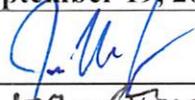
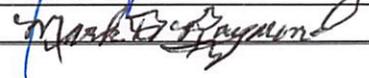


**WORKERS' COMPENSATION**

<b>Revision Number: 1</b>	<b>Effective Date: September 19, 2016</b>
<b>Revision Date: 1-August 8, 2016</b>	<b>Issue Date: September 19, 2016</b>
<b>Supersedes: Rev.0-January 15, 2008</b>	<b>Approvals:</b> <b>HR Director:</b>  <b>Commission:</b> 

**PURPOSE**

Uintah County carries Workers' Compensation Insurance which provides benefits to employees and duly authorized volunteers who suffer a County work-related injury or illness in accordance with Utah law. As benefits are determined by statute, Uintah County has no control of the benefits provided, and benefits may be changed at any time by the Utah Legislature, action by the courts or by change in Department of Labor rules. Any reference to benefits provided by the workers compensation carrier are based on benefits current at the time of adoption of this policy, are illustrative only and do not create any obligation on the county to provide benefits in addition to those provided by the workers compensation carrier under Utah workers compensation laws.

**SCOPE**

This policy applies to all County employees and volunteers.

**CROSS REFERENCES**

County Vehicle Operation, Policy 550

**POLICY AND PROCEDURE**

1. Uintah County carries Workers' Compensation Insurance on all employees and duly authorized volunteers to handle claims resulting from work related injuries or illness. Benefits typically covered under Utah law include hospital and medical bills; time lost from work; permanent loss of body function; prosthetic devices; burial benefits in death cases; travel allowance for travel to and from authorized medical care.
2. Any County employee who sustains a work related injury or illness, regardless of the severity, must report the incident to the immediate supervisor and the HR Director within 24 hours of the incident. Serious work related injuries which require the employee to seek immediate treatment from a physician or results in unconsciousness must be reported within 12 hours of the incident. Failure to do so may result in disciplinary action as late reporting of claims by the County to the Department of Labor and UOSH may result in penalties. The employee must also fill out the "Employee Accident Report" and see that the HR Director receives a copy (Department Heads and HR should both retain copies).
3. In the event of an emergency, employees should proceed directly to an emergency room. Otherwise, EMPLOYEES ARE REQUIRED TO MAKE INITIAL PHYSICIAN CONTACT TO A COUNTY DESIGNATED PHYSICIAN OR HOSPITAL. The cost of

initial medical treatment obtained by any individual other than a County designated physician or hospital will be the responsibility of the employee. When obtaining medical attention, the employee must identify that the injury/illness is work related and that claims should be submitted to the County's workers' compensation carrier. Information on the County's carrier will be posted at each work location within the County, and is available by contacting HR.

4. The employee must notify their supervisor or HR immediately if the physician of record prescribes time off work to treat the work related injury, either initially or at any time during the treatment of the injury.
5. Transitional Duty. The County and the employees' goal should be the same of that of the Utah workers compensation laws, which is returning the employee to work as soon as medically reasonable. To achieve that goal, the County regularly identifies transitional duty assignments for injured employees. The employee should let the physician know transitional duty may be available to allow the County, the physician, and the employee to work together to determine possible transitional duty work for the employee.
  - A. The County may give the employee a temporary assignment for the duration of the injury recovery within the limitations prescribed by the physician.
  - B. The employee should follow all instructions in follow up visits with the physician and notify the County of any changes in status, limitations, or return to work releases.
  - C. Failure to work in a transitional duty assignment within the limitations prescribed by the physician or follow physician's instructions may jeopardize lost time benefits and/or County employment status.
6. If an employee loses 14 or fewer work days, the first three days of absence may be covered by PTO or the days shall be taken as leave without pay. The worker's compensation benefit would then begin on the fourth lost work day. If those first three days are later compensated by the workers compensation carrier, PTO paid for those days must be reimbursed by the employee. If 15 or more days are lost, an employee should receive workers' compensation benefit wages for all lost work days. An employee may receive wages by using accrued PTO if workers' compensation coverage is denied. Employees may not otherwise use accrued PTO or compensatory leave while being compensated through workers' compensation.
7. The employee is entitled under Utah workers compensation laws to 66 and 2/3 of his average gross weekly wage, plus a \$5.00 allowance per dependent under age 18 (up to 4 dependents) per week. Workers' compensation lost time benefits are paid at this roughly two-thirds level to compensate for the benefits tax free status to provide an amount comparable to an employee's regular net pay.
8. If a claim is denied by the workers compensation carrier, the employee is liable for all the expenses incurred. The employee may dispute the claim with the insurance carrier through the carrier's arbitration process. Information on dispute resolution can be

obtained from the County's workers compensation carrier or from the Department of Labor.

9. If there are indications that the disability will be longer than three months, the employee should also apply for Long Term Disability and Social Security Disability. At that time, Long Term Disability will be coordinated with Workers' Compensation and Social Security, if the employee is eligible.
10. Employees on leave without pay status, due to job related injury/illness, will receive Medical Insurance and Long Term Disability coverage at the County's expense at the current rate of contribution up to a maximum of five months. The employee will be responsible for his/her employee contribution to the health insurance while on leave without pay status due to job related injury/illness. After the first five months of disability, the employee should be eligible for COBRA insurance according to the COBRA laws in effect at that time.
11. In instances where an employee has been unable to work as the result of an injury covered by workers' compensation, the employee's right to return to County employment will be governed by the following conditions:
  - A. Within one year of the last day worked, an employee in an approved leave without pay status shall be entitled to the previous position held or a similar position with equivalent pay. The County may require medical evidence upon which to make judgments regarding reinstatement.
  - B. If an employee is unable to return to the vacated position or a similar position with or without reasonable accommodation within one year from the last day worked, the employee will be administratively terminated.
12. An employee injury reported to the workers' compensation carrier will be investigated by the County's safety committee. As in the County Vehicle Operation policy, the investigation may determine that the injury was due in whole or in part to: an ineffective policy or practice which should be modified; or the employee's disregard for safety policies and practices for which the employee should be disciplined. While an employee will not be disciplined or retaliated against for filing a legitimate workers compensation injury, the employee may be disciplined for violation of County safety policies and practices related to such injury or failure to follow requirements of this or other County policies.