



*Office of Human Resources*  
3401 CSM Drive, San Mateo CA 94402  
Automated Service Line.: (650) 574-6555      FAX: (650) 574-6574

# **WORKERS' COMPENSATION CLAIMS**

## **PROCEDURE MANUAL FOR MANAGERS**



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## **WORKERS' COMPENSATION PROCEDURES FOR MANAGERS**

### **I. Management Responsibility**

All employees and volunteers of San Mateo County Community College District are covered by Workers' compensation for injuries and illnesses that occur while at work. Currently, the management of all District workers' compensation matters is the responsibility of the Office of Human Resources in conjunction with our third-party administrator, Sedgwick Claims Management Service. ( Toll Free: 877-809-9478).

All supervisory and administrative employees are responsible for assuring that the required employer reporting form is completed and faxed to the Office of Human Resources within twenty-four (24) hours of the time that the injury or illness is reported to them.

All necessary documentation is available in our District Portal website under Human Resources Folder, worker's compensation folder.

The College Health Center staff is available to assist with first aid and with referrals to medical facilities for serious injuries and illnesses.

Please refer to the Injury Illness Prevention Program for first aid, Work Related Vehicle accidents and Injury Illness Preventions and Investigations Procedures.

### **II. When the Accident or Illness is Reported**

The following steps are to be taken by the supervisor or administrator as soon as an incident is reported:

Immediately upon learning about an accident or illness, the supervisor or administrator is required to complete the "Employer's Report of Occupational Injury or Illness (form 5020)" and the supervisor investigation report. Please provide the injured worker with the "Workers' Compensation Claim Form (DWC-1 form)" part of the [wc new injury/illness reporting packet](#). The injured worker is not to complete form 5020. The employee is to complete in their own writing the DWC-1 form. DWC-1 form includes an employee section (top portion) and an employer section (bottom portion) that needs to be completed. Additional forms are required for the employee to complete under [wc new injury/illness reporting packet](#) in the District Portal website under downloads.

Once completed, the manager is to forward the required forms to the Office of Human Resources. Original will be sent interoffice campus mail.

Once forms are received, the Office of Human Resources will review the form for completion and gather any facts needed: detail information regarding the incident, loss time, medical treatment referrals, witnesses; any information necessary to report to Sedgwick Claims Management Service.

If any concerns arise, the supervisor or administrator should forward his/her written statement to the Office of Human Resources.

Please report all work related vehicle accidents to the Office of Human Resources. New injury/illness reporting forms should be completed with the employee (s) involved. If a District vehicle is involved, the employee must complete a [report of District vehicle accident form](#). Please contact the District's Executive Vice Chancellor's Office or the Office of Human Resources.

### **III. Designated a Personal Physician**

If the injured worker has already filed a [pre-designated personal physician form](#) that includes the name of a designated personal physician (these completed forms are found in the employee's personnel file in Human Resources and should also be in the department office), the worker should be directed immediately to obtain medical care from that provider. However, we do ask that the employee contact their designated personal physician to be certain the provider still handles work related injury/illnesses. If the provider no longer handles work related injury/illnesses, the employee is directed to our of the District's designated facilities (listing found in our District Portal website, downloads, human resources folder, worker's comp folder, [medical authorization form designated medical facilities](#)).

In the case of emergencies, the supervisor or administrator is required to call 911.

An employee may be directed to the nearest emergency medical care facility for life threatening incidents.

If the injured worker has not pre-designated a personal physician or other licensed medical provider, the worker should be directed immediately to a facility in our District designated medical facilities.

The College Health Center staff is also available to assist in first aid incidents or may determine if additional medical treatment is necessary.

### **IV. Physical Injuries: Employee Entitlement To Paid Leave**

Worker's compensation claims that result from physical injuries that are witnessed and unchallenged by management, are the type of claims that are most likely to be approved immediately by Sedgwick Claims Management Services. Therefore, worker's compensation leave should be charged beginning with the first day of absence, and continuing for a maximum of sixty (60) days. Sedgwick Claims Management Service has sole responsibility for approving or denying claims for worker's compensation.

- ❑ For absences as a result of a workers' compensation illness or injury, the Office of Human Resources will exhaust the employee's entitlement to the sixty (60) days of worker's compensation leave. At the exhaustion of the sixty (60) days of worker's compensation leave, the daily equivalent of one-third (1/3) of the employee's own sick leave, vacation, and compensatory time balance is used, depending on the length of the employee's absence. The order of paid leave usage depends on collective bargaining agreement. The one-third (1/3) may be more depending on the employee's earnings due to state disability for total temporary disability incapacitation benefits. During the absence, Sedgwick Claims Management Service continue to monitor the

workers' compensation benefit allowed to cover for two-thirds (2/3) of the employee's daily salary.

- ❑ If the absence continues, the employee will need to apply for a leave of absence without pay and the District will assist the employee in applying for short (long) term disability benefits through the District insurance carrier.
- ❑ During the employee's absence, the department managers may either assign another employee into the position or hire a temporary substitute, pursuant to the legal timelines for temporary employees (Refer to Short-Term Substitute Procedures).

Worker's Compensation injuries/illnesses that are challenged by the department managers will be formally investigated by Sedgwick Claims Management Service and will be delayed for ninety days before a determination is made. The Office of Human Resources is notified directly by Sedgwick Claims Management Service about the status of these claims and then notifies the department administrator.

- ❑ In such cases, the employee's sick leave balance is used until such time as a determination is made by Sedgwick Claims Management Service.
- ❑ If the claim is approved, then the employee's sick leave is restored and replaced by worker's compensation retroactive to the date of injury.
- ❑ If the claim is not approved by Sedgwick Claims Management Service., the Office of Human Resources will obtain written medical verification from the employee's treating physician and either continues to deduct from the sick leave balance or coordinate the employee's return to work, depending on the verification obtained.

## **V. Return to Work with NO Limitations/Restrictions (Full Medical Release)**

The injured worker is required to remain off work until such time as employee's treating physician has approved a return to work. If the injured worker is determined by the physician to be fit for duty with a full medical release, the written release must be faxed or mailed to the Office of Human Resources.

Human Resources will coordinate assistance to the employee and the department so the employee may return at the earliest time possible.

## **VI. Fitness for Return to Duty WITH Limitations/Restrictions**

If the injured worker is determined by the physician and Sedgwick Claims Management Services to be fit for duty with specified temporary physical restrictions, Sedgwick Claims Management Services will discuss the return to work with Human Resources prior to the employee's return.

The Office of Human Resources will review the specified work restrictions with the department manager to determine whether or not the restrictions can be accommodated for the employee's position.

- ❑ If the department manager and the Office of Human Resources determines that the work restrictions can be accommodated, Human Resources t will notify Sedgwick Claims Management Service and the employee to arrange a return to work date.
- ❑ The employee must contact his/her immediate supervisor to arrange for a return date as soon as possible, and to discuss how the limitations will be managed. Human Resources will assist to make this arrangement.

## VII. Follow-up Medical Appointments and Absences

Once the employee has returned to work, all subsequent medical appointments, including physical therapy, are **deducted from the employee's sick leave balance, not from worker's compensation leave.**

- ❑ Workers compensation leave can be claimed for medical appointments **only when** the appointment is required and scheduled by Sedgwick Claims Management Services and the employee has been notified in writing.

Subsequent absences are deducted from the employee's sick leave balance.

Should the employee re-injure himself/herself, the process begins again for new injuries/illnesses.

If off work again for an injury/illness already approved (same injury/illness), worker's compensation leave will continue where left off from original first day absence and last day worked for worker's compensation benefits.