



## City of Healdsburg Workers' Compensation Policy

Effective Date: March 1, 2023

Approved: \_\_\_\_\_  
Jeff Kay, City Manager

### I. PURPOSE:

Safety is every employee's responsibility. All employees shall use safe work practices and report any unsafe conditions that may occur. The City also recognizes its responsibility to maintain safe workplaces.

All work-related injuries shall be reported to the responsible supervisor. If there is any question regarding the appropriate supervisor, the report shall be made immediately to the Personnel Director. Upon knowledge of the injury, the City shall provide the employee with a workers' compensation claim form within one working day of the injury. Individual departments may adopt specific safety rules applicable to their operations.

### II. REPORTING PROCEDURE:

1. Any employee injured while on duty must immediately report the injury to their supervisor, who shall in turn promptly report the same to the Human Resources Department. The injured employee will be provided the DWC1 form. Employees filing a workers' compensation claim shall return the completed DWC1 form to Human Resources within five (5) working days. In the event the employee is physically incapacitated in such a manner as to prevent submission of a report, the supervisor shall promptly notify the Personnel Director.
2. Upon knowledge of an injured employee, the supervisor or Department Head will complete a Supervisor's Report of Injury form within twenty-four (24) hours and submit to the Human Resources Department.
3. The Human Resources Department may authorize and/or coordinate medical treatment for the employee by a City-retained physician or clinic, the employee's personal physician (if the employee has been previously designated and is on file with Human Resources in accordance with Labor Code 4600) or, if necessary, a local emergency medical facility.

### **III. CIVILIAN EMPLOYEES:**

1. Use of Paid Accrued Leave: Whenever any employee is compelled by direction of the treating workers' compensation physician to be absent from duty on account of injury arising out of and during City employment, the employee shall be required to use accrued leave time for compensation for the first three (3) days of time off from work.

If the employee is determined to have a work-related temporary disability and is ordered to be off work for a period of more than fourteen (14) days, in accordance with workers' compensation law, the temporary disability payment shall date back to the date of injury.

An employee may elect to apply pro-rated accrued leave credits to such absence and receive compensation equal to the difference between the compensation to which the employee is entitled under workers' compensation law and their regular City salary. If the employee does elect and applies accrued leave to such absence, then they shall be entitled to receive compensation for absences following and related to the occurrence of a specific injury until leave is exhausted. Such compensation shall be in an amount equal to the difference between compensation to which the employee is entitled under workers' compensation law and their regular City salary.

2. Benefits: Any employee shall continue to accrue vacation, sick leave and earn eligibility for consideration for merit salary increases during an absence resulting from an on-the-job injury so long as the employee receives compensation payments under the provisions of the Workers' Compensation Act. A probationary employee shall be entitled to the same benefits as a regular employee, except such employee shall not continue to earn eligibility for consideration for merit salary increases or regular status.

The City may separate an employee, or where appropriate, apply for a disability retirement for an employee, who is receiving workers' compensation benefits if the employee is unable to perform the duties of the positions and is deemed permanent and stationary, and/or cannot be accommodated by the City in another position. Medical care and payments for permanent disabilities incurred in the course of employment shall be as prescribed by workers' compensation law.

### **III. SAFETY EMPLOYEES:**

Whenever a safety officer or other employee eligible under Labor Code Section 4850 sustains a work related or industrial injury while actively engaged in the performance of their job, they shall receive compensation as provided under the Workers' Compensation Act and/or Labor Code provided under State law. Such safety employee shall be placed on a leave of absence at full salary and shall be paid by the City for so long as is required by Section 4850 and related Sections of the Labor Code. While receiving 4850 benefits, the employee shall not be entitled to receive any Temporary Disability (TD) payments under the Workers' Compensation Act.

**IV. LONG-TERM ILLNESS AND LABOR CODE SECTION 4850 APPOINTMENTS:**

The Personnel Director may declare a position temporarily vacant due to the absence of an employee on leave pursuant to Labor Code Section 4850 or on a long-term illness leave and the position may be filled by a temporary or Acting Appointment. A person appointed to the position shall sign a statement acknowledging that: 1) the appointment is temporary only, with no attainment of regular status; and 2) if already employed by the City, the appointee shall revert to their original position and salary range upon notice from the Personnel Director.

**V. MODIFIED DUTY:**

When a City employee is being treated for a work-related injury or illness and is determined fit by the City-approved treating physician to return to work on a temporary basis with modified duties or tasks, the City shall make every attempt to return the employee to work in a modified duty status, consistent with the City's operational needs. All such modified duty work assignments are to be within the limitations as described by the City-approved physician who is qualified to render an opinion on the worker's physical abilities. However, the City is not required to create a position for an employee as an accommodation for that employee's illness or injury. Modified duty assignments are intended to be temporary and short-term. An employee receiving workers' compensation benefits shall be available for modified duty during regular work hours and failure to comply with a modified duty assignment may result in disciplinary action.

**VI. CHECK-IN PROCEDURES:**

During the period of time that an employee is off work due to a work-related injury, the department may require the employee to check in with their department on a regular basis.