

CITY OF HICKORY
Workers' Compensation Policy

I. General Statutes Statement

The City of Hickory (City) provides a safe working environment for all employees and follows the North Carolina Workers' Compensation Act, North Carolina General Statutes, Chapter § 97. These procedures are set forth for clarification of responsibilities only and are not intended to contradict or take the place of the governing General Statutes. The Risk Division of the Human Resources Department administers workers' compensation claims through a Third Party Administrator (Compensation Claims Solutions). Additional information can be found at www.ic.nc.gov and www.ncga.state.nc.us.

Coverage: All full-time, part-time, and temporary employees occupying budgeted City positions shall be subject to this policy. Employees working on a contract basis for the city shall not be covered, as defined by the North Carolina Workers' Compensation Act. Additional exceptions may apply in accordance with applicable statutes.

II. Notice of Injury

- A. Every injured employee or his/her representative must immediately, on the date of the accident or incident, or as soon as is practicable thereafter, verbally notify his/her supervisor and complete an accident report, which provides written notice of the accident to the City. Failure to report an injury or work related illness may be subject to disciplinary action up to and including dismissal.
- B. Once an injury or accident is reported, the City will complete a North Carolina Industrial Commission Form 19, "Employer's Report of Employee's Injury or Occupational Disease" which notifies the Industrial Commission of the accident.
- C. A North Carolina Industrial Commission Form 18, "Employee's Notice of Accident" will be sent to each employee who reports an injury or accident, along with a copy of the Form 19 completed by the City. The employee is responsible for filing the Form 18, with the North Carolina Industrial Commission.

III. Medical Treatment

These are the procedures to be followed to obtain medical treatment following a work related injury:

- A. For life-threatening or potentially life-threatening injuries, the employee will be taken to either the nearest hospital emergency room or emergency assistance will be immediately requested by calling 911. Human Resources must be contacted immediately by any City employee who calls 911 or transports an employee to the hospital.
- B. For non-life threatening injuries, the City Nurse must be contacted through Human Resources. The City Nurse will assess the illness/injury and

provide medical treatment as needed. The City Nurse may refer the injured employee to the authorized treating physician.

- C. **Hart Industrial Clinic** is the City's authorized treating physician and designated healthcare provider. Unless the injury/illness is a true emergency, unauthorized charges for treatment at any other healthcare facility or physician's office will not be paid by the City and will be the responsibility of the employee.
- D. If the injury or illness occurs outside of Hart Industrial Clinic hours, the designated provider is Frye Care Urgent Care.
- E. The emergency room should be used only for a true emergency (see III, A.) or if the authorized City healthcare providers (Hart Industrial Clinic and Frye Care Urgent Care) are closed.
- F. If the authorized treating physician, employer, or insurance company declares the injury is not work related, only the initial approved visit will be approved for payment. Any visits other than the initial approved visit will be the financial responsibility of the coworker.
- G. All referrals to specialists or requests for further tests must be preapproved by the Third Party Administrator.
- H. The Third Party Administrator pays for pre-approved prescription medications for compensable injuries. Human Resources can provide a list of pharmacies who have agreed to bill the carrier for payment. In cases where the pharmacy will not bill the Third Party Administrator, Human Resources will submit the receipts for the employee. The method of payment to the pharmacy should be discussed with Human Resources prior to the employee obtaining medications on his or her own.
- I. Employees will not be required to use accrued time for authorized follow-up visits to the approved treating physician.

IV. Compensation

In order to potentially qualify for receipt of temporary total disability compensation, the employee, or employee's representative must present a statement from the authorized treating physician, stating that the employee cannot return to work in any capacity. This statement must be sent immediately to Human Resources to be forwarded to the Third Party Administrator.

- A. If the approved, treating physician states the employee is unable to work in any capacity, the employee will be placed on Leave without Pay Status.
- B. On the date/day of the injury, the employee will receive pay from the City for the remainder of his/her scheduled shift.
- C. Under the North Carolina Workers' Compensation Act there is no compensation entitlement for the first seven (7) calendar days an employee is placed out of work. Employees may use accrued leave time during this seven (7) day waiting period.
- D. After the seven (7) day waiting period, the employee will receive temporary total disability benefits equal to two-thirds (2/3) of his/her wages earned within the 52-week period preceding the employee's injury.

