

Workers' Compensation

The Board is committed to compliance with the Workers' Compensation Act. The District makes payments to a carrier licensed by the state in accordance with a formula based upon the salary of each employee and the nature of his/her job.

In general terms, Workers' Compensation provides payments for medical expenses, rehabilitation, and for a partial salary while an employee is disabled. Employees in need of a detailed explanation of the law and application procedures should contact the Business Services Office. Coverage begins with the first day of work for an employee.

REGULATIONS:

1. Accident reports must be filed with the carrier within ten (10) days, and notice should be given immediately in the event of fatality.

Due to the fact that the District has its own insurance carrier for work-related injuries/illnesses, employees should file a report and submit all related bills directly to the Payroll Office.

Employee's Responsibility

What should the employee do when injured on the job?

- a. Notify the supervisor/manager **IMMEDIATELY**.
- b. Employees must complete the Employees On-the-Job Injury/Illness Incident Report within four (4) working days of the injury/illness.
- c. If the employee is physically or mentally unable to complete the form, the employee's supervisor/manager (or any such person) shall submit a written notice to the employer.
- d. The employee may lose up to one day's compensation for each day (s)he fails to report the illness or injury.
- e. Employees are still required to complete the notice, even if late. This is to be noted on the form.
- f. Employees have two (2) years from the date of injury (or up to three (3) years with reasonable cause) to file with the Division of Labor.
- g. Employees must go to a designated medical provider listed below:

Colorado Mountain Medical, P.C.
181 West Meadow Drive, #200
Vail, CO 476-5695

Colorado Mountain Medical
320 Beard Creek Road
Edwards, CO 476-5695

Colorado Mountain Medical
71 Beaver Creek Place
Avon, CO 949-3222

Doctors on Call
142 Beaver Creek Place, Suite 112
P.O. Box 2819
Avon, CO 81620 949-5434 949-0376 Fax

Glenwood Medical Associates
1905 Blake Street
P.O. Box 908
Glenwood Springs, CO 81601 945-8503 945-0253 Fax

Medical Center of Eagle
232 Broadway
Eagle, CO 81631 328-1650 328-6590 Fax

- h. If an employee feels the treatment is not necessary or appropriate, the employee may request permission to change physicians by writing a letter to the insurance carrier with a copy to the Division of Labor and Employers Unity, Inc. The adjuster must give the employee a decision within twenty (20) days. If not, the employee can go to the physician/chiropractor requested. EMPLOYEES ARE ASKED TO NOT CHANGE PHYSICIANS UNLESS REQUESTING PERMISSION IN WRITING TO AVOID PAYING FOR MEDICAL BILLS THAT ARE UNAUTHORIZED.
 - i. Employees are requested to provide managers with the Return to Work Release and any job restrictions that may apply. Leaves of absences are to be kept current, and the employee is to comply with the personnel/labor contract guidelines.
 - j. Employees are asked to cooperate with the medical treatments, physical therapy.
 - k. If the employee fails to appear at an appointment with the authorized attending physician, the insurer or employer shall notify the employee by certified mail that temporary total benefits may be suspended.
2. Benefits are reduced by 50% if:
- a. The injury was the result of the employee's failure to use safety devices provided by the employer.
 - b. The injury was the result of the employee's failure to obey reasonable rules adopted by the employer for the safety of the employee.
 - c. The injury was the result of the employee being intoxicated.
3. Workers' Compensation provides for payment to the employee for loss of salary after the third day. However, if this employee is not working due to a work-related illness or

injury for more than 14 days, Workers' Compensation will pay for the loss of salary for those first three days.

An employee who is not able to work for less than 14 calendar days will be entitled to use accrued sick leave for the first three days that (s)he does not receive Workers' Compensation benefits. If the employee's illness/injury causes him/her to not work beyond fourteen days, (s)he will be required to reimburse the District for any sick leave used as a result of the three-day waiting period. This may be done as follows:

- a. *The employee will reimburse the District for his/her daily rate for the three days of sick leave used. If this is done, the employee will have those sick leave days used added back into his/her sick leave records.*
- b. *The employee will reimburse the District for the amount received from Workers' Compensation for the three days which the employee received sick leave. However, in this case, the sick leave days will not be added back into the employee's sick leave record.*

With the exception of the three-day waiting period as explained above, the District will not charge any earned vacation leave, accrued sick leave, or other similar benefits to the employee. The sole compensation to the employee during such period of disability shall be the District's Workers' compensation leave payment provided for by this insurance policy.

- a. Benefits are paid at two-thirds of the employee's weekly wage up to a maximum amount which is reviewed annually. Benefits are non-taxable.
4. If an employee is not working because of a work-related illness/injury for more than fifteen (15) calendar days during his/her work month, (s)he will be required to pay the District's share and the employee's share (*if applicable*) for his/her health insurance if (s)he wishes the insurance coverage to continue. In the case of certified staff, this regulation would only apply to the time that falls during the employee's work year.
5. The Payroll Office is directed to notify the Division of Labor of any employee benefiting from this policy in order that the District may be properly reimbursed by the Workers' Compensation Act.

LEGAL REFS.: C.R.S. 8-42-124