



SAINT LOUIS UNIVERSITY

Works Compensation Q & A

What Should I Do If an Injury Occurs?

For all on-the-job injuries and illnesses, the employee's supervisor must be notified immediately and a Report of Injury Form completed and signed by the employee and supervisor.

The completed Employee's Report of Injury should be submitted/taken to Employee Health, the authorized health care provider, when the employee receives treatment. If the employee does not seek immediate treatment, the Report must be faxed to Employee Health at 314.268.5537 and the original must then be sent to Employee Health via interoffice mail.

Please note, employees must submit the Report within 30 days (statutory limit in Missouri) or workers' compensation benefits may be denied.

Where Do I Seek Treatment?

Employees must seek medical treatment at the Employee Health or the Emergency Department at Saint Louis University Hospital, the two authorized providers.* Employees with serious injuries will be transported by ambulance to the emergency department.

During Business Hours (7:30am-3:30pm)

Employee Health

**Saint Louis University Hospital West Pavilion
3655 Vista Ave, Suite 116 (enter on Rutger St.)
314.268.5499**

Evening/Weekend Hours

Emergency Department

**Saint Louis University Hospital
3635 Vista Ave (at Grand)
314.577.8000**

* Under Missouri law, employees must use the medical providers selected by their employer to receive workers' compensation benefits. EMPLOYEES WHO INSTEAD USE THE PROVIDER OF THEIR CHOICE WILL BE SOLELY RESPONSIBLE FOR TREATMENT COSTS.

What is covered by Workers' Compensation?

Subject to all provisions of the Missouri Workers' Compensation law, an injury is considered compensable if it is caused by an accident and has arisen out of and in the course and scope of employment. Occupational illnesses also may be compensable under the law.

What may not be covered by Workers' Compensation?

The law may hold injuries occurring from some specific situations not to be compensable under the law. These situations include, but are not limited to: injuries that arise from within the individual, acts of nature, assaults involving private quarrels, horseplay, injuries arising from personal business or personal acts, rule violations, going to and from work, voluntary recreational activities, intentionally self-inflicted injuries and mental injury resulting from work-related stress.

Drug and Alcohol Testing & Reduction of Benefits

The Missouri Division of Workers' Compensation has established the following regulations regarding drug and/or alcohol use in the workplace and its relation to a work-related injury:

If it is determined that the employee was under the influence of drugs and/or alcohol at the time a work-related injury occurred and if the cause of the accident was directly related to the use of drugs and/or alcohol, the employee will not be eligible to receive workers' compensation benefits.

If it is determined that the employee was under the influence of drugs and/or alcohol at the time a work-related injury occurred, even if the cause of the accident was not directly related to the use of drugs and/or alcohol, the employee will be assessed a reduction in workers' compensation benefits as per RSMo 287.120.

The University requires drug and alcohol screening for all accidents or injuries sustained under any of the following circumstances:

- a. While using employer supplied motor vehicles, or
- b. While using personal vehicles to conduct the employer's business, or
- c. During an employment-related accident where there is a fatality of anyone involved in the accident, or
- d. During an employment-related accident that causes bodily injury to the employee and/or another person that requires hospitalization
- e. The University reserves the right to require drug and alcohol screening for any employee involved in a work related accident

IF AN EMPLOYEE FAILS TO USE A REQUIRED SAFETY DEVICE, THE EMPLOYEE'S WORKERS' COMPENSATION BENEFITS MAY BE REDUCED AS PER RSMO 287.120.

What Should I Do If the Authorized Physician Takes Me Off Work?

If an employee cannot work due to a work-related injury/illness, the authorized treating physician will provide a Certificate of Fitness stating that the employee is unable to work. The employee should provide the supervisor with the Certificate of Fitness as soon as possible. To receive payment for lost wages, the employee must immediately notify the Office of Risk Management at 314.977.3952.

How Am I Paid?

In the event an authorized treating physician orders the injured employee to stay off work, available accrued vacation and/or sick time may be used for up to the first three scheduled work days missed due to a work related injury or illness. If an injured employee is ordered off work by an authorized physician for more than three days of disability, Total Temporary Disability (TTD) benefits begin. If the injured employee is disabled more than fourteen calendar days, the three day waiting period is reimbursed to the employee at the TTD rate. Temporary Total Disability checks are issued from the University's workers compensation insurance administrator, and the employee will receive two-thirds of his/her average weekly wage up to a state maximum.

In addition to the state-prescribed benefit, employees may elect to receive 100% of his/her regular wages by recording 2.75 hours of vacation and/or sick time for each day off work. If temporary alternative (restricted) duty

can be found within the physician's work restrictions, the employee will receive 100% of his/her regular wages and will not be required to use vacation/sick time.

Employee Time Off Considerations

If an occupational injury or illness occurs after the employee starts work, the day is paid as a regular work day. If the occupational injury or illness occurs before the employee begins work, the day of the injury is counted as the first of the three day waiting period.