- E. No additional accrued or compensatory time may be used while the employee is receiving temporary total disability benefits except as outlined below in Section V.
- F. If the injury results in lost work time of more than twenty-one (21) days, compensation will be paid from the first (1st) day of lost time. The employee will not be required or allowed to reimburse the City for the seven (7) day waiting period to reinstate his/her accrued time.
- G. Holidays are included in regular compensation paid by the workers' compensation carrier and no additional holiday pay will be paid by the City.
- H. After more than five (5) working days of workers' compensation leave, the employee ceases to earn accrued leave for that month. This is consistent with the City of Hickory Leave Policy.
- I. The City will continue to pay the health insurance premium for the employee while he/she is on approved workers' compensation leave and still employed with the City.
- J. The employee is responsible for all deductions for elected insurance coverages, including but not limited to: dependent medical, dental, voluntary life, critical illness, etc.

V. Family and Medical Leave Act

If the employee is eligible for Family and Medical Leave, FMLA leave shall run concurrently with workers' compensation leave.

VI. Return to Work

The employee must notify his/her supervisor immediately of any changes in work status or restrictions assigned by his/her medical provider. It is the employee's responsibility to give his/her supervisor periodic reports as deemed appropriate during the leave regarding the coworker's status and intent to return to work. Failure to report for duty upon release from the authorized, treating physician or immediate notification to the employee's supervisor of changes in work status per the authorized treating physician shall be considered constructive resignation from employment with the City.

- A. Restricted Duty: If the authorized treating physician indicates that the employee may return to work with some temporary restriction in duties, a modified work assignment meeting those restrictions will be provided when possible.
- B. When possible, modified duty assignments will be made available and are intended to complement and facilitate the healing process.
- C. If the approved treating physician indicates that the employee is physically unable to return to work in the employee's pre-injury capacity, the employee's employment will be secured for a maximum of twelve (12) months (365 days) from the original date of injury, during which time the City shall make every effort to hold open employee's pre-injury position or an equivalent position absent undue hardship to the City in doing so. The twelve months (365 days) shall include FMLA leave, which is to run

concurrently. The City Manager or designee may, subject to his or her discretion, grant an exception or extension.

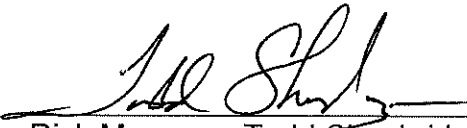
- D. Reasonable accommodations will be attempted by the City in order to be in compliance with the Americans with Disabilities Act.
- E. Employees sustaining injuries requiring Emergency Room treatment shall request and obtain appropriate discharge instructions. If no follow-up instructions are given, or if the instructions are unclear, the employee shall notify his/her supervisor so that proper follow-up occurs before the employee returns to work. If it is deemed necessary that a follow-up is needed, an appointment shall be made at **Hart Industrial Clinic** through the Occupational Health Nurse or the Risk Manager unless the employee is otherwise instructed by the City or the City's workers' compensation claims administrator.

VII. Personnel Policy

The City's Personnel Policy continues to apply to the employee who is out on workers' compensation leave and still employed with the City. Other approved City policies may apply.

VIII. Contact Information

For assistance with claims/appeals or general questions/concerns regarding workers' compensation, please contact the Risk Division of the Human Resources Department at 828.323.7442.



Risk Manager, Todd Shoebridge

8/23/19

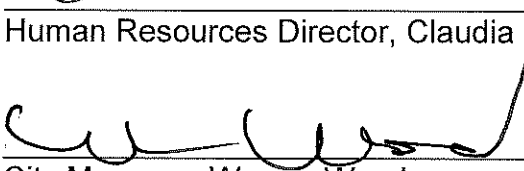
Date



Human Resources Director, Claudia Main

23 Aug 19

Date



City Manager, Warren Wood

9-17-19

Date