

**COUNTY BOARD OF HEALTH
POLICY # HR-03701
WORKERS COMPENSATION AND SPECIAL INJURY
RETURN TO WORK PROGRAM POLICY**

Approval:	 Pamela Logan, District Health Director	4/20/2020 Date
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1.0 PURPOSE

This policy contains guidelines for the provision of Workers' Compensation to the County Board of Health employees.

2.0 AUTHORITY

The County Board of Health (CBOH) HR-03701 Policy is published under the authority of CBOH and in compliance with the following:

- 2.1 O.C.G.A. §34-9-1 through §34-9-367 – Workers' Compensation
- 2.2 O.C.G.A. §45-7-9 – Special Injury
- 2.3 Rules of the State Personnel board – Rule 16 (Absence from Work)

3.0 SCOPE

This policy applies to employees of the County Board of Health.

4.0 POLICY

The County Board of Health (CBOH) is concerned about the health and safety of all its employees. Whenever a work-related injury, illness or exposure to occupational disease occurs, the employee may be entitled to receive Workers' Compensation.

All full-time, permanent hourly and part-time employees in classified and unclassified positions, except for temporary and hourly employees who are short-term or hired for a specific project or function, are eligible for Workers' Compensation and the Return to Work Program.

5.0 DEFINITIONS

- 5.1 **DOAS:** Georgia Department of Administrative Services
- 5.2 **CBOH:** County Board of Health

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5.3 HR: Human Resources

5.4 RTW: Return to Work

5.5 **Special Injury:** a physical injury incurred in the line of duty and caused by a willful act of violence committed by a person other than a fellow employee.

5.6 **Transitional Team:** HR Representative, supervisor and/or designee

6.0 RESPONSIBILITIES

Human Resources is responsible for issuing and updating procedures to implement this policy.

7.0 PROCEDURES

7.1 **Applicability** – All full-time and part-time employees in classified and unclassified positions, except for temporary and hourly employees who are short-term or hired for a specific project or function, are eligible for Worker’s Compensation.

7.2 Supervisors should be alert to any situation which could result in potential injury or illness to employees, clients and customers. Employees are to immediately bring any potentially unsafe or unhealthful working condition to the attention of their supervisors for review and resolution.

7.3 Whenever a work-related injury, illness or exposure to occupational disease occurs, the employee is to be given work time to seek appropriate medical attention.

7.4 When work-related injuries, illnesses or exposures to occupational disease occur, all employees will be returned to work, whenever feasible, as quickly and safely as possible.

7.5 The employee should transport himself/herself, if possible, or may choose to contact a friend or relative for transportation.

7.6 If the injury, illness, exposure requires immediate medical attention and transportation is not otherwise available, the employee should be transported by the supervisor or qualified designee to a nearby hospital. Time used to transport the employee is considered work time.

NOTE: the driver must have a valid driver’s license.

7.7 Where practicable, transportation should be provided using a CBOH vehicle.

7.7.1 If the CBOH vehicle is not available, the supervisor or designee may determine that it is appropriate to use a personal vehicle to transport the employee.

7.7.2 The supervisor or designee may be reimbursed for mileage, parking fees and other expenses incidental to the use of the personal vehicle for such transportation.

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- 7.7.3** It is the responsibility of the supervisor or designee to ensure that any personal vehicle used is insured against loss. The CBOH does not insure private vehicles, even when they are used to conduct CBOH business.
- 7.8** In the event of an emergency, appropriate medical attention for the employee should be sought immediately (e.g., calls 911 or transport to an emergency room). In an emergency, treatment does not have to be provided by a Network provider. All follow-up care must, however, be provided by a referral from the Managed Care Organization.
- 7.9** If the employee is dissatisfied with the physician selected from the list, a second selection from the list may be made without permission. Any further changes require permission from the DOAS workers' compensation representative.
- 7.10** After ensuring that proper medical treatment has been arranged, the supervisor or designee is to report all injuries, illness and exposures to occupational disease that require medical treatment or result in time lost from work, through the telephone reporting system at 1-877-656-RISK (7475).
- 7.11** The report should be made immediately and in no case more than 24 hours from the time the supervisor or designee has knowledge of the injuries, illnesses or exposures to occupational disease.
- 7.12** When work-related injuries, illnesses or exposures to occupational disease occur HR should be notified immediately.
- 7.13 Return to Work**
- 7.13.1** HR staff are to arrange follow-up contact with the employee within 24 hours to check on the employees' well-being and begin preparation for a *TRANSITIONAL EMPLOYMENT PLAN*.
- 7.13.2** As soon as the employee is released to work activities, the employee will be asked to meet with the Transitional Employment Team to develop a *TRANSITIONAL EMPLOYMENT PLAN*.
- 7.13.3** The plan will specify the following:
- 7.13.3.1** Start and end date of transitional duty
 - 7.13.3.2** Any accommodations which may be necessary to enable the employee to perform his or her duties
 - 7.13.3.3** Specific duties to be performed
 - 7.13.3.4** Signatures of both the supervisor and injured or ill employee

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7.13.3.5 Next review date

7.13.4 Responsibilities and duties identified for the employee must be of value to the CBOH while ensuring the employees safety at all times.

