



City of Arts & Innovation

**City of Riverside, California
Human Resources Policy and Procedure Manual**

Approved:

Human Resources Director

City Manager

Number: VI-01 Effective Date: 11/12

SUBJECT: INDUSTRIAL INJURY COMPENSATION AND RETURN TO WORK

PURPOSE:

To provide a policy for accepted Workers' Compensation claims that ensures employees who suffer work-related injuries are provided medical treatment, industrial injury leave, compensation, and return to work opportunities in compliance with State law.

POLICY:

It is the intent of the City to ensure that all employees who suffer on-the-job injuries or illnesses receive prompt medical attention and ~~that they~~ are afforded all rights and benefits available to them through the Workers' Compensation system. The City will make every effort to return injured employees to work if they are medically able to do so.

1. RESPONSIBILITIES: Responsibility:

It is the responsibility of City employees to promptly report any job-related injury or illness to their immediate supervisor or to the Workers' Compensation Division. Supervisory personnel are responsible for ensuring that injured or ill employees receive prompt medical attention by the City's State approved Medical Provider Network (MPN). Supervisors must immediately report any incident to the Workers' Compensation Division by completing the necessary State forms within 24 hours of notice of injury.

The employee's supervisor will place the injured employee on industrial accident leave or modified duty when the authorized treating physician indicates the period of disability or modified duty will extend beyond the day of the accident (see HR Policy VI-02, Modified Duty Program). Appointments for treatment and therapy will be scheduled at the discretion of management in consideration of City operations. Employees are responsible for their own transportation to and from medical appointments, however mileage is reimbursed by the City when using their personal vehicle. There will be no mileage paid if a city vehicle is used for transportation to and from medical appointments. Employees

must submit to their supervisor any physician's medical status report as soon as it is received from the physician.

2. COMPENSATION: Compensation:

A benefitted non-sworn employee will receive the negotiated percentage of salary continuance and the level of temporary disability payments required by Labor Code 4650. Local sworn safety personnel will receive full compensation according to Labor Code 4850. Non-benefitted, non-sworn employees will receive the State mandated total temporary disability rate of compensation.

Employees will continue to receive regular pay if the treating physician has stated that he/she can return to temporary modified duty, provided a temporary modified duty position is available that meets the employees work restrictions and physical limitations in accordance with the City's Temporary Modified Duty Program.

Salary Continuance or Total Temporary Disability payments will be discontinued if an employee refuses to participate in the Temporary Modified Duty Program or does not participate or cooperate with the medical treatment prescribed by the treating physician. Furthermore, any refusal to participate in the Temporary Modified Duty Program will result in the employee remaining off work subject to departmental approval for time off and where sick leave cannot be used under this circumstance per HR Policy VI-02. Salary Continuance will also be discontinued if the employee retires, voluntarily or involuntarily terminates employment, or is on industrial injury or illness leave for a period exceeding one year. Where applicable, as per Labor Code 139.5, temporary disability payments will be paid after one year of Salary Continuance has been paid.

3. RETURN TO WORK: Return To Work:

The Workers' Compensation Division will notify the immediate supervisor if the employee is released to temporary modified duty by their treating physician. Temporary modified duty assignments are made in accordance with HR Policy VI-02. If necessary, the Worker's Compensation Division will arrange for any necessary medical treatment and/or any request for a change of treating physician.

If the employee's condition is determined to be permanent and stationary by the treating physician with no permanent work restrictions, they will return to their usual and customary job duties. If the employee is deemed permanent and stationary and cannot perform the usual and customary duties of his/her position and has been given a permanent work restriction, they would be invited to the Reasonable Accommodation Interactive Process under HR Policy VI-04.

Attachments:

1. Supervisor's First Report of Incident
2. State of California Claim Form
3. Instructions for State of California Claim Form