

FRANCIS MARION UNIVERSITY
Human Resources Office

SUBJECT: Workers' Compensation Policy

Revised: 2/1/02
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WORKERS' COMPENSATION POLICY

THE LANGUAGE USED IN THIS POLICY DOES NOT CREATE A BINDING EMPLOYEE CONTRACT BETWEEN THE EMPLOYEE AND THE UNIVERSITY. THE UNIVERSITY RESERVES THE RIGHT TO REVISE THE CONTENTS OF THIS POLICY, IN WHOLE OR IN PART

INTRODUCTION

Under South Carolina law, certain employers must obtain insurance, or be responsibly self-insured, for the purpose of providing compensation to employees who are injured at work or who suffer an occupational disease. The compensation is intended to help replace lost income, pay related medical expenses, and provide benefits to dependents of employees who die as a result of work-related accidents or diseases.

In general, any employee of Francis Marion University is covered, whether he/she is a student employee, permanent, temporary, full-time, part-time, faculty or staff. Students enrolled in apprenticeships and distributive education courses are also provided Workers' Compensation coverage through the University.

Any injury or occupational disease incurred by employees while performing their job duties may be covered. Injury shall mean only injury by accident arising out of and in the course of employment and shall not include a disease in any form, except when it results naturally and unavoidably from the accident. Such diseases are defined by law as occupational diseases.

WHAT TO DO WHEN AN INJURY OCCURS

When an on-the-job injury occurs, the employee or the employee's representative must notify his/her supervisor as soon as possible. The supervisor will call Public Safety (661-1109). A Public Safety officer will respond in order to determine if further medical treatment is necessary. If further medical treatment is necessary, Public Safety determines what method of transportation is required to transport the employee. Public Safety then notifies Human Resources (661-1145) who, in turn, calls CompEndium Services, Inc., to set up an appointment if emergency care is not needed. Injuries must be reported to Human Resources immediately so that proper paperwork can be prepared and forwarded to the State Accident Fund within the specified time frame.

RECEIVING MEDICAL TREATMENT

All authorized medical treatment and associated services directly related to an accident or disease
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are covered, including prescription drugs and mileage for round-trip travel over 10 miles for visits to the doctor. FMU employees are treated for on-the-job injuries and illnesses by appropriate medical personnel. Any additional treatment must be authorized by Human Resources in conjunction with CompEndium Services and the State Accident Fund. Once treatment commences, the *injured employee cannot change doctors or treatment programs without prior approval from the original physician and/or State Accident Fund.* In cases of emergencies, Public Safety and/or Human Resources shall refer the injured worker to the emergency room at the appropriate medical facility. Medications prescribed by the physician are filled at CVS Drug Store (Eastgate Shopping Plaza).

WHEN AND HOW TO MAKE A CLAIM

Immediate notice must be given to the supervisor when an on-the-job injury occurs. The injured employee must report to Human Resources as soon as he/she returns to campus after having received medical treatment. Human Resources will forward this form within ten days of the injury through the State Accident Fund to the South Carolina Workers' Compensation Fund.

LOST TIME FROM WORK

If the treating physician certifies the need for an employee to miss work, the employee must immediately provide the physician's written certification to Human Resources. In order to determine the employee's return to work status, a doctor's statement must be provided immediately following each subsequent doctor's visit during the period of disability. If the treating physician certifies that an injured employee is unable to perform regular duties, the employee may be put on leave of absence by Francis Marion University until the physician certifies that the employee can return to full duty. The employee is expected to return to work on the date indicated by the treating physician as the date the employee is able to return to full duty. **NOTE:** If the employee does not return to work the day he/she is released to full duty, the employee's leave time may be adjusted accordingly.

As required by South Carolina Workers' Compensation Law, permanent employees will be required to choose the method of disability compensation by making an election under one of three options:

- 1) to use available leave time
- 2) to receive Workers' Compensation benefits in accordance with Title 42 of the 1976 Code or
- 3) to utilize a combination of paid leave and Workers' Compensation benefits during the absence. The election of the employee shall be irrevocable as to each individual accident.

TYPES OF BENEFITS

If the State Accident Fund accepts liability for the claim, the following types of benefits may be applicable.

Compensation for Loss of Wages

An employee has three options for payment of wages as discussed above. This decision is irrevocable once the choice is made. If the employee chooses to be paid by Workers' Compensation, weekly compensation is equal to 66 2/3% of the employee's average weekly wage, but it is not less than the minimum nor more than the maximum required by law. Minimum and maximum benefit amounts are based on the average weekly wage in the State for the preceding fiscal year. If the period of disability lasts for seven days or less, the employee is not entitled to compensation for time lost from work. If the disability lasts for more than seven days, but less than fourteen days, compensation is paid beginning with the eighth day. If the disability lasts for more than fourteen days, compensation begins with the first day of disability. Compensation is made on

the basis of a seven- day work-week, regardless of the number of days the employee is actually scheduled to work. Thus, 1/7 of the claimant's weekly compensation is paid for each day the employee is unable to work. Approved medical bills are paid at 100%, including prescription drugs, prosthetic devices, and ambulance charges.

Compensation for Permanent Impairment or Disfigurement

After each employee has reached maximum medical healing following an injury, the treating physician will determine whether there is any permanent disability resulting from the injury. If it is agreed that there is a permanent disability or disfigurement, the employee may be entitled to compensation, which is in addition to weekly compensation and medical expenses. The law provides a specific number of weeks of compensation to be paid for the loss of a finger, hand, arm, leg, foot, eye, etc. This compensation is paid in addition to the "loss of wages" compensation paid during the healing period. Different amounts of compensation are due to the loss of, or the use of, various parts of the body. If the employee has a recurrence of the disability or a change in condition within one year after the last compensation payment, a claim may be made for additional compensation. The claim must be supported by medical reports.

Compensation for Funeral Benefits

In the event of death, payment may be made to the employee's family.

PERFORMANCE OF DUTIES WHILE INJURED

If the treating physician certifies that an injured employee is unable to perform regular duties, but may return to work with restricted job duties, the employee may be put on a leave of absence by the University until the physician certifies that the employee can return to full duty.

HEARINGS

Formal hearings may be scheduled before the South Carolina Workers' Compensation Commission to settle disputed issues and to determine what compensation may be due to the employee. Injured employees are expected to attend the hearing, which will also be attended by a representative from Human Resources, the State Accident Fund, and appropriate witnesses and representatives for both the employee and the employer. Employees have the right to request a hearing if they disagree with the findings of the South Carolina Workers' Compensation Commission.