

WORKERS' COMPENSATION PROCESS

SUPERVISOR'S ROLE

REPORTING:

- Provide Claim Form DWC-1 to employee, within 24-hours of notice that illness/injury is work related (document such in Box 28 on Form 5020). Notice to employer can be from any source: employee, doctor's note, and/or co-worker.
- Complete and forward to Third Party Administrator (TPA) Form 5020 (if injury results in lost time or medical treatment beyond first aid) in 3-5 days maximum, whether or not DWC-1 is returned by employee. This must be done by supervisor, not employee - this is the Employer's Report of Injury/Illness. (If possible, please type and have supervisor sign Form 5020).
- Forward any other available documents, such as pre-designation form, witness statements, doctor's slips, doctor's first report, employee's statement, and/or supervisor's report of investigation of claim form with Employer's Report Form 5020, as soon as possible, by fax, mail, or by QIC mail to TPA.

MEDICAL TREATMENT:

- In an emergency call 911 or take the injured employee to the nearest emergency room.
- For non-emergency treatment, direct injured employee to the nearest open facility or emergency room of nearest hospital listed on the poster of designated medical facilities.
- Inform injured employee that he/she needs to seek medical attention from one of the County-approved occupational health facilities, unless they have pre-designated a doctor prior to the injury or illness and form stating such is in his/her personnel file.

MANAGING RETURN TO WORK:

- Assess availability of temporary modified duty based on medical restrictions. If you can accommodate, notify claims examiner, workers' compensation liaison and RTW/DMC (Return to Work/Disability Management Coordinator), and monitor for 90 days or up to 210 days maximum of temporary modified duty. If it can't be provided, notify TPA and department liaison so temporary disability can be paid, or a temporary modified job can be located in another department or section of agency.
- If employee is able to work temporary modified duty and you can accommodate the hours or physical limitations, use Code MOD on timesheets, per County policy and procedures (90 days and up to 210 days maximum).
- If employee is unable to return to work, maintain regular contact with injured worker to obtain the County Work Status Report form or other return-to-work or disability visit verification slips every time he/she goes to the medical provider so you know of future therapist and doctor appointment dates and return-to-work restrictions. You should always have medical documentation or a Work Status Report form to cover all periods of absences due to worker's compensation. Use appropriate code on timesheets for workers' compensation lost time.
- Periodically contact disabled employee to express concern, show interest in his/her medical progress and inquire as to his/her ability to return to work in some capacity and/or next doctor's appointment.

- Notify employees that being placed on FMLA, if appropriate and advise of Personal Disability Leave and SDI benefits (if claim is placed on delay for alternative/interim benefit and compensation purposes).
- Work with disability management specialist and/or TPA to assist in completing essential functions job analysis (EFJA/EF5), in evaluating and/or providing temporary and permanent job accommodations, etc.
- Use Code W57 for medical appointments after employee returns to work.

PREVENTION/ERGONOMICS:

- Monitor your employee's work habits, breaks, postures, workflow, file and equipment placement and office space to try to prevent cumulative trauma claims due to poor office ergonomics or safety hazards. Use Supervisor's Investigation Report form to evaluate and prevent injuries.
- Forward prescriptions for ergonomic equipment or worksite evaluations to your TPA claims examiner to see if authorized and will be paid for under workers' compensation program. Also, send copy to, or otherwise notify, your department liaison and the County Ergonomic Coordinator. Evaluations are referred by TPA and equipment ordered by the County's Ergonomic Coordinator in RMU.
- Keep track of equipment purchased for your employees via workers' compensation and let TPA, department liaison, and Ergonomic Coordinator know when it is delivered, installed, etc. so employee can be returned to work, and notify them if he/she is no longer able to work at County so equipment can be re-used. If employee is relocated, the equipment goes with the employee. If equipment is lost, stolen, or broken, your department will need to replace it.

PROACTIVE ROLE:

- Assist investigators with AOE/COE statements, attorneys needing to contact witnesses and obtain personnel file information, occupational therapists assessing worksite and making work stations ergonomically correct, and/or others that may be involved with employee's claim.
- Contact your workers' compensation department liaison to request case reviews to obtain claim status updates. Expect your liaison to forward to you information from TPA and RMU related to your employee's claim and disability status as they receive information, just as you should forward information you receive directly from employee to TPA and your department liaison.
- If you doubt authenticity of claim, suspect fraud, and/or have knowledge of other factors that might impact job-relatedness of claim, please contact RMU by E-mail, phone and/or send confidential memorandum, and notify the TPA's claims examiner assigned to your department directly and your workers' compensation liaison.
- Be consistent and fair with your supervisory practices for all workers, especially all of your disabled employees. Remember that workers' compensation stress claims are not compensable if based on lawful good faith personnel actions and that industrially injured workers can bring charges against an employer for discriminating against them because of a job-related injury (L.C. 132A claims) and for failure to correct known hazards in the workplace (Serious and Willful claims).
- If employee's injury is caused by faulty chair or other equipment, please immediately remove such from work area and secure it in a safe place for use later by attorneys and investigators.