

# Stark County Board of Developmental Disabilities

Policy 4.45 Work Related Injuries	Effective: 6/28/22
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## WORK RELATED INJURIES

### POLICY

State law provides that every employee is eligible for Workers' Compensation for injuries arising out of, or in the course of, employment. There is a Transitional Work program in place for employees who may be able to return to work, but are not yet released for full duty.

If an employee is physically injured during the course of employment as a direct result of a violent physical outburst of a student or person receiving services, the employee may be eligible for up to thirty five (35) days paid injury leave.

The Superintendent is authorized to provide procedures and to ensure they are not in conflict with the Ohio Bureau of Workers' Compensation law.

Historical Resolution Information		Reviewer(s):
<b>Date</b>	<b>Resolution Number</b>	Superintendent
10/24/15	10-58-15	Director of Human Resources
01/22/19	01-03-19	
06/28/22	06-36-22	

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## WORK RELATED INJURIES

### PROCEDURES

#### Injury Reporting and First Treatment

1. Should an employee be injured during the course of employment with the Board, the employee shall immediately notify his/her supervisor and shall complete an injury report form. This report shall be completed, regardless of the apparent seriousness of the injury, and regardless of whether medical attention is required.
2. The employee's supervisor is responsible for completing an investigation of the injury/accident and forwarding the complete report packet within twenty-four (24) hours to the Human Resources Office. The complete packet includes the Injury Report, investigation notes, witness statement(s), and an Authorization for Release of Medical Information completed and signed by the employee.
3. Should an employee's injury require medical attention, the attending physician should be notified that the injury occurred during the course of employment. A card identifying the Board's managed care organization may be obtained from Human Resources prior to treatment.
4. The employee may seek treatment from emergency care facilities or any physician authorized to provide services by the Bureau of Workers' Compensation. Aultworks is a part of the network and can provide immediate care during business hours.
5. Employees who are injured in the line of duty and must leave work to obtain medical treatment before completing their scheduled workday shall be paid their regular compensatory rate for the remainder of the shift if the time is needed for medical treatment.

#### Paid Injury Leave

1. If an employee is physically injured during the course of Board employment as a direct result of a violent physical outburst of a student or person receiving services, and if such employee files a claim for treatment under the Worker's Compensation Act of Ohio as a result of such injury, the employee may be eligible for up to thirty-five (35) days paid injury leave.
2. The employee must specify the nature of the injury and the identity of the student/person served. The employee's supervisor and Director of Human Resources must agree that the injury was the result of a violent physical outburst for the employee to be approved for the leave.

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3. An employee approved for Injury Leave will receive their full wages and benefits for a time period not to exceed 35 days. The Board will require a physician's statement, coordinated through treatment under the rules of the Bureau of Workers' Compensation, verifying that the employee is unable to work at full duty capacity.
4. All other procedures for work related injury, absences, use of sick and vacation leave, Family Medical Leave designation, treatment, reporting responsibilities, and Transitional Work Program apply to an employee determined to have been injured by a violent outburst.

## Absence Due to Work Related Injury

1. If an employee is unable to work due to a work related injury or illness, the leave will be administered under the terms of the Ohio Workers' Compensation Act as well as the provisions of the Family Medical Leave Act, if applicable, see Policy No. 4.39.
2. An injured employee may elect to use accrued sick leave and vacation leave prior to receiving payments from Workers' Compensation. Employees are prohibited, however, from receiving payment for leaves while simultaneously receiving payment from the Workers' Compensation Bureau.
3. When an employee is out of work due to a work related injury or illness covered by the Ohio Worker's Compensation Act and is not covered under the Family Medical Leave Act, said employee's medical, dental and life insurance programs will be continued for the current month and one additional month at the appropriate premium(s) contributions by the Board and the employee. After this period, the employee's benefit eligibility will cease unless they are receiving payment of wages through sick or vacation leave. They shall be notified of eligibility of COBRA continuation options.
4. It is the employee's responsibility to advise and update the Human Resources Department representative during their leave of absence due to a work related injury. Employees are responsible for providing updated information regarding treatment appointments and expected date of return.
5. The Board maintains the right to investigate any absence from work, including absences for work related injuries if it is suspected that the employee is participating in physical activities against work restrictions or gainfully employed in any other capacity.

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## Transitional Work Program

1. The Board has adopted a voluntary Transitional Work Program, which is administered in the Human Resources Department and in cooperation with the Stark County Commissioners Office. The Transitional Work Program contains specific timelines and responsibilities of both the employee and the Board. Specific information is available in the Human Resources Department.
2. The Transitional Work Program allows employees with restrictions, released by their attending physician, the option of returning to work to either their own position or other duties within the organization that accommodate their physical limitations. Employees participating will receive their regular hourly rate of pay and benefits during the time they are in the Program.
3. Provisions of the Transitional Work Program can include at work treatment for therapy, if available. If the employee is prescribed treatment and cannot receive the service on site, they may leave work during their normal scheduled hours to participate in prescribed treatment. Regular wages will be paid for time away from work provided the time is reasonable given the treatment prescribed. Excessive time away will not be paid, although the employee may use accumulated sick leave. Any time away from their work site during normal hours must be documented through a Time Off Form and by clocking in/out of the building. The appointment for therapy must be verified by appropriate documentation from the medical provider.

## Return to Work

1. The employee may return to work once they can present to the Board that they are fit to perform the essential functions of their position. It is their responsibility to present this information from their medical provider to the Bureau of Workers' Compensation representatives and the Human Resources Department prior to their return.
2. All required certification and training must be up-to-date in order for the employee to return to their position.
3. Any insurance benefits for which the employee is eligible may be reinstated under the rules of the individual insurance plan.

Any medical treatment arising out of a work related injury after a full release to return to work will be treated under the Board's Policy No. 4.15 Attendance, Tardiness and Sick Leave.