

UCR Policies and Procedures

[Back to Previous Page](#)

Campus Policy Number 600-85

Workers' Compensation

Policy Owner: Labor Relations & Workers' Compensation

Effective Date: 10/01/2008

WORKERS' COMPENSATION BENEFIT ADMINISTRATION:

- A. The Labor Relations & Workers' Compensation Office is the campus liaison for all workers' compensation issues. Questions regarding this policy and procedures should be referred to:

Labor Relations & Workers' Compensation
University of California, Riverside
1201 University Avenue, Suite 208
Riverside, CA 92507
Phone: (951) 827-5588
Fax: (951) 827-2672

- B. UCR has contracted with "Sedgwick, CMS" (formerly known as Octagon Risk Services) to serve as the workers' compensation administrator. Questions regarding claims and benefits may be referred to:

Sedgwick, CMS
P.O. Box 639028
San Diego, CA 92163-9028
Phone: (619) 321-1440 or (866)265-0385
Fax: (619) 321-1449

C. TREATMENT FACILITIES FOR INDUSTRIAL INJURIES:

1. **CENTRAL OCCUPATIONAL MEDICINE PROVIDERS (COMP)**
4300 Central Avenue
Riverside, CA 92506
Phone: (951)222-2206
Hours: Open 24 hours – 7 Days a Week
Transportation can be requested by calling this facility in advance.

2. **PARKVIEW OCCUPATIONAL MEDICINE**
9041 Magnolia Ave., Ste. 107
Riverside, CA 92503
Phone: (951) 353-1021

Hours: Weekdays: 8 a.m. to 9 p.m.; Weekends: 9 a.m. to 6 p.m.
After hours call (951) 351-7726

3. **IN CASE OF EMERGENCY:**
Dial 911 for medical emergencies when the injury is life threatening or cannot be safely transported.
Or take the injured employee to:

RIVERSIDE COMMUNITY HOSPITAL
4445 Magnolia Avenue
Riverside, CA 92507
Phone: (951) 788-3000
Hours: 24-Hour Emergency Care
(Follow up treatment should be obtained at COMP or Parkview Occupational Medicine.)

Important: If an employee is hospitalized, other than for observation, for 24 hours or more, or has an injury that results in a loss of limb (amputation) or loss of life, please contact EH&S at x2-5528 as this must be reported to OSHA within 8 hours of the event.

4. **FOR OUT-OF-AREA INJURIES:**

Employees who are on-the-job but off-campus when injured should seek treatment at the nearest medical facility. When they seek treatment, they should tell the facility that this is a work-related injury or illness, and notify their supervisor immediately.

5. **FOR OUT-OF-STATE EMPLOYEES:**

A separate Workers' Compensation insurance must be purchased by the Office of the President for employees who reside and work outside California. These employees are not covered by the University's general workers' compensation insurance, which is only applicable to employees employed within the state. If you have employees who meet these criteria, please provide the following information to Labor Relations & Workers' Compensation:

Employee Name
 Hiring Department
 Address of Residence
 Work Address
 Payroll Title/Job Description (the job description can be faxed to X2-2672)
 Date of Hire
 End Date (current or projected)
 Annual Salary (estimated payroll for 12/31/XX to 12/31/XX)
 Dept. FAU#

This separate insurance is **not** required for employees who normally live and work in California but who occasionally travel out of state on business (i.e. for sabbatical leave, research projects, seminars).

D. **OVERVIEW OF WORKERS' COMPENSATION BENEFITS:**

1. **Overview:** California's workers' compensation laws are intended to assure that employees receive prompt medical treatment, among other benefits, when they are injured on%u2011the%u2011job.
2. **"Occupational Injury" Defined:** The term "occupational injury" is used to describe any injury, illness, or disease which results from work or working conditions, and which occurs during the employee's service to the University. Even first-aid injuries are covered. However, benefits may not be provided for injuries that arise from voluntary participation in any off-duty, recreational, social or athletic activity that is not part of work-related duties.
3. **Types of Benefits Available:** Specific benefits are individually determined based on a range of factors. Generally, injured employees are eligible for the following types of benefits:
 - a. **Medical Care:** Doctor visits, hospital services, physical therapy, lab tests, x-rays, and medicines that are reasonably necessary to treat the injury. However, there is a limit on some medical services.
 - b. **Temporary Disability (TD) Benefits:** Temporary disability payments are provided to injured employees to supplement their lost wages. (Throughout this policy temporary disability payments will also be referred to as workers' compensation payments);
 - c. **Permanent Disability (PD) Benefits:** Permanent disability payments are provided when the injury causes a permanent disability;
 - d. **Death Benefits:** Compensation is provided to the surviving dependents in the event of death;
 - e. **Supplemental Job Displacement Benefits:** A non-transferable voucher payable to a state approved school if an employee is injured on or after 01/01/2004, the injury results in permanent disability, the employee doesn't return to work within 60 days after temporary disability ends, and the University does not offer modified or alternative work.

