

WORKERS' COMPENSATION LEAVE

SUMMARY

As soon as reasonably possible, the faculty, staff or student employee who has sustained an injury or accident must report this to his/her supervisor so that the supervisor can complete the [First Report of Incident](#) (click [here](#) for instructions). Faculty, staff or student employees injured on the job as a result of a work-related compensable accident, and employees who contract an “occupational disease” and who lose time from work, will be provided leave in accordance with the provisions of this policy. (Note: An occupational disease is any disease that is proven to be due to causes and conditions that are characteristic of a particular occupation or employment and the exposure is greater than that of the general public outside of the employment. All ordinary diseases of life to which the general public is equally exposed are excluded.) This policy is subject in all respects to the laws and regulations concerning Workers' Compensation in North Carolina and does not enlarge or alter any employee rights provided by law.

LEAVE ON THE DAY OF AN INJURY OR ILLNESS

No leave is charged to the employee on the day of the injury or illness if the treating physician instructs the employee not to return to work.

The employee is to:

1. obtain a written statement from the physician indicating that the employee must not return to work, and
2. provide the statement to the supervisor at the first reasonable opportunity.

ADDITIONAL LEAVE

If the injury or illness results in additional time away from work, the employee must go on Workers' Compensation leave and receive the workers' compensation weekly benefit after the required waiting period.

The employee is required to select one of the waiting period options set forth below. Once an election is made, it may not be rescinded for the duration of the claim.

- (1) Option 1: Elect to take Paid Time Off (PTO) or sick leave reserve during the required waiting period of seven (7) calendar days and then go on workers' compensation leave and begin drawing workers' compensation weekly benefits.
- (2) Option 2: Elect to go on workers' compensation leave with no pay for the required waiting period of seven (7) calendar days and then begin drawing workers' compensation weekly benefits.

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If the injury (or illness) results in a disability of more than 21 days, the workers' compensation weekly benefit will be allowed from the date of disability. If this occurs in the case of an employee who elected to use PTO or sick leave reserve during the waiting period, the compensation payment for the first seven (7) days will be used to restore the employee's PTO or sick leave reserve.

USE OF PTO AND SICK LEAVE RESERVE

In both Option 1 and 2 above, after the employee begins workers' compensation leave, the weekly benefit may be supplemented by the use of PTO or sick leave reserve up to the amount needed to approximate the employee's regular base pay prior to the injury (or illness). In no event will the compensation of the weekly benefit and the use of PTO or sick leave reserve exceed the employee's regular base pay.

PAYING PARTIAL LEAVE

If the employee has PTO or sick leave reserve and chooses to use it while drawing the weekly benefit, it will be paid on the regular payroll at the employee's hourly rate of pay. It is subject to State and Federal withholding taxes and Social Security. Retirement contributions will be made on this compensation if the employee is eligible for retirement contributions.

FOLLOW-UP MEDICAL VISITS

Employees requiring medical or therapy visits during regularly scheduled working hours in order to reach maximum medical improvement will not be charged for time lost from work for required treatment.

Paid time should be limited to such reasonable time as is necessary for treatment and travel; any excess time will be charged as PTO or sick leave reserve or leave without pay.

PTO CREDITS

While on workers' compensation leave, the employee does not accrue additional PTO except for the hours of PTO or sick leave reserve taken to supplement the weekly benefit and reported on the biweekly timecard.

ADDITIONAL PAY

Employees are not eligible for holiday pay or administrative leave pay while on workers' compensation leave.

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INSURANCE BENEFITS

While on workers' compensation leave, an employee will continue to be covered under the University's insurance programs. The employee's share of premiums are to be paid directly by the employee to Human Resources unless the employee is using PTO or sick leave reserve in which case premiums will continue to be paid through payroll deduction.

REINSTATEMENT

Upon reinstatement, an employee's salary will be computed based on the last salary plus any budgeted increase to which the employee is entitled.

WORKERS' COMPENSATION LEAVE AND LONG TERM DISABILITY

When appropriate, a Human Resources representative will assist with the transfer of employees from Workers' Compensation Leave to Long Term Disability (if eligible). The employee may apply for Long Term Disability if unable to return to work within 6 months and employment may end.