

	City of Cedar Park Human Resources Policy Manual			
	Workers' Compensation			
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1.0 Policy

A City employee who receives an occupationally related injury or illness may be eligible for benefits under the Texas Workers' Compensation Act (the "Act"), Title 5 of the Texas Labor Code, as amended, and related regulations.

2.0 Procedure/Rule

2.1 The Human Resources Department is responsible for the overall oversight, coordination and implementation of the City's Workers' Compensation Program through the designated insurance carrier. Any question relative to the specific application of the Act should be directed to the Human Resources Department.

2.2 The Act applies to a City employee who occupies a full-time or part-time position. The Act applies only to physical injuries and occupational diseases that arise out of and in the course and scope of employment as defined by the Act.

2.3 Reporting. Failure to report an incident that results in an occupational injury or illness in a timely manner may (1) cause a delay in payment of benefits; (2) subject the City to monetary penalties; and (3) cause an employee to forfeit rights to all benefits under the Act.

2.3.1 An employee injured in the course of his/her employment with the City shall report any injury or illness to his/her immediate supervisor as soon as the incident occurs.

2.3.2 A supervisor shall conduct an initial investigation of the incident and then complete an Accident and Investigation Reporting form.

2.3.3 A supervisor shall immediately submit complete Accident and Investigation Reports to Human Resources.

2.3.4 A Department Head or designee should review any Accident and Investigation Report and take appropriate, corrective action to minimize the reoccurrence of such accidents.

2.4 Benefits. A City employee injured in the course and scope of his/her employment with the City may be entitled to receive full medical services and cash benefits for temporary disabilities and for permanent disabilities in accordance with the provisions of the Act. A surviving spouse and dependent of an employee killed in an industrial accident as part of his/her employment are entitled to death benefits in accordance with the Act.

2.4.1 The employee's workers' compensation income benefits may be supplemented by using accrued paid leave to provide a salary up to, but not greater than, the salary received by the employee before being incapacitated.

A police officer or firefighter is eligible for injury leave with pay as required by Local Government Code Chapter 143, as amended. If the injured police officer or fire fighter is receiving income benefits through worker's compensation, the employee shall turn over any worker's compensation check to the City, or the City shall reduce its compensation to the employee to offset the income being received through worker's compensation.

2.4.2 City Paid Benefits Coverage During Leave. If an employee is on unpaid leave, he/she has not returned to work in a full-time capacity, and Family and Medical Leave (FMLA) expires or the employee is not eligible for FMLA, then City-paid health insurance benefits shall end. An employee may elect to continue health insurance programs at his/her cost through COBRA. Once an employee returns to a full-time status, City-paid benefits shall be reinstated. (Also refer to *Family and Medical Leave* policy.)

2.5 Temporary Modified Duty. If an employee is unable to perform the essential functions of his/her position due to a temporary disability caused by an on-the-job injury or illness, the employee may be eligible for temporary modified duty. Such assignment is evaluated on a case by case basis. (Also refer to *Return to Work-Temporary Modified Duty* Policy.)

2.6 It is a violation of City policy and state law for any employee, supervisor or manager of the City to terminate or retaliate or discriminate against an employee of the City because the employee files a worker's compensation claim in good faith, hires an attorney to represent the employee in a worker's compensation claim, or testifies or is about to testify in a proceeding under the Texas Worker's Compensation Act.