E. **OBTAINING MEDICAL TREATMENT:**

1. Employees who have a work-related injury or illness should tell their supervisor about it immediately and seek medical care. Employees should be sent to one of the facilities referenced on section [C. Treatment Facilities for Industrial Injuries](#). In general, if an employee has sought treatment at Riverside Community Hospital for an emergency or life-threatening injury, then follow-up treatment should be obtained at COMP or Parkview Occupational Medicine.
2. The University has the right to determine which medical providers will provide treatment for employees during the first thirty (30) days after the injury is reported. ([See Section C Treatment Facilities for Industrial Injuries](#))
3. **Designation of Personal Physician:** Employees cannot be treated by their own personal physician for industrial injuries unless they have submitted the [Facts about Workers' Compensation/Designation of Personal Physician form](#), prior to the date of injury. The Designation of Personal Physician form must be on file with their department and a copy on file with the Labor Relations & Workers' Compensation Office before the injury occurs. A personal physician/chiropractor is someone who has treated the employee in the past and maintains the employee's current medical records. The pre-designated physician must agree in writing to be the designated treating physician (Labor Code Section 4600). Special rules apply for chiropractor or acupuncturist, employee may need to go to COMP or Parkview Occupational Medicine first.
4. **Please note:** Employees are required to use accrued sick leave for follow-up medical appointments beyond the date of injury (including physical/occupational therapy). The one exception to this is when the University has scheduled a medical examination with a Qualified Medical Examiner for an injured employee, in which case the employee is paid by the department and given release time.
5. In order for employees to minimize the amount of sick leave used for such appointments, employees can attempt to schedule these appointments outside normal working hours or during lunch hours. If that is not possible, the employee can request permission to adjust the work hours that day so as to not have to use accrued leave or lose time from work.

F. **REPORTING OCCUPATIONAL INJURIES/ILLNESS:**

1. **INCIDENT REPORT FORM:**
 - a. Provide the employee with the [Incident Report Form](#) and have the employee fill out the "Employee Information" section.

- b. Supervisor will need to complete the "Supervisor" section.
- c. Employee should be instructed to provide the form to the treating doctor. The doctor will fill out the "Medical Provider" section.
- d. Fax the completed form **within 24 hours** to:
 - Labor Relations & Workers' Compensation Office (FAX#: EXT. 2-2672 OR (951)827-2672).
 - EH&S (FAX#: EXT. 2-5122 OR (951)827-5122).
- e. Provide a copy of the completed form to the employee.

2. **DOCTOR'S NOTES AND CORRESPONDENCE:**

- a. When employees have sought treatment for an industrial injury, they are to bring back a note from the treating physician indicating their return to work status, and if there are any restrictions, along with the completed incident report form.
- b. Departments are to make a copy of all physician's notes and correspondence for departmental files, and send the original **and** one copy to the Labor Relations & Workers' Compensation Office.
- c. **FAMILY MEDICAL LEAVE ACT (FMLA):**
Departments should be aware that while employees are off work due to a disability, they may qualify under the FMLA for "family medical leave" which may require further departmental action. For information, you are encouraged to contact Labor Relations & Workers' Compensation at ext. 2-3641 or Human Resources-Benefits Office at ext. 2-4766.

