Guideline: Workers’ Compensation Procedures

Workers’ Compensation is a no-fault insurance that provides medical treatment and partial wage replacement for covered workers whose injury or illness arose out of and in the course of employment.

I. Contacts
   A. NIC Human Resources
      The North Idaho College Human Resources department manages the Worker’s Compensation procedures. Questions about worker’s compensation procedures should be directed to the HR Benefits Specialist at 208-769-3304.

      In addition to the NIC management of worker’s compensation procedures, two other external agencies are involved in workers’ compensation approvals, claims, and enforcement:

   B. The State Insurance Fund
      The State Insurance Fund was created by the Idaho Legislature in 1917 as part of the Workers Compensation Act. This act created the State Insurance Fund for the purpose of providing a reliable source of workers’ compensation insurance for Idaho employers and to provide security for the payment of benefits to covered workers. Worker’s Compensation approval and payments are administered by the Idaho State Insurance Fund, and compensation payments will be made in accordance with the guidelines of that agency.

   C. Idaho Industrial Commission
      The Idaho Industrial Commission is the state agency established by Idaho Code (Title 72, Chapter 5) to administer and enforce the worker’s compensation law.

      All NIC employees are covered by worker’s compensation, therefore all employees have a responsibility to report all workplace injuries immediately to their supervisor and to Human Resources. Failure to report a workplace injury may result in a delay or denial of worker’s compensation benefits.

II. Responding to Workplace Injuries
    If the injury is life or limb threatening, call 911 first. The employee should be sent directly by ambulance to the nearest emergency room for immediate medical attention. After 911 has been contacted, contact College Security at 769-3310 to let them know emergency personnel are on their way to transport the injured employee.
If the injury is non-life threatening but still requires medical attention, the employee should seek treatment at the nearest urgent care clinic. Injured employees should not be permitted to drive themselves to seek medical attention.

III. Reporting Workplace Injuries
All workplace accidents or injuries must be reported immediately to the injured employee’s supervisor and Human Resources whether or not medical care is needed. A Supervisor’s Accident Report form (available on the HR portal or from the HR benefits specialist) must be completed by the supervisor whether or not medical care is needed. The Supervisors Accident Report must be sent to Human Resources within 24 hours of the accident or injury occurring.

Upon receipt of the Supervisor’s Accident Report, Human Resources will forward the claim to the Idaho State Insurance Fund who will then investigate the incident and begin the process of determining compensation and managing the claim from its inception to conclusion.

Any questions regarding a specific claim should be directed to Human Resources or the assigned adjuster at the Idaho State Insurance Fund at http://www.idahosif.org/

IV. Idaho State Insurance Fund Compensation Benefits
In order to receive income benefits, the time lost from work must be authorized by your treating health care provider. The Idaho State Insurance Fund will pay income benefits for approved claims if the employee is unable to work for more than five (5) calendar days. Income benefits become payable to the employee from the sixth (6th) day of time lost from work unless the employee is hospitalized overnight or time lost from work exceeds 14 days. Under these conditions, income benefits are payable from the date of disability.

V. North Idaho Compensation, Benefits, and Leave Usage
The injured employee is paid for a full day’s work on the date of injury without charging the absence to sick or annual leave, regardless of the time of day the injury occurs.

A. First Five (5) Days of Absence
North Idaho College will compensate the injured employee for 100% of their regular scheduled hours during the first five (5) days of absence from work after the date of injury. During this time, wages are paid without charging the absences as sick or annual leave.

B. After Five (5) Days of Absence
Beginning with the sixth (6th) calendar day of absence, the injured employee should begin to receive compensation from the State Insurance Fund, if the claim has been approved. At this time the employee may begin to use any accrued sick leave to supplement their Workers’ Compensation income benefit to bring the employee up to 100% of their regular pay. For example, if Workers’ Compensation pay covers 66% of the employee’s pay, the employee can use their own sick leave to bridge the remaining 33% to bring them to 100% of their regular pay. If sick leave is exhausted, the employee may elect to use annual leave. At a minimum, sick or annual leave must be used to cover the employee’s share of their
biweekly benefit deductions. An employee may not borrow against future accruals nor receive donations of sick or annual leave from other employees.

The employee may continue to supplement their pay in this manner for up to 12 weeks after the date of injury or until one of the following happens:
1) their paid leave is exhausted, or
2) they are released to work by their health care provider.

If the employee is not released to work within 12 weeks of the date of the injury, the employee will continue to receive compensation from the State Insurance Fund, but will not have the option of supplementing their pay with accrued paid leave.

C. Leave Without Pay While on Worker’s Compensation
If an employee’s sick and annual leave balances are exhausted, or the employee remains on Workers’ Compensation longer than 12 weeks, the employee will be placed on Leave Without Pay due to a work-related injury. If the employee is placed on a Leave Without Pay status, they can continue on medical coverage by self-paying their premium. The employee will be allowed to remain on Leave Without Pay and continue to self-pay benefits as long as they are being compensated by Workers’ Compensation up to the maximum of one (1) year.

D. Additional Leave Protections: Family and Medical Leave Act (FMLA)
The Family and Medical Leave Act (FMLA) provides job protected leave to qualified employees for a serious health condition. If an employee’s serious health condition is caused by a work related injury/disability, any lost time related to the Workers’ Compensation claim will run concurrent with FMLA leave. If an employee on Workers’ Compensation leave is approved for modified or light duty work but remains qualified for FMLA leave, he/she may still choose not to work and to instead use FMLA leave. However, refusal of the modified or light duty work may lead to loss of Workers’ Compensation benefits.

VI. Return to Work Procedures
North Idaho College is committed to an effective program for the treatment, care, and rehabilitation of an injured employee. When an injury or illness covered by Workers’ Compensation involves any lost time, a medical release from the employee’s health care provider is required before an employee may return to work. Injured employees will be encouraged to return to work as early as possible. If an employee can be provided reasonable accommodations to allow for an earlier return to work, the employee’s health care provider and Human Resources must approve the return to work accommodations. If the employee is only able to return to his or her existing job with restrictions on certain job activities, the return to work is encouraged but must be approved by the employee’s health care provider and Human Resources.

VII. Americans with Disabilities Act
In certain cases, an on-the-job injury may give rise to a disability covered by the Americans with Disabilities Act (ADA). In those instances, reasonable accommodations that allow the employee to perform the essential functions of that job may be made. Following NIC Policy 5.13 Accommodations for Students and Employees with Disabilities, the employee’s supervisor and
Human Resources will work with the employee’s health care provider to develop these accommodations.

VIII. Unable to Perform Job
If it is determined that an injured employee is no longer able to perform the essential functions of the position that the employee held when they were injured, with or without accommodation (if applicable under the ADA), the employee will be terminated. The College is not required to create a job that does not currently exist or that is not vacant or funded.