

# Injury on the Job

HR



## About This Policy

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Responsible University Office:

University Human Resources

Responsible University Administrator:

Vice President and Chief Financial Officer

Policy Contact:

[University Human Resources](#)[hrpolicy@iu.edu](mailto:hrpolicy@iu.edu)

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## Scope

This policy applies to all Staff and Temporary employees.

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## Policy Statement

1. Employees must report all on-the-job injuries to their supervisor immediately or as soon as possible if the injury requires emergency medical care. Failure to report the injury in a timely manner --or in the case of cumulative trauma, when the employee becomes aware of the symptoms--may result in denial of the claim.
2. Full-time appointed employees may receive supplemental benefits in addition to those provided by State law when injury or occupational disease is incurred while performing their duties, subject to the conditions described in the Procedures section below.

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## Procedure

### A. Reporting on-the-job injuries

1. When the supervisor receives the employee's report of an injury and must report the injury on the Occupational Injury/Illness Report form available from the [UHR Workers' Compensation website](#). The form must be sent to the Workers'

Compensation office within 24 hours regardless of whether professional medical attention or lost time is indicated. Supervisors may fax the form to 812-855-2720, or it can be scanned and emailed to [workcomp@iu.edu](mailto:workcomp@iu.edu)

2. An **Employer Notification for Treatment Form** must be completed prior to or at the time treatment is sought. This form is available on the UHR Workers' Compensation website.
3. The University has the choice of the attending physician for treatment of on-the-job injuries. Employees should check with their supervisor before seeking medical care except in emergency cases.
  - a. For campus specific treatment locations check the UHR Workers' Compensation website under **"initiate treatment for injured employee."**
4. An employee may not be entitled to Workers' Compensation benefits and university-provided injury leave if she/he:
  - a. Fails to report the injury on the day of occurrence or in a timely manner --or in the case of cumulative trauma, when the employee becomes aware of the symptoms.
  - b. Does not seek medical treatment for an injury that results in lost time
  - c. Seeks treatment from a source other than a designated provider, or if appropriate, from a hospital emergency room.
  - d. Fails to follow any of the procedures contained in this policy.

## **B. Return to work**

1. Before leaving the treatment location, employees must obtain a physician's statement regarding the employee's return-to-work status and provide it to their supervisor upon returning to work.
2. The following are three possible outcomes for an injured employee following initial treatment:
  - a. The employee is released to return to work with no restrictions.
  - b. The employee is released to work with temporary restrictions. If the university can provide work for the employee, the employee is brought back to work within the restrictions. If the university cannot provide such work, the employee remains off from work, and the supervisor must notify the Workers' Compensation office.
  - c. The employee is not released to return to work and remains off from work.
3. If the attending physician gives the employee work restrictions and the university can provide work for the employee within the restrictions, then the employee is not entitled to receive temporary total disability benefits.
4. If an FMLA-eligible employee declines an assignment offered under Workers' Compensation, FMLA leave should start immediately. See the **Family Medical Leave Act (FMLA) Rights policy** for details on how to initiate this process.

## **C. For accidents involving exposure to human tissue, blood, or fluid**

1. For accidents involving exposure to human tissue, blood or fluid—within two hours of exposure—the employee must take (in person) one copy of the **Occupational Injury-Illness Report form** to:
  - a. For campus specific treatment locations check the UHR Workers' Compensation website under **"initiate treatment for injured employee."**
  - b. Staff must contact the campus Human Resources office and the risk officer of Biosafety regarding procedures for accidents involving exposure to human tissue, blood or fluid.
  - c. A copy of the **Occupational Injury-Illness Report form** must be sent to the risk officer of Biosafety in Bloomington.
  - d. If the employee can obtain a sample of the source of contamination, they should take the sample to the center or hospital for testing.

## **D. Eyewear and Chiropractic Services**

1. Workers' Compensation will pay the cost of replacing or repairing eyeglasses or contact lenses damaged or broken as a result of an on-the-job injury or accident. If replacement is required, eyeglasses or lenses of an equivalent cost will be provided.
  - a. At Bloomington, safety glasses provided by the University shall be replaced through the Atwater Eye Care Clinic.

2. If the attending physician in an on-the-job injury case recommends chiropractic services, the University will pay for the recommended services. There are specific circumstances in which this policy applies and the employee should contact Workers' Compensation for the guidelines prior to seeking chiropractic care.