G. **PAYROLL ISSUES IMPACTING WORKERS' COMPENSATION CLAIMS:**

1. **WORKERS' COMPENSATION PAYROLL ADMINISTRATION:** If employees need assistance with resolving any payroll-related questions and problems, they should first contact their department's Benefits/Personnel Assistant. For further help, contact:

PAYROLL OFFICE
ACCOUNTING DEPARTMENT
 Phone (951) 827-3307

2. **SALARY OPTIONS PRIOR TO THE APPROVAL OF THE CLAIM:**

For employees who are eligible to accrue sick and vacation leave, who are determined by the treating physician to be temporarily disabled, they will need to follow the normal procedures to request the use of sick leave, vacation leave, and/or compensatory leave accruals in order to continue receiving their basic salary while temporarily disabled. However, if an employee elects to use compensatory leave accruals, their compensatory leave will not be recredited. The employee may elect to take a leave of absence without pay, and not use accrued leave. Sedgwick, CMS has ninety (90) days from the date the injury is reported by the employee to investigate and make a determination whether the claim will be approved or denied.

3. **AFTER THE CLAIM IS APPROVED, WORKERS' COMPENSATION PAYMENTS ARE RECEIVED:**

Temporary disability (TD) checks are paid when Sedgwick, CMS has approved the claim and the treating doctor certifies that their illness or injury causes them to lose time from work and suffers lost wages. Temporary disability checks are not paid the first three days an employee is unable to work unless,

- a. an employee is hospitalized as an inpatient, or
- b. an employee is off work for more than fourteen (14) days.

Leave accruals may be used in order to ensure that the employee receives pay for this waiting period. If the employee has exhausted their sick leave and the claim has been approved, they are eligible to receive "Extended Sick Leave," which is described in more detail below.

Workers' compensation payments or temporary disability (TD) checks are mailed directly to the employee. The exact amount of these (TD) checks is determined by law, based on the employee's average weekly earnings. It is approximately two-thirds of the employee's actual wage loss, up to a maximum weekly rate.

Employees who receive temporary disability (TD) or workers' compensation payments will have those payments deducted from their paychecks.

4. **OPTIONS FOR EMPLOYEES TO SUPPLEMENT WORKERS' COMPENSATION PAYMENTS:**

After the claim has been approved, and the employee is receiving workers' compensation payments from Sedgwick, CMS, they have **three options** regarding the continuation of their salary:

The department is required to obtain a written authorization from the employee before they use sick or vacation leave to supplement the workers' compensation payments. Within three (3) working days after the department becomes aware that the employee has received payments from Sedgwick, CMS, they must mail the ["Sick/Vacation Leave Authorization"](#) letter to the employee. Based on the information provided, the employee may elect one of the three options described below.

OPTION 1: USE YOUR SICK AND VACATION LEAVE TO SUPPLEMENT YOUR TEMPORARY DISABILITY CHECKS

- a. **Salary Issues:** Under this option, your sick leave and vacation accruals will be used to make up the difference between the temporary disability checks you receive from Sedgwick, CMS, and your base pay. Provided you have sufficient leave accruals to supplement the temporary disability checks, you could receive 100% of your salary while you are temporarily disabled for a work-related injury or illness. The department will first apply your sick leave and next use vacation leave accruals. Your temporary disability payments will be deducted from your paychecks.
- b. **Benefit Issues:** Because you are on regular pay status, your medical, dental and vision care insurance premiums will continue to be paid by the University as they are currently, and you will continue to earn normal retirement service credit.
- c. **Leave Accruals:** You will earn sick leave and vacation at the normal rate, and you may use it as you earn it. This will continue until you have exhausted your leave accruals.

- d. **Extended Sick Leave:** When your sick leave accruals have been exhausted, you will be eligible for "Extended Sick Leave Benefits." The University will pay you 80 percent of your normal salary. While you are on Extended Sick Leave, the University will continue making contributions toward your medical, dental and vision care insurance benefits. You will earn retirement service credit at 80 percent. During Extended Sick Leave, you will accrue sick/vacation leave at the normal rate, however, your leave accruals will be credited to you only when you return to work. If you separate before you return to work, vacation earned while on Extended Sick Leave will be paid to you. You may receive Extended Sick Leave benefits for up to 26 weeks. When the temporary disability checks cease, Extended Sick Leave benefits will cease also. (Note: While on Extended Sick Leave, you cannot supplement to 100% pay status.)
- e. **After Extended Sick Leave is exhausted:** After 26 weeks of Extended Sick Leave, if you remain temporarily disabled and are receiving temporary disability checks, you will be placed on a leave of absence without pay, and your Extended Sick Leave will be discontinued. During this leave, your vacation and sick leave will accrue at the normal rate, but will be credited to you only when you return to work. You will not earn retirement service credit and you will be required to pay the full cost of your medical, dental and vision insurance premiums directly to the campus Payroll Office. You may be eligible for benefit continuation for at least 12 weeks pursuant to the Family Medical Leave Act (FMLA), if you qualify.

