



Policy: Workers' Compensation	Policy Number: I-4.8
Policy Owner(s): Human Resources	Original Date: 3/10/2016
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I. **POLICY:** Workers' compensation benefits for University employees are provided by John Carroll University in accordance with state law as a self-insured Workers' Compensation employer. The University and its Third-Party Administrator (TPA) are responsible for determining eligibility for benefits payable for work-related injuries and illnesses and for coordination of medical benefits for medical treatment decisions and other workers' compensation benefits.

II. **PURPOSE:** This policy explains the responsibilities of employees who sustain work-related injuries, as well as the responsibilities of their supervisors. Departmental procedures may include additional responsibilities for injured employees and their supervisors.

III. **SCOPE:** All John Carroll University employees.

IV. **DEFINITIONS:**

Third Party Administrator (TPA): – The company that assists the University with review of reports of injury and claims, provides treatment approvals and coordinates medical management for work-related injuries or illnesses on behalf of the University. John Carroll University's current TPA is Sedgwick Claims Management Services.

V. **GUIDELINES:**

A. **Employee Responsibilities:** Employees who sustain a work-related injury or illness must do the following:

1. For emergencies that result in serious bodily injury, call 911 (or extension 1234 if on campus). For less serious workplace injuries, seek treatment at the nearest health care provider. If you are capable, tell the emergency room or health care provider that John Carroll University is self-insured for workers' compensation and that our Third Party Administrator (TPA) is Sedgwick Claims Management Services.

2. If, while at the emergency room or doctor's office, you are asked to complete a "First Report of Injury" (FROI) form, request a copy and bring it with you when you return to work. *See attachment below.*
3. Report any work-related injury or illness to the appropriate supervisor immediately unless unable to do so. If the supervisor is unavailable, contact the Office of Regulatory Affairs and Risk Management or the Human Resources Department. Employees will need to report exactly what happened, how it happened, explain any injuries that resulted from the incident, and identify any witnesses to the injury. This information is reported on the University's Accident Incident Report and Investigation form. *See attachment below.*
4. If the employee is unable to contact their supervisor, co-workers or other JCU staff involved in the incident should attempt to contact the supervisor and/or the Office of Regulatory Affairs and Risk Management or the Human Resources Department.
5. Complete all paperwork required by the University and the State of Ohio and assist with notifications to the TPA. This paperwork is required even if a JCU Police Department incident report has been filed.
6. Obtain any needed medical treatment consistent with instructions from the TPA.
7. Follow-up treatment must be approved by the TPA and the University. Cooperate and communicate with the TPA, claims examiner, and University, as requested.
8. Notify the supervisor and the Human Resources Department, as necessary, regarding their work status while out of work due to a workplace injury and provide necessary return-to-work information.

B. Supervisor Responsibilities: Supervisors who receive a report of a work-related injury or illness must complete the following steps:

1. Ensure the injured employee was provided medical assistance, if needed.
2. Complete an Accident/Incident Report and Investigation Form with the employee and forward it to the Office of Regulatory Affairs and Risk Management within three (3) calendar days. *See attachment below.*
3. Address any questions regarding this process with the Office of Regulatory Affairs and Risk Management.

Additional information about reporting work-related injuries is available on the Risk Management website.

C. Absence from Work

1. If an employee is eligible for Family and Medical Leave Act (FMLA) leave, an absence from work related to a work-related injury runs concurrently with the FMLA leave. See Family and Medical Leave Act Policy for further details on FMLA leave.
2. If an employee is unable work up to and including seven (7) calendar days of work following the work-related injury, the employee must use available paid time off consistent with other applicable University policies. An employee who does not have paid-time off available will be placed on leave-without-pay status.
3. If an employee is unable to work for eight (8) or more calendar days of work as a result of a work-related injury that has been certified by the University and is granted Temporary Total Disability (TTD) benefits, the University will begin to pay the employee wage-loss benefits as of the eighth calendar day of work for the period certified by the treating physician or health care provider. If the employee is unable to work for fourteen (14) consecutive days from the date of injury, the University will pay wage-loss benefits for the first seven (seven) days of missed work as well as the subsequent days of work during which the employee is unable to work. .
4. If an employee is unable to work for eight (8) or more days as a result of an injury that has not been certified as a work-related injury or illness, the employee must utilize available paid time off consistent with other applicable University policies prior to the leave being unpaid.

D. Benefits

1. As a self-insured employer, the University will pay for all usual, customary and reasonable medical services directly related to an allowed claim for a workplace injury or illness.
2. An employee who has an approved workers' compensation claim and misses more than seven (7) calendar days of work pursuant to the treating physician's determination may request Temporary Total Disability (TTD) lost wages benefits beginning the eighth calendar day of work of disability.
3. Because TTD benefits are designed to replace only a portion of lost income, employees may elect to use available paid time off consistent with other applicable University policies instead of receiving TTD benefits for all or part of the time they qualify for TTD benefits.
 - a. Sick days paid are offset by any TTD wage loss benefits received. An employee may not receive both TTD benefits and sick days for the same work dates.

- b. Once an employee returns to work from a TTD absence, temporary total payments for lost wages cease, unless the employee is returned to work with restrictions due to the work-related injury, in which case wage loss compensation may continue if certified as a permanent partial disability.
4. The amount and duration of TTD benefits will be determined by the TPA in accordance with state law.
5. In certain circumstances, the University may offer salary continuation to employees for a work-related injury in lieu of TTD wage loss benefits.
6. If the employee is eligible for FMLA leave, the employee will remain eligible for continuing medical coverage during the worker's compensation leave, as provided in the Family and Medical Leave Act Policy.
 - a. The terms of the continuing medical coverage and payment of premiums by the employee and by the University shall be the same as for other FMLA leaves.
 - b. If the employee is on a paid FMLA leave of absence for a certified work-related injury, the employee will continue to pay the employee portion of the medical coverage premium.
 - c. If the employee is on an unpaid FMLA leave of absence for a certified work-related injury, the employee will be billed for the employee portion of the medical coverage premium.
 - d. If the employee is on an approved, paid non-FMLA medical leave under the University's General Leaves Policy, the employee will be billed for the employee portion of the medical coverage premium. If the employee is on an approved, unpaid non-FMLA medical leave under the University's General Leaves Policy, the employee may be required to pay the full premium for continuation of medical coverage.
 - e. If the employee is not on an approved FMLA Leave or an approved non-FMLA medical leave under the University's General Leaves Policy, employment ends and the employee will be offered continuation of medical coverage under the terms of the Consolidated Omnibus Budget Reconciliation Act (COBRA).
7. If the claim is denied, the employee has the option to have the claim reviewed by the Industrial Commission of Ohio.

- E. **Return to Work:** The University seeks to return injured employees to work as quickly as possible. Risk Management and Human Resources require a physician's return to work certification (MEDCO-14) for any employee who misses a day of work due to a workplace injury or illness.
- F. **Recordkeeping:** The Office of Regulatory Affairs and Risk Management will maintain records of workers' compensation claims and logs as required by University policy and applicable law.

VI. CROSS REFERENCE:

Family and Medical Leave Act

General Leave

Short Term Disability Benefits

Sick Leave

Staff Vacation Leave

VII. ATTACHMENTS:

[Accident Incident Reporting Policy and Procedure](#)

[Accident Incident Report and Investigation Form](#)

[JCU Worker's Compensation Fact Sheet](#)