Employees should make every effort to schedule medical appointments on non-work time. For follow up appointments at the Employee Health, the employee will be paid regular wages for up to two hours. Any other appointment, the employee is required to clock out and may use available vacation or sick time.

How do I report my time off work after the initial waiting period of three days (sick time) and I am receiving TTD payments and want to report the remaining 1/3 day of leave?

Biweekly (Non-Exempt) Staff with an hourly rate of less than \$36.81 per hour should report 1/3 day of sick pay (FMLA sick, if applied for and approved) and 2/3 day of unpaid leave (FMLA unpaid, if applied for and approved) for each full day missed (after initial three days of sick time). Biweekly (Non-Exempt) employee with an hourly pay rate of more than \$36.81 per hour should contact the Payroll Manager or Director of Payroll Services for assistance in calculating sick and unpaid hours to report.

Monthly (Exempt) Staff with an annual salary of less than \$76,568.44 should record 1/3 day of sick pay (FMLA sick, applied for and approved) on their leave report and should also work with their time approver to submit a Monthly Exception Reporting Change Form to record 2/3 day of unpaid time, which will be deducted from the following month's paycheck. Monthly (Exempt) Staff with an annual salary of more than \$76,568.44 should have their time approver contact the Payroll Manager or Director of Payroll Services for assistance in calculating sick and unpaid hours to report.

Monthly (Exempt) Faculty with an annual salary of less than \$76,568.44 should report all absences to their department so that the department can keep track internally of the sick time used and the time approver must submit a Monthly Exception Reporting Change Form to record 2/3 day of unpaid time, which will be deducted from the following month's paycheck. Monthly (Exempt) Faculty with an annual salary of more than \$76,568.44 should have their time approver contact the Payroll Manager or Director of Payroll Services for assistance in calculating sick and unpaid hours to report.

How Are My Other University Benefits Affected?

If an employee is unable to work due to a compensable work injury, all regular University employee benefits may continue as long as the injured person remains an employee of the University,

However, if the state-prescribed wage benefit is elected in lieu of taking vacation or sick time, the employee's portion of the cost for those benefits cannot automatically be deducted from the employee's payroll check. Therefore, the employee is responsible for making separate payment arrangements with the University benefits office in order for any benefits that are normally payroll-deducted to be continued beyond 30 days. Time off work, due to a work-related injury, also constitutes a serious health condition under the Family Medical Leave Act (FMLA). Therefore, days off work under workers' compensation will be charged against an employee's FMLA entitlement (see family and medical leave).

What Should I Do If the Authorized Physician Places Me on Temporary Alternative (Restricted) Duty?

If the employee cannot return to all of his/her regular duties, the injured employee is to take a copy of their Certificate of Fitness back to their department supervisor who must receive a copy of the injured employees

Certificate of Fitness from the authorized treating physician that defines the employee's restrictions. The supervisor will work with Human Resources to make every effort to return the employee to temporary alternative (restricted) duty based on the authorized treating physician's restrictions.

If the supervisor cannot accommodate temporary alternative (restricted) duty in the home department, the injured employee may be placed in a different department. This is coordinated through Human Resources. Shift times and days worked can be altered by the University. (Under Missouri law, the University is not required to provide transportation to/from work).

If temporary alternative (restricted) duty cannot be provided, the employee will be eligible for workers' compensation benefits. If temporary alternative (restricted) duty is available and the employee refuses, workers' compensation benefits will be denied.

What is the role of the (TPA) Third Party Administrator?

The TPA, who is the insurance administrator that is contracted by the University, will contact employees for statements regarding the injuries and follow up on medical care. The TPA will assist employees with scheduling of doctors' appointments, payment of TTD when appropriate, and closeout of claims. Employees who have questions regarding their workers compensation claim may either call their adjuster at the TPA or Risk Management. If an employee should receive a bill for services that are related to a workers' compensation claim, they can forward that bill to Risk Management, Employee Health, or their adjuster at the TPA.

What Could Happen If I Do Not Follow the Policy?

An employee must report all work-related injuries or illnesses to his/her supervisor immediately.

An employee with a compensable work injury must follow any and all instructions of the authorized treating physician. This compliance includes prescription use, therapy, following activity restriction and returning for follow-up visits. Compliance with medical instructions is mandatory for job tasks and off the job.

An employee who fails to return to work after receiving a release from his/her authorized treating physician will be considered absent without authorization. The University considers three days of unauthorized absence to be a voluntary resignation.

Compliance with these policies and procedures is a condition of employment at the University. Failure to comply may result in University discipline up to and including discharge.

Under Missouri law, an employee who submits a fraudulent workers' compensation claim and/or misrepresents facts can be found guilty of a Class A misdemeanor and may be subject to substantial criminal fines, as well as University discipline, up to and including discharge.

For additional information on Workers' Compensation, contact Risk Management at 977-3952.