OPTION 2: SICK LEAVE ONLY IS USED TO SUPPLEMENT TEMPORARY DISABILITY CHECKS

All of the provisions listed above are the same terms you would receive under Option 2, except under this option, the department would only use your sick leave to supplement temporary disability checks, and no vacation leave will be used. Only Options 1 and 2 will permit employees to receive Extended Sick Leave benefit.

OPTION 3: USE NO LEAVE ACCRUALS - TAKE A LEAVE WITHOUT PAY

- a. **Salary Issues:** If you have sick or vacation leave accruals, but choose not to use them while you are temporarily disabled, you will be placed on a leave without pay. You will receive temporary disability checks from Sedgwick, CMS and no salary from the University.
- b. **Benefit Issues:** You will be required to pay for the full cost of your benefits (medical, dental and vision) to the Payroll Office. You will not earn retirement service credit. You may be eligible under the Family Medical Leave Act (FMLA) to receive continued payment for your benefits for at least 12 weeks.
- c. **Leave Accruals:** You will earn sick and vacation leave at your normal rate, but it will not be credited to you until you return to work. If you separate without returning to work, you will not be paid for vacation accrued while on a leave without pay.
- d. **Extended Sick Leave:** You are not eligible for Extended Sick Leave benefits.

6. EXTENDED SICK LEAVE:

Eligible employees receive eighty (80) percent of their basic salary from the University, called "**Extended Sick Leave**" which is available for up to twenty-six (26) weeks for any one illness or injury. These payments are made only while the employee is receiving workers' compensation payments. (Law Enforcement employees shall receive leave with pay, as provided by Labor Code Section 4806.)

Eligibility for Extended Sick Leave is based on the following:

- a. Employees must be receiving workers' compensation payments; **and**
- b. Employees must exhaust all of their accrued sick leave.

The provisions of Extended Sick Leave are described in full in Policy 44 C of the Personnel Policies for Staff Members or in the applicable collective bargaining provisions. While on Extended Sick Leave, employees cannot supplement this leave with leave accruals to receive full pay.

H. LEAVE ACCRUALS WHILE OFF WORK:

1. **Employees on Full-Time Status:** Employees who receive workers' compensation checks and supplement it with sick/vacation leave are on regular pay status and accrue sick/vacation leave and may use it as soon as they accrue it.
2. **Employees on Extended Sick Leave:** Eligible employees on Extended Sick Leave continue to accrue sick leave and vacation leave on the same basis as if regularly employed. This leave will be credited to the employee, but they are not eligible to use it until after they have returned to work. After the employee returns to work, the department must complete a UPAY 644D or UPAY 644E to reflect the employee's adjusted leave balance. If the employee separates without returning to work, they shall be paid for vacation accrued during the period they were on Extended Sick Leave.
3. **Employees on Leave Without Pay:** **An employee on a Leave Without Pay, and receiving only workers' compensation payments, accrues sick leave and vacation leave on the same basis as if regularly employed. However, the accrual is credited to the employee only upon return to work. After the employee returns to work, the department must complete a UPAY 644D or UPAY 644E to reflect the employee's adjusted leave balances. If the employee separates without returning to work, they will not be paid for such vacation credit.**

I. RECREDITING OF SICK LEAVE/VACATION USED:

The department is also required to recredit a portion of the leave used by the employee to supplement workers' compensation checks/payments upon the employee's return to work. Vacation is recredited first and then sick leave. About two-thirds (2/3) of the leave time they use will be credited back to employees after the claim has been approved. Recrediting of leave takes place when the employee returns to work and is available for use at that time. The UPAY644D form must be completed to reflect the employee's adjusted leave balances. Assistance in recrediting will be provided by the Payroll department and Labor Relations & Workers' Compensation Office.

