

Notice to Employees

Work-Related Injury Information

Leave and Pay Benefits

Until the workers' compensation claim is approved for the first 7 days after an injury occurs, 3 PTO and 4 TLM hours may be used. Use of any paid leave will result in an overpayment when the first workers' compensation indemnity check is paid because employees are not permitted to receive both full pay and workers' compensation for the same time.

Absences for medical appointments and physical therapy Workers' compensation indemnity benefits are not paid for medical or therapy appointments. Appointments should be scheduled during non-work time or at times that are least disruptive to operations and require minimal absence. Reasonable travel time to and from and the length of the appointment may be requested. Verification of the length of the medical appointment may be required.

If the workers' compensation claim is denied, you may be eligible for a sick absence under the *Family and Medical Leave Act* (FMLA) or leave without pay with benefits for up to 12 weeks.

Regardless of the leave used, all absences must be supported by medical documentation, including any recurrences of the injury that later cause you to miss time from work. Failure to provide documentation may result in absences not being approved and denial of workers' compensation indemnity benefits.

Workers' Compensation Benefits

Indemnity (compensation) benefits are approximately equal to two thirds of gross salary (subject to a minimum and maximum) and are paid when the workers' compensation claim is approved. Benefits are nontaxable and are payable for the duration of the disability. However, there is a waiting period:

- For 1-7 cumulative days of absence, no workers' compensation is payable
- For 8-13 cumulative days, workers' compensation is payable only for days 8 through 13.
- For 14+ cumulative days, workers' compensation is payable for the entire absence

Medical treatment must be obtained from a designated health care provider for 90 days. If you do not treat with a designated provider, you will be responsible for the payment of those bills. The list of designated providers is posted on bulletin boards or you may contact your workers' compensation manager for a copy. It is illegal for medical providers to bill you for the difference between their charge and the amount paid. **Do not provide your health insurance information** for the treatment of the work injury; instead, **all medical bills should be sent to:**

Inservco Insurance Services, Inc.
P.O. Box 3899
Harrisburg, PA 17105-3899

Prescriptions related to the injury should be obtained using the workers' compensation prescription drug card provided to you at the time of injury. If you do not receive a prescription card, contact your workers' compensation manager or inform the pharmacist to bill Inservco at the above address.

Other Benefits During Injury Leave

Health benefits and group life insurance continue for you and covered dependents, if you currently have the benefits.

Sick and annual leave do not accrue if you are out of work and receiving indemnity benefits.

If your absence appears to be long-term, you may want to consider applying for Social Security Disability benefits.

Salary Overpayments

Beware of salary overpayments! Employees are not permitted to receive full pay and workers' compensation indemnity benefits for the same time period. Salary overpayments may occur regardless of the leave elected. Therefore, it is important to not treat the workers' compensation indemnity payment as a windfall or extra income.

Return Rights

You are expected to return to either full or modified work duties as soon as possible. When you are released by your treating health care provider, your workers' compensation manager will be notified. Modified work duties, if needed and approved, will be documented in a letter to you, and your supervisor will be informed of the job duties you are able to perform while on restricted duty.

Family and Medical Leave Act (FMLA)

These provisions are consistent with the *Family and Medical Leave Act of 1993* (FMLA) except where more generous benefits are provided. The FMLA requires qualifying employers to provide at least 12 weeks of leave (with or without pay) with benefits within a 12 month period due to a serious health condition that makes the employee unable to perform the employee's job. (The 12-month period is measured backward from the date of the first absence.) It also covers absences for pregnancy, prenatal medical care or child birth; for care after adoption or foster care placement; for care of the employee's spouse, son or daughter, or parent who has a serious health condition, and it also provides benefits for military caregivers and those who need leave for military exigencies. To be eligible for leave under the FMLA, employees must have been employed at least one year and worked at least 1,250 hours during the previous 12 month period.

Most work-related injuries meet the definition of a serious health condition, and therefore, absences related to an injury are covered by the FMLA. Leave used while absent due to a work-related injury is approved as injury leave and also designated as FMLA leave.

Questions

For more information or questions about injury leave, contact Minyette Brown at 215-260-1110.