7.13.5 If possible, tasks should be similar to the employee's regular work and within the same functional unit to help the employees' regular work and within the same functional unit to help the employee maintain relationships with co-workers. If this is not feasible, however, other alternatives should be considered utilizing the following guidelines.

7.13.5.1 Focus on unique skills and abilities of the employee

7.13.5.2 Consider duties outside of the employee's regular work unit

7.13.5.3 Provide tasks which add value to services normally provided by the CBOH

7.13.5.4 Explore training or other on the job learning experiences to help enhance the skills of the employee

7.13.5.5 Allow an employee to share skills through mentoring other employees

7.13.5.6 Provide employees with special projects which need to be completed

7.14 As the employees' medical condition improves, the Transitional Employment Team will meet periodically to revise the plan to increase activities. This should help the employee gain strength and endurance to expedite the transition to regular employment.

7.15 The plan should be reviewed on a regular basis during the Transitional Employment Team meetings; assignments should be changed periodically to reflect improvement in the employee's physical capacities, as documented by the treating physician.

7.16 Transitional Employment will continue until the employee has resumed normal function, or until it is determined that the employee will suffer a disability for the foreseeable future, in which case Policy HR-03704 (Americans with disabilities Act) shall control.

7.17 Affected employees will be active members of the Transitional Employment Team as it relates to reasonable accommodation, and opinions and input will be solicited.

7.18 If it is determined that the team needs assistance with reasonable accommodation, the employee will be referred to the DOAS Workers' Compensation Program for rehabilitation evaluation.

7.19 Non-compliance with RTW (Return to Work) Program

7.19.1 In the event that an employee refuses verbally or otherwise through his/her actions, declines to participate in the Return to Work (RTW) Program, HR should be notified. Refusal to return to work and refusing to follow directives given by a supervisor in a job where the responsibilities and duties have been approved by the treating

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physician may jeopardize employees' workers' compensation/special injury benefits.

7.20 Family Leave

- 7.20.1** A work-related injury, illness or exposure to occupational disease may qualify as a serious health condition under family leave. An employee may be placed on available family leave during the workers' compensation/special injury absence, which may run concurrently.
- 7.20.2** At some point during the employees' absence, the treating physician providing medical care pursuant to workers' compensation/special injury may certify that the employee is able to return to work in a transitional employment position.
- 7.20.3** If the employer offers such a position, the employee is permitted but not required to accept the position.
- 7.20.4** If the employee does not accept the transitional employment position, the employee may no longer qualify for payments from workers' compensations/special injury benefit plan, but the employee is entitled to continue family leave, either until the employee is able to return to the same or equivalent job the employee left or until the twelve (12) work week family leave entitlement is exhausted, whichever is first.

8.0 REVISION HISTORY

REVISION #	REVISION DATE	REVISION COMMENTS
0	April 13, 2020	Initial Issue

9.0 RELATED FORMS

The forms below are found at this link:

<http://doas.ga.gov/risk-management/insurance-services/workers-compensation>

Reporting Instructions

Employee's Report of Injury

Georgia Activity Analysis

Incident Notice – used to document an incident where there was NO injury reported

Supervisor Report – used by supervisor to document the workplace accident

Workers Comp Supervisor Guide

Supervisor's Return to Work Form

Transitional Employment Plan

Witness Statement

Leave Election

Medical Authorization

DOAS Return to Work Program – Brochure

Georgia State Board of Worker's Compensation – Handbook



Public Health
Prevent. Promote. Protect.

**A SUPERVISOR'S GUIDE TO
WORKERS' COMPENSATION**

**DEPARTMENT OF
ADMINISTRATIVE SERVICES**

**THE DIVISION OF
RISK MANAGEMENT SERVICES
AND
KEY RISK MANAGEMENT SERVICES**

TO ALL STATE OF GEORGIA SUPERVISORS

This Supervisor's Handbook contains information prepared by the Department of Administrative Services, Division of Risk Management Services (RMS) Workers' Compensation Unit to assist you in the effective and expeditious reporting and handling of on-the-job injury claims.

The primary focus of the DOAS/RMS Workers' Compensation Unit and key Risk Management Services is to administer workers' compensation claims as defined by the Rules and Regulations of the State Board of Workers Compensation governed under O.C.G.A. 34-9, and to safely return injured employees to productive employment.