J. PROCESSING PAYROLL FOR WORKERS' COMPENSATION CLAIMS

1. EMPLOYEE DATA BASE ENTRY

Follow Step 1- when placing an employee on Leave With Pay if the employee has accumulated sick leave to be used. Vacation leave use is optional.
 Follow Step 2- when placing an employee on Extended Sick Leave, only after they have exhausted all sick leave accruals.
 Follow Step 3- when placing an employee on Leave Without Pay if the employee chooses not to use accumulated leave or after employee has exhausted their Extended Sick Leave.

Step 1. For the employee who is on leave due to an approved work-incurred injury or illness, the entry on Employee Data Base should be completed as follows:

- a. Access EEDB from the Main Menu; from the Function Code Menu enter ELVE (Leave of Absence Data) and the employee's identification number.
- b. On "Leave of Absence Code" enter "07" (Leave of Absence with Pay).
- c. On "Leave of Absence Begin Date"; enter "begin date" and "return date" (based on Doctor's Note).
- d. On "Type" enter "09" to reflect Workers' Compensation.
- e. Press F5 to update.
- f. If error messages are displayed, correct as appropriate.
- g. On the PAN Notification screen, press F10 to place your comments. Press F5 for final update.

Step 2. When an employee exhausts accrued sick leave and remains disabled, the employee shall receive Gross Extended Sick Leave payments. You will need to access the Employee Data Base to place the employee on Extended Sick Leave (80% of the employee's salary).

- a. On the Function Code Menu, enter EAPP (Appointment/ Distribution) and the employee's identification number.
- b. On the current distribution line, enter the "Payment End Date" which is equivalent to the date the employee exhausted their accrued sick leave.
- c. Tab down to the "Command Line" to create a new distribution line. On the distribution percentage, enter 80% and the new "Payment Begin Date" which is equivalent to the date after the employee has exhausted accrued sick leave. Enter the "Payment End Date" which corresponds to the anticipated return to work or twenty-six (26) weeks from the beginning date of the Extended Sick Leave. On the DOS code field, type in "ESL."
- d. Tab down to the "Command Line" to create a new distribution line to put the employee back to 100% regular pay status beginning with the anticipated return to work date.
- e. Press F5 to update.
- f. If error message are displayed, correct as appropriate.
- g. On the PAN Notification screen, press F10 to place your comments. Press F5 for final update.
- h. You can verify Year-To-Date balances on "INBI" screen after employee has been paid under the description of service "ESL".

Note: If the anticipated return to work date has changed, remember to change end date on ELVE (Leave of Absence Data) screen.

Step 3. If the employee continues to be temporarily disabled after exhausting twenty-six (26) weeks of extended leave, the department will need to place the employee on leave without pay, effective with the date the Extended Sick Leave was exhausted.

- a. Access the ELVE (Leave of Absence Data) screen and enter the employees' identification number.
- b. On "Leave of Absence Action Code" enter "08"(Leave without pay).
- c. On "Leave of Absence Begin Date" enter "begin date" and "return date."
- d. On "Type" enter "09" to reflect Workers' Compensation.
- e. Press F5 to update.
- f. If error messages are displayed, correct as appropriate.
- g. On the PAN Notification screen, press F10 to place your comments. Press F5 for final update.

2. PAYROLL REPORTING AND ADJUSTMENTS

- a. A copy of Payment Listing that lists employees who are receiving workers' compensation checks from Sedgwick, CMS will be sent to the Payroll Department by Labor Relations & Workers' Compensation Office.
- b. In order to prevent overpayment to the employee, Payroll department must complete a reduction of pay "RX" using the EDLR screen on the Payroll On-line system.
- c. You can verify Year-To-Date balances on "INBI" screen after Payroll Dept. have completed a reduction of pay under the description of service "WCR".
- d. When an employee is placed on a leave without pay, reduction of the employee's pay for workers' compensation payments is no longer required.

3. HOW TO CALCULATE CURRENT PAY FOR THE FIRST MONTH AN EMPLOYEES OUT ON WORKERS' COMPENSATION

Use the following steps to calculate current payroll hours when an employee is on workers' compensation:

- a. From the Time Record, calculate the number of days the employee worked for the month.
- b. From the Time Record, calculate sick leave and/or vacation leave taken for the month.
- c. From the Time Record, calculate the days counted as Extended Sick Leave. The maximum number of hours per day for Extended Sick Leave is 6.40 hours.