### **E. Supplemental benefits**

1. Supplemental benefits that full-time Staff employees may receive for an on-the-job injury are as follows:
  - a. For the first work week of disability in a payroll calendar year in which an employee is unable to work as the result of an on-the-job injury, the university will provide the employee's base compensation up to 40 hours injury (INJ) leave for 100% FTE; less than 100% FTE receive a prorated number of hours. Absence during this time is not charged to previously earned benefits.
  - b. Such paid absence hours are limited to 40 in a payroll calendar year. Any other time missed from work due to an injury in that year will either be without pay or charged to the employee's accumulated time off benefits at the employee's choice.
    - For AFSCME Police and AFSCME Service covered employees, subsequent injuries in a payroll calendar year, resulting in more than 21 days of missed work, will have the above limitation waived.
2. Department heads may require a physician's statement before approving payment for absences during this period of time.
3. All lost time must be reported to the Workers' Compensation office.

### **F. For AFSCME Police and AFSCME Service covered employees, supplemental benefits when an on-the-job injury occurs during an overtime assignment**

1. If an on-the-job injury requiring emergency medical treatment occurs during an overtime assignment, the employee will receive the supplemental benefits based on which of the following four outcomes occurs first. All four start at the time of the injury and end:
  - a. At the time that the employee is released from the emergency medical care provider and returns to work.
  - b. At the time that the employee is released from the emergency medical care provider and is restricted from returning to work. (Note, this would include the time required for the employee to return to the campus to obtain his/her vehicle to drive home, if that should occur.); no greater than four hours.
  - c. At the time that the employee is released from the emergency medical care provider and moved to an overnight medical care facility, such as being admitted into a hospital from that hospital's emergency room; no greater than four hours.
  - d. At the time that the overtime assignment ends if it had a scheduled end time, or to the time that it did end for any employees remaining on the assignment, or could reasonably be concluded that it would have ended; no greater than four hours.
2. The time covered under these options will be charged to INJ time at a time and one half rate. Thus for each hour covered, the employee will receive 1 ½ hours of pay and 1 ½ hours will be charged to the annual allotment of 40 hours of INJ time.
3. If the INJ time for the year has been exhausted, the time off during the overtime assignment is without pay.

### **G. State of Indiana Workers' Compensation Benefits**

1. If the Workers' Compensation office determines that the employee is eligible, the employee will receive the lost wages benefit of the state Workers' Compensation beginning on the eighth calendar day of disability. Such Compensation pays a portion of the employee's salary. State legislation (which changes from time to time) determines the exact amount paid by Worker's Compensation.
  - a. For information about payment amounts and claims procedures, contact the UHR Workers' Compensation office in Bloomington.

### **H. Payroll processing**

1. Employees may choose to supplement the state benefit (IND) through the use of accrued University paid time off benefits in order to receive their full salary.
  - a. Employees may charge a maximum of four hours per day to accrued paid time off benefits and compensatory time.

- b. During the time that the employee uses earned time off, he/she continues to earn time off.
  - c. Charges to vacation earnings do not count against the amount of vacation time employees can use in a calendar year.
  - d. Employees who choose this option will continue to accrue paid time off earnings at the full time rate.
2. When all benefit accruals have been used, or if the employee chooses not to use them, the employee can continue for an additional 29 calendar days receiving only the state Worker's Compensation payment.
- a. Starting with the 30th calendar day, unless the employee has returned to work, the employee will be placed on a Leave of Absence while still receiving the state Workers' Compensation benefits as long as eligible under provisions of the law and will continue to receive university service credit.
  - b. During this time, the employee will be recorded as absent without pay and without benefit accrual.
3. Worker's Compensation benefits continue as long as eligibility continues.

**I. Permanent disability**

When an employee is released from medical treatment with a permanent disability, then he/she may be covered under the Americans with Disabilities Act (ADA). See the policy, [Employment Accommodations for Persons with Disabilities Under the ADA-Title 1](#).

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**Sanctions**

Managers, supervisors, and employees who violate this policy are subject to disciplinary action, up to and including termination.

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**History**

Replaces the following policies:

AFSCME (BL, IN, SB)	10.4 - Injury on the Job
AFSCME Police	Injury on the Job
CWA	7.2 - Injury on-the-Job
Professional Staff and Support and Service Staff not Covered by a Union	8.1 - Injury on-the-Job
Temporary	5.2 - Injury on-the-Job