You have a single point of contact – your agency's dedicated Worker's Compensation Specialist is here to help you. Please feel free to call with your questions and concerns.

SUPERVISOR'S ROLE

WHAT SHOULD THE SUPERVISOR DO WHEN AN EMPLOYEE IS INJURED ON THE JOB?

A supervisor should always take a productive role when an employee advises he/she has been injured on the job. The supervisor is the most effective person in the initial handling of the claim, as he/she is normally the only person with whom the injured employee communicates. We encourage supervisors to do the following:

- Take time to handle the injury. Find out what happened; obtain the names of any witnesses; and ensure the area is free of any hazards that could contribute to additional injuries.
- Report the injury to 1-877-656-RISK (7475) as soon as possible but at least within 24 hours following the incident.
- After you have reported the injury, the intake coordinator at the Call Center will transfer you to the Managed Care Organization. At this time, you may let the employee speak with the Managed Care Organization to obtain medical treatment and coordination of medical appointments. *If your employee has an emergency and needs treatment immediately, do not delay getting medical help for the employee while you report the claim and speak with the Managed Care Organization.*
- *The employee is your first concern.* If the employee needs emergency care, get them to the nearest emergency room immediately; all follow-up treatment must be coordinated through Workers' Compensation Managed Care Organization. If the employee feels treatment is not needed, have him/her to acknowledge in writing treatment was offered but was declined. Keep the acknowledgement with a copy of the incident report.
- Communicate with the treating physician regarding the physical requirements of the job by utilizing the Georgia Activity Analysis (GAA).
- Remember that DOAS/RMS and Key Risk Management Services are your partners and communicate openly with your Workers' Compensation Specialist handling the claim.
- Demonstrate your concern by communicating frequently with your injured employee during the recovery process (calls, cards, visits, invitations to agency events)
- Make every effort to return your employee to work as soon as possible through transitional employment, by working closely with your WC claims team members.

REPORT THE INJURY

All calls are answered by The Network, a Telephonic Reporting Vendor (TRV) who is experienced and specializes in handling First Reports of Injury.

TELEPHONIC REPORTING INSTRUCTIONS:

- Call toll-free, 24 hours a day, 7 days a week 1-877-656-RISK (7475)
- Claims must be reported by the supervisor or the person designated by the agency to report on-the-job injuries.
- Employees *should not* call in their own claims unless special circumstances require the employee to report the injury.

In order for the Telephonic Reporting Specialist at the Network to serve you better, you will need the following minimal information available when you call:

- Your Agency Location (client ID number)
- Name, Address, Social Security Number, Age and Sex of Injured Employee
- Name of Employing Agency, Address and Telephone Number
- Date, Time and Description of Accident (How, Where, Why)
- Part of Body Injured and Type of Injury (cut, scrape, burn etc.)
- Hourly/Weekly/Monthly Wage
- Name and Address of Physician/Hospital
- Has injured employee returned to work?

Injuries should be reported to The Network as soon as possible but at least within 24 hours of an accident.

Once a claim has been reported through The Network any correction to the above information should be made by calling your dedicated Workers' Compensation Specialist. A copy of the completed first report of injury will be faxed to both the number designated by your agency and your Workers' Compensation Specialist within 24 hours of the report.

Only injuries requiring medical care or lost time from work should be reported to the Telephonic Reporting Vendor. Injuries requiring only first aid or requiring no medical care should be recorded within the agency as an incident notice only.

FREQUENTLY ASKED QUESTIONS

WHAT IS WORKERS' COMPENSATION?

Workers' Compensation is an accident insurance program, which may provide medical care, rehabilitation, and income to compensate for lost wages if you are injured on the job. It also provides financial payment to your dependents in the event of death from a job-related injury.

WHEN DOES AN EMPLOYEE'S COVERAGE UNDER WORKERS' COMPENSATION BEGIN?

An employee's coverage begins with their first day on the job.

WHO IS COVERED UNDER THE STATE OF GEORGIA'S WORKERS' COMPENSATION PROGRAM?

The State of Georgia's Workers' Compensation Self-insurance Program covers all full-time, part-time, salaried, and hourly wage employees of the state. Additionally, coverage is extended to all state departments, instrumentalities, boards commissions, authorities, including all community service boards and county health departments (with the exception of Fulton), as well as all state universities, colleges, and technical schools.

WHAT IS CONSIDERED AN ON-THE-JOB INJURY?

An on-the-job injury or illness arising out of and in the course of employment. This means if an employee is injured while performing his/her assigned duties during assigned work hours; he/she is covered under the workers' compensation program. If an employee is injured during his/her lunch, scheduled break, or the employee is not engaging in any assigned work duty, he/she is not covered under the workers' compensation program.