4. EXAMPLE: In May, Joe Thompson worked six days and was injured on the seventh day (May 11). The doctor's notes stated that Joe Thompson is temporarily disabled from May 12 through June 2. His next doctor appointment is on June 2. His current sick leave balance is 40.00 hours. (Please use working days only, weekends are not counted). Joe Thompson chose Option 2: Sick Leave only is used to supplement temporary disability check. See [Attachment 2](#).

- a. The Time Record should reflect 56.00 hours worked (May 3-11).
- b. The Time Record should reflect 40.00 hours sick leave (May 12-18). May 12-14 is 3-day waiting period which is non-compensable. Joe uses sick leave in order to be compensated.
- c. Total regular hours counted toward pay is 56.00 40.00 = 96.00 (Maximum working hours for May is 168.00. (To determine percentage, take 96.00 divided 168.00 = .5714).
- d. Joe Thompson has exhausted all his sick leave balance, therefore from May 19th forward, Joe Thompson is on Extended Sick Leave. The Time Record should reflect 6.40 hours per day (May 19-30) for a total of 51.20 hours.
- e. May 31 is a paid-holiday. Since Joe Thompson is on pay status for more than 50% of the month, he will receive Holiday pay at the rate of 80% (6.40 hours).
- f. Total Extended Sick Leave counted towards pay = 51.20 6.40 = 57.60 hours; divided 168.00 = .3429.
- g. Record time on pay status as REG =.5714, ESL =.3429 and SKL =40.00.

K. DISABILITY MANAGEMENT

1. **DISABILITY MANAGEMENT ADMINISTRATION:** For questions regarding disability management issues, contact:

**DISABILITY MANAGEMENT
HUMAN RESOURCES**

Phone: (951) 827-4785

2. TRANSITIONAL RETURN TO WORK:

The campus has a mandatory return to work program for industrially injured employees. Transitional Return to Work (TRTW) program provides up to 90 days of work for employees who have sustained an industrial injury and are released with work restrictions. During the TRTW period the employee receives his/her regular wage for the hours worked. If the home department is unable to provide an appropriate TRTW assignment, the Disability Management Coordinator will find work within the temporary restrictions in another department. Compensation during TRTW is the responsibility of the home department. Extension of the TRTW period will be on a case-by-case basis at the department's discretion.

Sedgwick, CMS Claims Administrator will discuss with Disability Management Coordinator and the employee after an aggregate of ninety (90) days of disability subsequent to the industrial injury. The Claims Administrator will complete a job description form with the employee and verify it for accuracy with the department. That form will be forwarded to the appropriate physician for medical evaluation. The physician's evaluation will indicate one of the following:

- a. The employee is released to return to work without restriction.
- b. The employee is released to return to work with restrictions (modified work).
- c. The employee is unable to return to work (usual and customary employment).

An employee has the right to decline TRTW, however, employees who decline TRTW are not eligible for temporary total disability benefits during the 90 day period that work is available. Employees who decline TRTW should be referred to the Benefits Representative for information on other benefits available.

In the event of a non-industrial injury/illness which results in restrictions, departments are encouraged to contact the Disability Management Coordinator for assistance.

3. WORKING WITH THE DISABILITY MANAGEMENT COORDINATOR

The Disability Management Coordinator may request departmental assistance in evaluating the work activities of the employee for development of reasonable accommodations (modified work). The Disability Management Coordinator, in conjunction with the Human Resources-Recruitment Services, may request consideration for special selection from a department in placing an injured worker who cannot return to past work activities with or without reasonable accommodation.

Please Note: The substance of this policy is written in accordance with current laws regarding Workers' Compensation Insurance, and is not intended to modify or enhance the Labor Code. In the event of a conflict or a dispute about any definition of terms or provisions in this policy, the Labor Code prevails. This policy is not intended to modify or supersede contractual provisions.

Additional benefits may be available to the employee from the University's disability program which is administered by Liberty Mutual. Questions regarding eligibility for benefits should be referred to the Benefits Office of the Human Resources Department at extension 2-4766.