

## **Workers' Compensation** (revised 9/9/08)

1. I have an employee that has been injured at work. As the supervisor, what's my first responsibility?

Immediately submit a "Supervisor's Report of Incident/Injury/Illness" form. You can locate the form at <http://www.fss.txstate.edu/ehsrms/forms/WorkerForms.html> or contact Diana Trelles in Environmental Health, Safety & Risk Management at 245-1569 and she will send you a copy.

2. Can I go to *any* doctor for my work-related injury?

Yes, you can go to any doctor of your choice as long as they accept the workers' compensation insurance and you inform them that your injury is a work-related injury. In an EMERGENCY situation, you may go to any emergency room and then follow-up with a doctor who accepts the workers' compensation insurance.

3. If an injured employee is off work due to their work related injury, what procedure is required?

The employee is required to complete an "Employee's Election Regarding Utilization of Sick and Annual Leave" form. This form provides the employee four options concerning the use of sick leave while losing time from work due to a work-related injury or illness. If an employee fails to make an election prior to the eighth day of disability, the election will automatically be to use no accrued leave time, causing the employee to be placed on Leave Without Pay (LWOP). Regardless of which choice is made, an employee cannot change their election after the eighth day of disability.

4. If an injured employee takes time off from work for physical therapy or follow-up appointments with the treating doctor, how is the leave recorded?

The employee must use sick leave if available. If no sick leave is available, then accrued vacation leave may be used.

5. Does an employee have to use sick and/or vacation leave for lost time from work?

An employee does not have to use sick and/or vacation leave for lost time from work, but there are consequences if an employee does not choose to use it. If "paid leave" is not used, the employee will immediately be placed on LWOP status which could impact the employee's insurance benefits. Also, the employee would not be eligible to receive workers' compensation income replacement benefits until the eighth day of disability. Have the employee contact Diana Trelles at 245-1569 to discuss the impact of his/her selection.

6. How much will workers' compensation pay while I am off work?

You will receive 70% of your average weekly wage.

7. While I'm off work, do I have to call into my office every day or week?

No, Diana Trelles in Environmental Health, Safety & Risk Management is the point of contact (liaison between employee, department, insurance carrier and medical provider). She will keep in contact with the employee and the doctor. She will also keep the department and supervisor informed.

8. Can I change my treating doctor?

Yes, immediately if you receive a referral from the current treating doctor. Or, you can send a written request to DWC with the justification for the change and list the "new" doctor's name. You cannot see the new doctor unless you receive written approval from DWC.