ARE ON-THE-JOB ACCIDENTS INVESTIGATED?

Yes, some investigations of on-the-job accidents are conducted by the Workers' Compensation Specialist and are necessary to determine how an injury occurred and to gather additional information pertaining to the injury. This information often comes in the form of a recorded or written statement from the injured worker, supervisor, and/or witnesses, and assists the agency's designated Workers' Compensation Specialist in deciding compensability of the claim. Anytime a supervisor suspects fraud he/she should advise the designated Workers' Compensation Specialist immediately.

WHAT SHOULD THE SUPERVISOR DO IF THE INJURED EMPLOYEE HIRES AN ATTORNEY?

If the employee retains counsel the supervisor should not discuss issues pertaining to the Workers' Compensation claim with the employee; however, the supervisor must continue to supervise that employee's daily operations. Should questions related to the Workers' Compensation claim arise, the employee's attorney should be referred to the designated Workers' Compensation Specialist.

ARE EMPLOYEES WHO COMMIT WILLFUL MISCONDUCT RESULTING IN INJURY COVERED UNDER WORKERS' COMPENSATION?

In general, workers' compensation does not provide benefits for an injury or accident resulting from an employee's willful misconduct (e.g. fighting, horseplay, intoxication, etc.); however, these accidents should be reported to DOAS/DRMS so that the designated Workers' Compensation Specialist can conduct an investigation and properly determine compensability.

DO EMPLOYEES PAY THEIR PHYSICIAN BILLS AND OTHER MEDICAL EXPENSES RESULTING FROM THE JOB RELATED INJURY?

No. Your employee's medical bills are paid by workers' compensation if their medical treatment is coordinated through Workers' Compensation Managed Care Organization. If the employee seeks treatment from a physician not coordinated through Workers' Compensation Managed Care Organization, workers' compensation may not pay.

IF I HAVE AN EMERGENCY SITUATION, DOES THE EMPLOYEE STILL CONTACT WORKERS' COMPENSATION MANAGED CARE ORGANIZATION FOR REFERRAL TO A PHYSICIAN?

No, the exception to the Managed Care Process is in emergencies. Call 911 or have the employee transported to the nearest emergency room. However, all follow-up care must be rendered by a doctor chosen by the employee coordinated through Workers' Compensation Managed Care Organization.

WHAT SHOULD AN INJURED EMPLOYEE DO IF HIS/HER CLAIM IS DENIED AND HE/SHE DISAGREES?

If an employee's claim is denied, the Workers' Compensation Specialist will notify him/her of the reason in writing. Employees have the right to request a hearing before the State Board of Workers' Compensation if they disagree with the denial.

To request a hearing the employee must file form WC-14 with the State Board of Workers' Compensation. This form, along with detailed information about the hearing process is available from the State Board by calling 404-656-3818 or 1-800-533-0682.

ARE HEART ATTACKS AND STROKES COMPENSABLE?

The workers' compensation statute generally excludes heart attacks and strokes from compensability, unless it can be proven by a preponderance of the evidence that the heart attack or stroke was attributable to on-the-job performance.

WHO SHOULD THE SUPERVISOR CALL TO PROVIDE OR REQUEST INFORMATION?

The Workers' Compensation unit is divided into three customer account teams. Each state agency has been assigned a specific customer account team.

We have attempted to answer frequently asked questions by supervisors regarding workers' compensation benefits. For additional information please feel free to contact the Workers' Compensation claims office at 404-656-6245.

We are here to address any questions you or your employees may have regarding benefit entitlement, medical treatment and return to work. We are here to serve you.

Please assist us in continuously improving service to you, our customer! Visit www.Howsmyservice.ga.gov and rate the service you receive. Thank you for letting us know how we can better serve you!

IMPORTANT INFORMATION TO REMEMBER:

When an employee suffers a job related injury, call TNW immediately to report the injury at 1-877-656-RISK (7475), option 1, advise TNW that you wish to report a Workers' Compensation claim.

You may also reach Workers' Compensation Managed Care Organization by calling 1-877-656-RISK (7475), and selecting option 2.

If you are calling long distance and need to speak with your Workers' Compensation claims specialist, you may also reach him/her by calling 1-877-656-RISK (7475) option 3.

Employer/Agency Name _____

My Agency Location/Client ID Number is _____

My lost time claims adjuster is _____

And the direct phone number is _____

My Medical Only claim adjuster is _____

And the direct phone number is _____

State Board of Workers' Compensation telephone number is 404-656-3818 or 1-800-533-0682. The website for SBWC is www.sbcw.ga.gov.

The direct number for the DOAS/RMS office is 404-656-6245 and the office is located at 200 Piedmont Avenue, SE, Suite 1208 West Tower, Atlanta, GA 30334. www.doas.ga.gov