

DU Employee Injury Reporting and Workers' Compensation Procedures for Supervisors

Please always visit DU's Enterprise Risk Management ("ERM") website for the most up-to-date information about DU's process, reporting forms, and insurance information at <https://www.du.edu/risk/workers-compensation>. We recommend that you do not save these forms to your computer. Instead, always access them from the ERM website so that you have the most accurate and up-to-date version. Workers' compensation laws often change, and those changes may require us to update our forms and process without advance notice.

INJURY REPORTING PROCESS:

All required DU forms are available on DU's ERM website at <https://www.du.edu/risk/workers-compensation>.

For life-threatening or serious injuries, please have the employee seek treatment immediately. This includes all needlesticks.

All employees and supervisors must report employee injuries *within 24 hours* of the injury occurring by following steps 1-5:

1. **Give your employee two copies of the Workers' Compensation Medical Providers list.** Supervisors must get one copy signed by the employee to email to risk@du.edu. Please do not encourage one clinic over another – the employee gets to choose where they will seek treatment from the list.
 2. **Ask the employee to fill out the Employee Report of Injury form** (available in English and Spanish). This is required for all employee injuries, regardless of if they plan to seek medical treatment and/or workers' compensation benefits.
 3. **Conduct a brief investigation.** Could the incident have been prevented? Is additional training necessary? Has the employee been instructed to wear PPE? Were they wearing their PPE? Consider taking a photo of the accident location if the location contributed to the injury. If you are concerned about employee impairment while working due to alcohol or controlled substance use, please see the corresponding policies on DU's policy website: <https://www.du.edu/policy/find-policy>. All of the workers' compensation clinics can test for alcohol or substances, but this should only be asked for in accordance with these policies. If the employee is seeking medical treatment for an injury, please contact the WC clinic the employee has selected from the approved medical providers at the phone number listed and specify which test(s) (controlled substances and/or alcohol) you are requesting for the employee to undergo. If the employee is not seeking medical treatment for an injury, please follow DU's policies and contact Campus Safety and/or your HR Partner to determine where the employee should undergo testing.
 4. **Fill out the Supervisor's Report.** If the employee needs immediate treatment before filling out their forms, please submit your Supervisor's Report within 24 hours of the injury occurring and submit the employee's forms when you receive them.
 5. **All forms must be completed and emailed to risk@du.edu within 24 hours of the injury occurring.** Please do not scan forms directly to ERM in case your unit's bizhub is offline. Instead, please scan the forms to yourself and then forward the email to risk@du.edu so that you can confirm that the forms were scanned and sent to ERM.
- If an employee decides to pursue a workers' compensation claim, the following steps need to be completed.** Reporting an injury is required; however, pursuing a workers' compensation ("WC") claim is optional for the employee.
6. **Employee must seek treatment at one of the approved medical providers listed on the Workers' Compensation Medical Providers list.**

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If an employee seeks treatment at Concentra, give your employee your best work contact number in case Concentra needs authorization from DU to treat the employee. Supervisors can authorize treatment for the first appointment at Concentra. If you are not at work, another supervisor in your unit can authorize treatment on your behalf.

For student employees, DU's Health & Counseling Center (HCC) is **not** an approved provider, and any HCC bills will not be covered by DU's WC insurance.

Because a WC claim number is usually not available for 24-72 hours, clinics will treat employees at the first appointment without a claim number.

7. Follow up medical appointments: DU is not legally required to offer employees time off work to attend medical appointments. However, DU allows employees to take time off to attend WC medical appointments that need to be scheduled during work hours. Employees are expected to schedule all WC medical appointments to minimize interference with their job duties, and employees must consult with their supervisors to determine when to schedule WC medical appointments. Specialists' appointments can be harder to schedule because the specialist may only be available 1-2 days a week. If an appointment is not during an employee's work hours, the employee does not get to take off time during a different shift to account for the appointment. See #10 below for how to track time off.

8. Injury status paperwork: Employees are responsible for keeping their supervisors updated on their physical restrictions and medical status related to WC injuries and should give their supervisor their WC injury status paperwork in a timely manner after all medical appointment(s). If the employee will not be reporting to work in person, they should scan or take a legible photo of their paperwork and email it to their supervisor.

9. Physical restrictions: If the employee has any physical restrictions listed on WC injury status paperwork from an approved medical provider, and the employee's restrictions can be reasonably accommodated, please do so. Another option is to temporarily adjust the employee's job duties (for example, help with paperwork in a seated position instead of tasks that require walking around campus). This may or may not be practical for your unit. If the restrictions can only be accommodated for a partial shift (i.e. 4 or 6 hours instead of 8 hours), please have the employee work the partial shift with the physical restrictions. If the employee's physical restrictions cannot be reasonably accommodated, the employee is not able to work until their physical restrictions change and/or DU is able to adjust the employee's duties consistent with the employee's restrictions.

DU can require an employee to return to work at any time that the employee's restrictions can be accommodated. If the employee is asked to return to work and declines to do so, the employee's WC lost time benefits will be terminated, and the supervisor and ERM will need to meet with your unit's HR Partner to determine next steps.

10. PioneerTime:

Add "Workers Comp Tracking" code

Anytime an employee misses work for a WC injury, including attending medical appointments, the supervisor must add a "Workers Comp Tracking" line to their timecard. The Workers Comp Tracking line must include the amount of time taken off due to the WC injury (i.e. 1.5 hours, 2 hours, etc.). **We need to track time off due to injury for WC insurance.**

The Workers Comp Tracking code is for **tracking only** and will not alter wages paid. You may need to add additional lines to an employee's timecard so there's both a Workers Comp Tracking line and a line with the employee's time off. To enter multiple lines on the same date, click on the + symbol to add an additional line.

