?** **Contact the HRM Office**

#### **LINKS - Forms and Policies:**

-  **Workers' Compensation Notice of Compliance Poster**  
[www.lsuagcenter.net/hrm/Documents/WCnotice.pdf](http://www.lsuagcenter.net/hrm/Documents/WCnotice.pdf)
-  **Incident/Accident Investigation Form**  
[www.lsuagcenter.net/hrm/Documents/Incident%20Accident%20Investigation%20Form.pdf](http://www.lsuagcenter.net/hrm/Documents/Incident%20Accident%20Investigation%20Form.pdf)
-  **Employer Report of Injury/Illness Form (LDOL-WC-1007)**  
[www.lsuagcenter.net/hrm/Documents/InjuryReportFormWC1007.pdf](http://www.lsuagcenter.net/hrm/Documents/InjuryReportFormWC1007.pdf)
-  **Authorization for Medical Treatment** (according to the La. Workers' Compensation Act)  
[www.lsuagcenter.net/hrm/Documents/W.C.%20Medical%20Treatment%20Authorization.pdf](http://www.lsuagcenter.net/hrm/Documents/W.C.%20Medical%20Treatment%20Authorization.pdf)
-  **Return to Work Policy (PS-37)**  
<http://www.lsuagcenter.com/MCMS/RelatedFiles/{C8671BAA-48C8-4C08-AB4C-B07E3665301D}/ps37.pdf>
-  **Medical Certification Policy (PS-34)**  
<http://www.lsuagcenter.com/MCMS/RelatedFiles/{C8671BAA-48C8-4C08-AB4C-B07E3665301D}/ps34.pdf>
-  **Medical Certification for Sick/FMLA Leave** (attachment to PS-34)  
<http://www.lsuagcenter.com/MCMS/RelatedFiles/{C8671BAA-48C8-4C08-AB4C-B07E3665301D}/Medical.pdf>
-  **FMLA Request/Notification Form**  
<http://www.lsuagcenter.net/hrm/Documents/MedNot.doc>

#### **MOST COMMON MISTAKES**

-  Not submitting accident reports to HRM as soon as the unit is aware of the accident/injury.

- X<sup>e</sup> Not notifying HRM that an employee has returned to work.
- X<sup>e</sup> Not submitting an accident report because the employee said the injury was very minor.
- X<sup>e</sup> Not properly handling leave re-credits.
- X<sup>e</sup> Not notifying HRM that the employee has begun LWOP.
- X<sup>e</sup> Allowing an employee to return to work without an official medical release on PS-34 form.
- X<sup>e</sup> Not calling HRM to find out whether a particular situation should be reported.
- X<sup>e</sup> Not filing FMLA forms timely.