

WORKERS' COMPENSATION ADMINISTRATION

1. GENERAL

- a. Workers' Compensation provides benefits to employees who sustain job related injuries or contract occupational diseases during the course and scope of their employment. Benefits are in the form of compensation for medical expenses and lost work time due to injury or illness.
- b. Workers' Compensation is a legislated program of the State of North Carolina, and is administered by the North Carolina Industrial Commission. This policy is subject in all respect to the laws and regulations concerning Workers' Compensation and does not enlarge or alter any employee rights provided by law.

2. COVERED EMPLOYEES

All Wake Forest University employees are covered under the North Carolina Workers' Compensation Act. Volunteers are also covered.

3. POLICY

- a. Employees who sustain compensable injuries or illnesses which arise out of, or are found to be within the course and scope of their employment, are covered by the North Carolina Workers' Compensation Act. The rate and duration of compensation are defined by the Act.
- b. In accordance with the Act, no compensation will be paid for the first seven (7) calendar days of disability resulting from a compensable injury. However, if the compensable injury results in a disability lasting more than 21 days, compensation will be paid from the date of disability.
- c. The University provides for the entire cost of the program on behalf of its employees, and group employee health plans should not be utilized for injuries or illnesses covered by Workers' Compensation.
- d. All on-the-job injuries, regardless of severity, must be reported to, and recorded by, the employee's supervisor immediately after the injury or as soon thereafter as practicable. The supervisor or the departmental representative must advise the Workers' Compensation Coordinator (758-4945) and the Safety and Environmental Affairs Office (758-4224 or 758-4329) of all on-the-job injuries. North Carolina law requires that these injuries be reported to the N.C. Industrial Commission within five (5) days.
- e. An employee who reports an on-the-job injury, and seeks professional medical treatment resulting in his/her absence for the remainder of that work day or shift, will be paid as if he/she had worked the full day or shift at his/her regular rate of pay. On-going medical

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care requiring time away from work during regular work hours will be regarded as time worked. This medical care must be authorized by the Workers' Compensation Coordinator and the employee must notify his/her supervisor of the treatment schedule.

- f. Employees who are absent due to compensable injuries (including for medical care) may use accrued PTO or Sick Leave Reserve during the seven (7) day statutory waiting period. Accrued leave may be utilized at the option of the employee after the waiting period, but only to the extent that the sum of “compensation payments” as defined below, and leave pay does not exceed the employee's weekly straight-time earnings.
- g. Compensation payments will be calculated as follows:
 - (1) Employees who choose not to utilize or have no accrued leave will receive compensation at a fixed rate of two-thirds (2/3) of their weekly wage up to the maximum amount allowed.
 - (2) Employees who choose to utilize their accrued leave will do so at a rate generally to be one-third (1/3) of their regular work schedule (e.g. 2.5 hours for a seven and one-half (7.5) hour workday). This leave payment, together with compensation, cannot exceed the employee's daily straight time earnings.
 - (3) If through error or unusual circumstances, an employee has used leave pay for more than one third (1/3) of his/her regular work schedule during a compensable period, the compensation payment, when received, will be utilized to adjust the employee's leave record for those hours.
- h. Compensation payments continue until the employee either fully recovers, or reaches maximum medical improvement, according to his/her physician. Partial disability compensation is paid in the event that the employee is able to return to work on a reduced schedule. In addition, the University will continue to make its contribution to Health Insurance, Life Insurance and the Retirement Program, provided, in the case of the insurance programs, the employee continues his/her contribution to the plans. The employee should contact the Benefits Office for additional information and assistance.
- i. For compensable injuries, the employee must provide his/her supervisor with a written medical permission to return to work. If there is any question about an employee's ability to return to work, the situation must be reviewed with the Workers' Compensation Coordinator.
- j. When an employee, who has been injured on the job and placed on workers' compensation leave, has been released to return to work by the treating physician, there are three possible return to work situations:

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- (1) When an employee has reached maximum medical improvement and is released to return to work by the treating physician, the employee will normally assume his/her former position. If the employee's former position has been filled by the University, as permitted by law, and the employing department or office does not have a suitable job opening, the Human Resources Department will attempt to place the employee in a suitable job opening in another department or office; however, there are no job guarantees.
- (2) When an employee has not reached maximum medical improvement and is ready to return to limited duty with the approval of the treating physician, but retains some disability that will prevent successful performance in the former position, the Human Resources Department will attempt to provide a work reassignment that is both suitable to the employee's capacity and productive for the University. A work reassignment is temporary until the employee reaches maximum medical improvement.
- (3) When an employee has reached maximum medical improvement and has been released to return to work by the treating physician, but has received a disability rating that prohibits employment in the former position, the Human Resources Department will attempt to place the employee in another position in either the employing department or office or in another department or office that is suitable to the employee's capacity; however, there is no job guarantee. In some instances, the employee may qualify for Long Term Disability.

4. ADDITIONAL REFERENCES

- a. [Reynolda Campus Safety Policy: Reporting Work-Related Injuries and Illnesses](#)
- b. [HRPPM Section X-10, Workers' Compensation Leave](#)

Drafted by the Director of Human Resources: November 1, 2002

Approved by the President, January 15, 2003