

Palm Beach State College

Board Procedure

TITLE	Workers' Compensation and Illness in Line of Duty Leave Procedure	NUMBER 6Hx-18-5.07P
LEGAL AUTHORITY	1001.61 FS, 1001.64 FS, 440 FS	PAGE 1 of 3
DATE ADOPTED/AMENDED	6/20/2023	

Purpose

To inform all full-time and part-time employees of the process and benefits available under the Worker's Compensation Law when the employee must be absent from work because of a qualifying accident or illness arising out of performing their job duties in accordance with State law.

Reporting

In order to be considered for workers' compensation medical benefits and/or illness in line of duty "ILOD" leave, an employee shall, in all instances of accident or injury arising out of the course of employment, report accidents or injuries sustained while performing job duties to their supervisor and campus security who shall complete a report within twenty-four (24) hours.

If the injury requires emergency services and the employee is transported for treatment, the supervisor or designee who is present shall immediately complete a report with campus security and the employee shall provide a statement as soon as they are physically able.

Failure to report or timely report a work-related injury may impact employee benefit eligibility in accordance with state law. Failure to immediately report no later than twenty-four (24) hours an accident resulting in damage to property or injury or failure to participate and submit to a post-accident drug and/or alcohol test may result in disciplinary action up to and including termination of employment.

Testing Requirements

Employees involved in a work-related accident or injury will be required to submit to a post-accident drug and/or alcohol test in accordance with District Board of Trustees Policy 6Hx-18-5.84, "Drug and Alcohol Free Workplace". Failure to participate and submit to testing may result in forfeiting eligibility for workers' compensation benefits and disciplinary action up to and including termination of employment.

Medical Treatment

An employee injured while performing their job may or may not need to seek medical attention. However, the employee shall still report the injury as outlined above.

If an employee sustains a non-emergency injury and seeks medical attention, following notification to the supervisor and campus security, the employee shall contact the Benefits Department in the Office of Human Resources for authorization of treatment and drug testing with the College's providers.

Non-emergency medical treatment (treatment not required to be provided in a hospital emergency room) that is not pre-authorized by the Office of Human Resources or the workers' compensation carrier may not be covered under workers' compensation and may void the employee's claim under state law. An employee electing to utilize a personal physician or medical provider not authorized in advance by the Office of Human Resources Benefits Department or the College's workers' compensation carrier shall be responsible for any and all costs related to such services rendered.

As part of the medical visit for a work-related injury, the treating provider shall evaluate and certify whether the employee is able to perform all, some, or none of the job duties and complete appropriate documentation. Upon completion of the medical visit, the employee shall provide the documentation from the medical provider (DWC-25 or doctor's note) to their immediate supervisor and/or the Office of Human Resources Benefits Department.

As applicable, the employee is responsible for following appropriate medical treatment instructions (e.g., medication, medical care, etc.). An employee shall work with the supervisor regarding timing of any required follow-up visits. Employee inquiries regarding referrals and treatment after the initial evaluation shall be under the guidance and approval of the workers' compensation carrier's representative.

Work Restrictions or Inability to Resume Work

Any medical provider documentation referencing an employee's work restrictions or an inability to resume work shall be evaluated by Human Resources in collaboration with the supervisor for appropriate action. If not released to resume work, an employee may not work in any assigned modality until the next medical re-evaluation appointment. The Office of Human Resources may assign leave in accordance with District Board of Trustees Policy 6Hx-18-5.131 "Family Medical Leave" or 6Hx-18-5.13 "Extended Medical Leave" where applicable.

Illness In Line of Duty "ILOD" for Missed Work or Follow-up Appointments

Applicable ILOD leave for regular and fixed-term full and part-time employees may be authorized for five (5) scheduled workdays during the calendar year regardless of the number of reported injuries during the calendar year.

The five (5) days of illness in line of duty leave shall be used first to cover the employee's absence as determined to be necessary by the carrier's approved workers' compensation physician. ILOD is intended to pay the employee for lost wages during the waiting period before payments from the workers compensation provider (called indemnity payments) take effect.

Unused ILOD leave shall expire when maximum medical improvement is reached or the last day of the calendar year (whichever occurs first), and is non-cumulative, non-compensable, and non-transferable.

Indemnity Payments Through Workers' Compensation and Accrued Time Off

Employees eligible to be paid by the workers' compensation carrier receive two-thirds (2/3) of their gross wages as determined by carrier. The employee shall supplement indemnity payments with accrued and available sick, personal, and vacation time on a pro-rata bases before taking unpaid leave in accordance with District Board of Trustees Policy 6Hx-18-5.131 "Family Medical Leave".

Reporting Time

To be eligible to collect Illness in Line of Duty payments, employees must request the time off through the online system and attach the applicable physician's report citing the inability to work.

When combined, indemnity payments for lost time through the carrier and the College may not exceed an employee's current base pay at the time of the injury.

All leave usage including ILOD, sick, personal, vacation and unpaid time shall be requested by the employee in the online system. The supervisor shall ensure all requests are reported timely and accurately.

If an official college holiday or break occurs during the eligible employee's paid ILOD leave, or indemnity period, the eligible employee shall receive holiday pay in lieu of paid ILOD leave.