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Workers Comp Tracking is in the pay code drop down options and is always available to supervisors to add to their employee's timecard; however, employees cannot add it for themselves. (This code does not need to be turned on and it is different than FMLA tracking, see #11 below for more FMLA details.)

If an employee is paid lost time benefits by WC insurance and their unpaid time was not correctly input into PioneerTime, the unit will need to work with Payroll and ERM to deduct the duplicated amount from the employee's paycheck in subsequent pay periods.

What to input into PioneerTime depends on how much time the employee is missing:

Employee missing full shifts:

	Covered by WC insurance?	What to input on the employee's timecard:
Date of injury	Not covered by WC insurance.	May use sick (or vacation) time if they do not complete their shift on the date of injury. If do not have enough paid time off accrued, remainder of shift is unpaid.
First three (3) missed shifts after the date of injury	Not initially covered by WC insurance.	May use sick (or vacation) time. If they do not have enough paid time off accrued, shifts will be unpaid.
Fourth missed shift and thereafter	WC insurance starts paying lost time benefits on the fourth shift.	Must take unpaid leave. (For union employees, please follow the applicable terms of the current collective bargaining agreement.)
If employee misses more than 14 shifts	WC continues to pay lost time benefits and will now pay for the first three missed shifts after the date of injury. ERM will work with your unit and Payroll to make the adjustment.	Must continue to take unpaid leave.
Date medical provider determines no physical restrictions	Not covered by WC insurance.	Lost time benefits end on the date before this appointment. They may use sick (or vacation) time for any time missed on the date of this appointment.
Date medical provider determines employee has reached Maximum Medical Improvement ("MMI")	Not covered by WC insurance. <i>This is the actual date that employee reaches MMI and is discharged from treatment, not the estimated date of MMI that some medical providers use during treatment.</i>	Lost time benefits end on the date before this appointment. They may use sick or vacation time for any time missed on the date of this appointment.

Employee missing partial shifts, including attending WC medical appointments:

How to enter missed partial shifts into PioneerTime depends on the type of employee. Most medical appointments should not take more than two hours.

Non-Exempt (Hourly) Employees:

Enter the hours worked as you normally would. For any time missed due to the WC injury, add the Workers Comp Tracking pay code to one line including the amount of time missed due to the WC injury, and a second line using sick (or vacation) time. If the employee does not have enough paid time off accrued, the remainder of shift should be unpaid. Unpaid time for hourly employees in PioneerTime means that hours are not entered, but you must add Workers Comp Tracking to track the time that the employee misses work for WC.

Exempt (Salary) Employees:

As a reminder, per HRIC's policy, exempt employees who are regularly scheduled to work 37.5 hours per week and are away from work for less than 3.75 hours in one day do not report hours from sick or vacation time. Similarly, time taken in excess of 3.75 hours but less than a full day should be reported as 3.75 hours taken from the appropriate balance. Exempt employees who are regularly scheduled to work 40 hours per week and are away from work for less than 4.0 hours in one day do not report hours from sick or vacation time. Similarly, time taken in excess of 4.0 hours but less than a full day should be reported as 4.0 hours taken from the appropriate balance. (Link to the HRIC Employee Handbook: <https://www.du.edu/human-resources/hrpartners/employee-handbook.html>.)

Most medical appointments should not take more than two hours. Per HRIC's policy, exempt employees should not need to report any time off for appointments unless there's an unusually long appointment.

Exempt employees working a modified schedule due to restrictions should report missed time in accordance with HRIC's policy above.

If the employee needs to input time-off due to a WC injury, the supervisor needs to add the Workers Comp Tracking pay code to a line on the timesheet with the amount of time missed due to the WC injury that day, and add second line using sick (or vacation) time. If the employee does not have enough paid time off accrued, the remainder of shift should be unpaid. We will need to work with Payroll for unpaid time off for exempt employees, but you must add Workers Comp Tracking to track the time that the employee misses work for WC.

11. **FMLA:** WC does not provide job protection; however, the Family Medical Leave Act (FMLA) provides job protection to qualified employees for a certain amount of time for qualified medical reasons. If an employee misses three (3) or more days of work for being out sick or injured, supervisors should notify the benefits team at benefits@du.edu so that the benefits team is aware of the employee's absences. FMLA is separate from the WC process, but the two can overlap if the employee is missing work due to their WC injury and they are eligible for FMLA job protection. Please reach out to HRIC's benefits team at benefits@du.edu if you have questions about FMLA.

If an FMLA case is opened, please follow FMLA requirements for PioneerTime *in addition* to the WC PioneerTime tracking requirements detailed above in #10.

ADDITIONAL INFORMATION:

DU's WC insurance provider is Pinnacol Assurance, policy number 2224632.

WC only covers injuries that are work-related, which means the injury occurred as the result of an employee completing their job duties. Just because an injury happened during work hours or while on campus does not mean that the injury is work-related. Neither the supervisor nor ERM determines if an injury is work-related. DU's WC insurance provider, Pinnacol, makes that determination based on the facts of the situation, current law, and the notes from the WC medical provider.

ADA: Usually WC cases do not involve the ADA, but DU's ADA Coordinator can help determine what adjustments or accommodations may be helpful when an employee has physical restrictions. Additionally, if an employee's injury is not covered by WC, the employee may explore the ADA accommodation process. Here is a link to DU's ADA accommodation website: <https://operations.du.edu/accessibility/content/employee-visitor-and-applicant-accommodations>.

If you have questions or concerns about DU's WC process, please email risk@du.edu.