TOWN OF DAVIE
HUMAN RESOURCES DEPARTMENT

WORKERS' COMPENSATION LEAVE
SOP #25-001

September 5, 2019

SUMMARY OF REVISED, DELETED, OR ADDED MATERIAL

This operating procedure shall replace the Personnel Rules and Regulations and Policies enacted prior to the effective date of this Operating Procedure.

Revision	Date	Responsible Department	Description of Change
1	May 18, 2011	Human Resources	Initial Release
2	September 19, 2012	Human Resources	Revision
3	September 5, 2019	Human Resources	Revision

APPROVALS:

Human Resources Director/Grace Garagozzo — Date 9/5/19

Town Administrator/Richard J. Lemack — Date 9/9/19

1-1. POLICY.

It is the policy of Town of Davie to comply with all applicable workers' compensation laws and establish specific guidelines on workers' compensation and the appropriate usage of workers' compensation leave for all Town of Davie employees.

All employees employed by Town of Davie are eligible for workers' compensation leave should they be injured while on the job.

All employees are required to report work-related injuries to their supervisor as soon as possible and always within 24 hours of the injury/accident or of acquiring knowledge of the injury or accident.

Information contained within this policy does not supersede any collective bargaining agreements.

1-2. SCOPE.

Eligibility for Workers' Compensation Leave: All employees under the Town of Davie, whether full-time, part-time, regular, temporary, seasonal, or volunteer are eligible to receive workers' compensation in accordance with Chapter 440, Florida Statutes Workers' Compensation Law.

1-3. PROCEDURE.

When an employee is injured on the job, the following procedures should be implemented to assure proper and correct processing.

a. An employee that is involved in an accident or injured while on the job should immediately report the accident/injury to his/her supervisor. It is the injured employee's responsibility to report all work-related injuries, no matter how minor, to his/her supervisor. A First Report of Injury or Illness Form (DWC-1) must be completed by the supervisor and/or the injured employee, even if the employee does not require medical treatment. All boxes must be filled in with accurate information. When a DWC-1 Form is completed by a supervisor for an injured employee, the injured employee must receive a copy. The DWC-1 must be submitted within 24 hours to Risk Management via email or fax. Failure to report to the State of Florida in a timely manner can result in fines and penalties which will be billed back to the department that was non-compliant.

b. A written report must be completed before the employee leaves work on the day of the injury, or if the employee is incapacitated, by their supervisor. The injured employee must describe to his/her supervisor how the injury occurred and what part of the body was affected so the DWC-1 Form can be completed accurately.

If incapacitated, the injured employee shall complete and sign the "Florida First Report of Injury" as soon as possible thereafter. "The Florida First Report of Injury" must be completed for all work-related injuries/illnesses even if medical treatment is not required. Failure to report an injury when it occurs may result in denial of workers' compensation benefits if the employee cannot show at the later reported time that the injury arose out of and in the course and scope of employment. In addition, failure to promptly and properly report an injury may result in disciplinary action.

c. In the event the injury is life threatening, 911 must be called. If the injury is not life threatening but is serious (i.e. excessive bleeding, head injury), the employee is to go to the nearest hospital. If the injury is a non-emergency (i.e. pulled muscle, sprain, laceration) the employee must go to a Town of Davie approved medical provider.

d. The injured employee is to return all paperwork to the department before going home in order to expedite payment and processing of the claim. This includes the Return to Work Status form given him/her from the doctor's office or Emergency Room. If the employee is unable to submit the paperwork, the supervisor must make arrangements to obtain the Return to Work Status form. Additionally, any paperwork given the injured employee from future appointments must be handed in to his/her department before going home. A copy of all documentation must be faxed or emailed to Risk Management within 24 hours.

e. Should the employee need additional medical attention/treatment after the initial visit, the Town of Davie's Third-Party Administrator (TPA) will follow up with the doctor and the employee to arrange for any additional medical treatment that is necessary. All follow-up appointments arranged by the TPA will be within the Network. No payment will be rendered for any treatment not authorized by the Town of Davie or TPA. All unpaid medical bills received by the employee related to the work injury should be submitted to Risk Management immediately.

f. Should an injured employee be taken off work for a workers' compensation injury by an authorized doctor for more than one (1) workday or one (1) shift:

1. The employee must notify his/her department of the "no return to work" status prior to the beginning of the next workday. Time loss due to on the job injuries is also classified as authorized Family Medical Leave Act (FMLA) leave time.

2. The Town of Davie pays the wages at 100% of an injured employee for the first 90 calendar days from the date of the injury. If an employee's claim exceeds 90 days, workers' compensation indemnity benefits become effective and payment of wage compensation will be paid directly to the employee by the TPA.

3. When an injured employee returns to work after being off work for a work-related injury for more than one (1) day or one (1) shift, the employee must provide a release from the authorized doctor to return to work to his/her supervisor prior to starting work.

g. The Supervisor should inform the timekeeper of any lost time due to employee doctor's appointments, light duty, lost workdays or any other workers' compensation related lost time.

h. If the employee is deemed eligible to perform light duty work with restrictions by the physician/clinic, they must immediately inform their supervisor and give them the paperwork from the physician and/or clinic. Should an injured employee return to work with restrictions from the authorized physician/clinic, the employee must notify his/her supervisor (Return to Work Form) of the restrictions before starting work. Each department is expected to accommodate light duty for the employee as of the date they are released by the physician with restrictions. If a department is unable to assign light duty work, light duty work will be assigned by Human Resources, at a default location, in accordance with the restrictions given. If the employee does not perform light duty work after being released to light duty, it will result in loss of pay and/or use of personal leave time. In accordance with Florida law, the Town of Davie reserves the right to utilize the 80% compensation rule in order to compensate employees assigned to light duty.

i. If an employee who was injured at work is off work for the statutory 104 weeks, then the Human Resources Department can suspend health benefits on that individual once the 104 weeks have expired. Temporary disability benefits may cease also, and the injured worker's permanent impairment will be determined.

j. If the employee or supervisor has any questions or concerns about the workers' compensation claim, he/she should contact the Human Resources Department. Risk Management oversees the claims, conducts investigations of incidents and works to ensure preventative measures are in place to prevent further similar accidents/incidents from occurring. Employees are encouraged to participate in this process at every step.