

ADMINISTRATIVE PROCEDURE

WORKERS COMPENSATION AND DISABILITY LEAVE

4146.1

Procedure No.

August 1, 2013

Date

I. **PURPOSE:** To provide information for Worker's Compensation Benefits and Disability Leave for employees of Prince George's County Public Schools for an accidental personal injury arising out of and in the course of their regular employment.

II. **INFORMATION:**

A. Workers Compensation

Workers Compensation is an insurance program established by Maryland State law that all employers having one or more employees, full or part-time, are required to have for the benefit of their employees. To be covered under workers compensation, an employee must have received an accidental personal injury while working (on the Job). The injury must have arisen out of and in the course of employment, in the words of the law, not all workplace injuries are compensable. If your injury is determined to be covered (determined by the Board's Third Party Administrator (TPA), then medical and hospital treatment and partial income will be covered until the employee can return to work or until the employee reaches maximum medical improvement (MMI). Authorized volunteer workers are also eligible for Workers Compensation benefits under certain criteria.

B. Disability Leave

1. Regular and Probationary employees of Prince George's County Public Schools are eligible for Disability Leave as set forth in the negotiated agreements between the Board of Education and the various employee organizations. In lieu of receiving 66 2/3% of their salary, eligible employees can receive their full pay up to ninety (90) contractual working days per approved claim (pending medical documentation and verification of lost time). Disability Leave is only awarded when the employee's workers compensation claim is accepted by the Board's TPA.
2. A temporary employee who is injured on the job is not eligible to receive Disability Leave but may be eligible for medical benefits administered by the TPA in accordance with the provisions of the State Workers Compensation Act.

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C. Administration of Disability Leave and Workers Compensation

Disability Leave and Workers Compensation are administered within the Prince George's County Public Schools by the Risk Management & Workers Compensation Office.

III. **PROCEDURES:**

A. Workers Compensation Claim Reporting Instructions for Employees

1. All on the job injuries must be reported by the employee to the Board's TPA, CorVel, via a toll free number (1-800-774-2447). Injured employees will have to verbally provide a CorVel representative with their personal information, accident and injury details. At the conclusion of the phone call, employees will receive a workers compensation claim number which some physicians or hospital may need before treatment is provided. Immediately following the phone call, **the employee must inform their immediate supervisor of their injury.**
2. An Attending Physician's Statement (APS) form must be completed and signed by the injured employee's treating physician for all injuries that require medical attention. The APS form can be obtained at all worksites or downloaded from the PGCPS website at <http://www.1pgcps.org/bms/riskmanagement.aspx>.

The completed form must be sent or faxed to the Risk Management & Workers Compensation Office at 3021-952-6027.

B. Workers Compensation Reporting Instructions for Supervisors

1. If an employee is physically unable to report their claim via the 1-800 number, his/her supervisor must report it for them.
2. The supervisor should assist the injured employee in receiving medical treatment. When a severe injury occurs that requires immediate treatment, the supervisor must contact the injured employee's spouse or emergency contact person and the Risk Management & Workers Compensation Office.

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C. Workers Compensation Reporting for Time Keepers

1. Absences from work due to a work related injury must be documented on the Verification of Lost Time Form (VLT). This document must be completed and submitted to the Risk Management & Workers Compensation Office via Facsimile (301-952-6027) on a weekly basis throughout the duration of an employee's absence.
2. An employee should be charged sick, annual or personal leave when he/she is absent due to a work related injury.

If the employee does not have any leave available, they should be charged Leave Without Pay (LWOP).

D. Disability Leave Instructions for Employees

1. Disability Leave will not be considered until an employee workers compensation claim is accepted by the Board's TPA. An employee must submit another physician's statement to be granted additional Disability Leave unless waived by the Risk Management & Workers Compensation Office. The APS must be submitted on a timely basis to ensure that no interruption in payment of wages occurs.
2. Once Disability Leave has been approved, any sick, annual or personal leave charged for you absence will be reinstated. A payroll check will be issued to the injured employee for unpaid leave charged during their absence.

E. Disability Leave Instructions for Supervisors and Time Keepers

1. Absences from work due to a work related injury must be documented on the Verification of Lost Time Form (VT). This document must be completed and submitted to the Risk Management & Workers Compensation Office via facsimile (301-952-6027) on a weekly basis throughout the duration of an employee's absence. An employee's disability leave cannot be considered without this form.
2. When an employee has used ninety (90) days of Disability Leave and is still disabled, he/she may use any sick, annual or personal leave to which he/she is entitled. If the employee is not eligible for

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a Sick Leave Bank (SLB) grant, they may request to be placed on a Leave of Absence (LOA) without pay. While on LOA, Workmen's Compensation Salary Benefits 66 2/3% of their salary to which the employee is entitled will then be paid directly to the employee by the TPA. It is necessary that the employee request a leave of absence in order to retain certain benefits of the Retirement program. Under present regulations, the Retirement System permits an employee to remain on a leave of absence for up to two (2) years for personal illness.

3. Those employees who are members of a Sick Leave Bank may, after using ninety (90) days of Disability Leave and all sick and annual leave available, apply for a grant from the Sick Leave Bank. Employees on a sick leave bank grant although considered on a leave of absence without pay are not required to request a leave of absence as payments are being made to the Retirement System during the period of the grant. During the period an individual is in the Sick Leave Bank, any Workers Compensation award which has been made will be reimbursed directly to the Prince George's County Public Schools, who in turn will make appropriate credits to the Sick Leave Bank.
4. Once Disability Leave and other leave without pay (including a Sick Leave Bank grant) to which an employee is entitled has expired, any continuing Workers Compensation benefits to which an individual is entitled will be paid directly to the employee.
5. An individual on Disability Leave should contact his supervisor following each extension of Disability Leave. In order for an employee who has been injured on-the-job to return to work, he must provide the Principal/Supervisor, with a statement from his doctor indicating he/she is able to resume his regular duties. In some cases he/she may be allowed to return to restricted duty up to a period of two weeks but the Attending Physician's Statement must state the temporary restrictions and duration thereof. Time off for follow-up treatments will be charged to Disability Leave.

IV. **RELATED PROCEDURES:** None.

V. **MAINTENANCE AND UPDATE OF THESE PROCEDURES:** This Administrative Procedures originates with the Risk Management & Workers Compensation Office and will be updated as needed.

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VI. **CANCELLATIONS AND SUPERSEDURES:** This Administrative Procedure cancels and supersedes Administrative Procedure 4146.1, dated September 5, 1979.

VII. **EFFECTIVE DATE:** August 1, 2013.

Distribution: Lists 1, 2, 3, 4, 5, 9 and 10