

WORK-RELATED INJURIES

*In order to provide medical benefits, temporary or permanent disability benefits, wage replacement, retraining or skill enhancement, and/or death benefits in the event that an employee becomes injured or ill in the course of employment, the district shall provide all employees with insurance and workers' compensation benefits in accordance with law. The Superintendent or designee shall develop an efficient claims handling process that reduces costs and facilitates employee recovery.*

The Superintendent or designee shall ~~post a notice of employee rights related to workers' compensation and shall provide this information in writing to new employees;~~ *notify every new employee, at the time of hire or by the end of the first pay period, of his/her right to receive workers' compensation benefits if injured at work.*

~~This notice shall also include a statement of the district's policy requiring employees to report work related injuries as soon as practicable.~~

~~Employees shall also be informed that pursuant to Labor Code 4906, it is a felony for an employee to make a false workers' compensation claim.~~

*In addition, a notice regarding workers' compensation benefits shall be posted in a conspicuous location frequented by employees, where the notice may be easily read during the workday.*

*In the event that an employee is injured or becomes ill in the course of employment, he/she shall report the work-related injury or illness to the Superintendent or designee as soon as practicable.*

*Within one working day of receiving notice or knowledge of any injury to an employee in the course of employment, the Superintendent or designee shall provide a claim form and notice of potential eligibility for workers' compensation benefits to the employee or, in the case of the employee's death, to his/her dependents. The claim form and notice shall be provided personally or by first class mail.*

*The Superintendent or designee shall additionally ensure that any employee who is a victim of a crime that occurred at the place of employment is given written notice personally or by first class mail within one working day of the crime, or when the district reasonably should have known of the crime, that the employee is eligible for workers' compensation benefits for injuries, including psychiatric injuries, that may have resulted from the crime.*

*The Superintendent or designee shall ensure that all employee notices described above are in the form prescribed by the Department of Industrial Relations (DIR), Division of Workers Compensation.*

*Upon learning of a work-related injury or illness, or injury or illness alleged to have arisen out of and in the course of employment, the Superintendent or designee shall report the incident to the district's insurance carrier within five days after obtaining knowledge of the injury or illness. If a subsequent death arises as a result of the reported injury or illness, an amended report indicating the death must be filed with the insurance carrier within five days after being notified of or learning about the death.*

*In addition, in every case involving death or serious injury or illness, the Superintendent or designee shall immediately make a report by telephone or email to the Division of Occupational Safety and Health.*

**District Responsibilities**

~~Supervisors receiving reports of a work related employee injury shall gather appropriate information, including but not limited to:~~

- ~~1. The date, time and place of the injury~~
- ~~2. The name, occupation and signature of the injured employee~~
- ~~3. Details of how the injury occurred~~
- ~~4. The names of any witnesses~~

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Supervisors shall promptly remit information about work related injuries to the Superintendent or designee.

Whenever a work related injury results in lost work time beyond the date of the injury or requires medical treatment beyond first aid, the employee shall be given a workers' compensation claim form and a notice of potential eligibility for benefits within one working day of the injury.

Within five working days of obtaining knowledge of any injury which results in lost time beyond the date of the injury or which requires medical treatment beyond first aid, the Superintendent or designee shall file a complete report of the injury with the district's insurer.

**Employee Responsibilities**

Upon receiving treatment or a work related injury, the employee shall obtain a medical verification of his/her condition, indicating any limitations on the employee's ability to work, the anticipated time needed for recovery from these limitations, and the type of work modification needed.

The district has designated a medical carrier where employees will be taken in case of a work related injury. Employees who wish to be taken to their personal physician for treatment of work related injuries must have a written request on file with the Superintendent or designee. It is the employee's responsibility to inform his/her supervisor that he/she has such a request on file.

Legal References

**EDUCATION CODE**

- 44984 Industrial accident and illness leaves, certificated employees*
- 45192 Industrial accident and illness leaves, classified employees*

**LABOR CODE**

- 3200-4855 Workers' compensation, especially:*
- 3550-3554.3 Employee notice*
- 3600-3605 Conditions of liability*
- 3760 Report of injury to insurer*
- 4600 Provision of medical and hospital treatment by employer*
- 4906 Disclosures and statements*
- 5400-5413 Notice of injury or death*
- 5401**
- 6409.1 Reports*

**CODE OF REGULATIONS, TITLE 8**

- 15596 Notice of employee rights*

Management Resources:

**DEPARTMENT OF INDUSTRIAL RELATIONS PUBLICATIONS**

- A Guidebook for Injured Workers, 2016*
- Notice to Employees -- Injuries Caused by Work*
- Time of Hire Pamphlet*
- Workers' Compensation Claim Form (DWC 1) & Notice of Potential Eligibility*

**WEB SITES**

- California Department of Industrial Relations, Division of Occupational Safety and Health:*  
*<http://www.dir.ca.gov/dosh>*
- California Department of Industrial Relations, Division of Workers Compensation:*  
*<http://www.dir.ca.gov/dwc>*

All Personnel

AR 4157.1 (c)

4257.1

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4357.1

Regulation

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Silver Valley Unified School District