

Workers' Compensation Supervisor's Guide

- Introduction
- What Is Workers' Compensation?
- What Is a Work-Related Injury?
- Who Is Covered and When?
- When an Injury or Illness Occurs
- How Are Injuries Reported?
- Timekeeping: Reporting Time Lost
- When a Claim Is Accepted
- 80% Extended Sick Leave
- Procedures for Pending Claims
- Procedures for Denied Claims
- When Can an Employee be Replaced?
- Important Points to Remember
- Additional Numbers to Call for Assistance

Introduction

These guidelines were prepared by the EH&S Risk Management Office to help supervisors understand the Workers' Compensation Program at UC San Diego, and the procedures that are activated when an employee experiences a work-related injury or illness.

If you have questions or need assistance, please call or e-mail:

Pamela Hauser: 858-822-2979, phauser@ucsd.edu

Michelle Benavides-Orizola: 858-534-0994, m1benavidesorizola@ucsd.edu

Gina Sunda: 858-534-0136, gsunda@ucsd.edu

Edie Mitchell: 858-534-3820, e1mitchell@ucsd.edu

What is Workers' Compensation?

Designed to be a "no-fault" system, Workers' Compensation is a state-mandated benefit. The purpose of Workers' Compensation is to provide benefits and assistance to all workers who are either injured or develop a job-related illness as a result of their employment. Benefits may include:

- Medical costs
- Temporary disability
- Permanent disability
- Supplemental job displacement voucher
- Death benefits

The objective of the UCSD Workers' Compensation Program is to bring about expedient recovery and return to productive work.

What is a Work-Related Injury?

The California Labor Code definition of the term "injury" includes *"any injury or disease arising out of employment and occurring in the course of employment."* The injury may result from either trauma or disease. Injuries are categorized in three ways:

SPECIFIC – An injury to one or more parts of the body resulting from a specific incident.

CUMULATIVE – An injury resulting from repetitive traumatic activities over a period of time, such as exposure to chemicals or fumes which are injurious to an employee.

AGGRAVATION – A preexisting condition or non-work-related condition aggravated by an occupational injury or disease. The employer provides medical treatment until the employee returns to the pre-injury status of the preexisting condition

Who is Covered by the UC SAN DIEGO Workers' Compensation Program and When?

WHO – UC SAN DIEGO employees and volunteers with paperwork on file.

WHEN – Workers' Compensation coverage begins the first minute an employee is on the job and continues any time an employee is officially on the job. The only requirement is that the individual is officially working as an employee providing a service to the University at the time of the injury.

Students – other than student employees – and employees of outside agencies are not covered, even though the injury may have occurred at UC SAN DIEGO.

When an Injury or Illness Occurs

Seek treatment at a UC San Diego Center for Occupational & Environmental Medicine (COEM) clinic unless the incident requires emergency care or treatment is needed after COEM hours of operation.

Use the COEM clinic convenient to your work location, main campus, or Hillcrest:

- COEM – Campus location
8899 University Center Lane, Suite 160
San Diego, CA 92122 ([PDF map](#))
(858) 657-1600 (Call for an appointment, please)
Monday – Friday, 8 a.m. – 4:30 p.m.
- COEM – Hillcrest location
330 Lewis Street, Suite 100
San Diego, CA 92103 ([PDF map](#))
(619) 471-9210 (Call for appointment, if possible)
Monday – Friday, 8 a.m. – 4:30 p.m.

The Workers' Compensation Office should be billed directly for any treatment. However, should the employee receive a billing statement, tell them to mail it to the Workers' Compensation Office at Mail Code 0925.

Employees choosing to receive initial treatment from their personal doctor must have a *Designation of Physician Form* on file with their department before an injury or illness occurs.

IMPORTANT: OSHA Requirements

Supervisors **MUST** report all work-related deaths, catastrophes, and serious injuries or illnesses **IMMEDIATELY** (within 8 hours) to the UCSD Workers' Compensation Office. Reporting delays could result in Cal/OSHA fines.

A serious injury or illness is one that requires inpatient hospitalization, or in which an employee suffers a loss of any member of the body or suffers any serious degree of permanent disfigurement.

How Are Injuries Reported?

Use one of the options below to report the incident:

Option 1:

- Use the online Workers' Compensation reporting form:
 - **Employee's Occupational Incident Report:** <http://blink.ucsd.edu/sponsor/EHS/forms-ehs/employee-incident-report.html>
 - **Supervisor's Occupational Incident Report:** <http://blink.ucsd.edu/sponsor/EHS/forms-ehs/supervisor-incident-report.html>

Option 2:

- Call the 1-800 Reporting Line: 877-6UC-RPRT (877-682-7778) to report the incident, **and**
- Supervisors: complete the Supervisor Report page of the online Workers' Compensation Occupational Incident Report form: <http://blink.ucsd.edu/sponsor/EHS/forms-ehs/supervisor-incident-report.html>

Important: Completing an Occupational Incident Report form does **not** file a claim for workers' compensation benefits.

After receiving the Occupational Incident Report form, the UC San Diego Workers' Compensation Office will monitor the medical treatment to determine if level of care exceeds [first aid](#) treatment.

- First aid treatment may be appropriate treatment and is not considered a [workers' compensation](#) benefit, although first aid costs will be paid by the employer.
- If medical treatment exceeds first aid treatment at the initial or subsequent medical visits, the UC San Diego Workers' Compensation Office will send the employee a State of California Workers' Compensation Claim Form (DWC-1).

If the employee wishes to initiate a claim, they should:

1. Complete and sign the Employee portion of the DWC-1 form.
2. Describe their injury or illness completely, including every affected body part.
3. Make a copy of the form for their records.
4. For expediency, fax a copy of the form to the UC San Diego Workers' Compensation Office: (858) 246-0973.
5. Mail the original form to Mail Code 0925. By returning the DWC-1 form, the employee is actually filing a claim for workers' compensation benefits.

If the supervisor receives a claim form from an employee, the supervisor should forward the form to the Workers' Compensation Office for completion.

Sedgwick CMS has a contract with the University of California to administer Workers' Compensation claims filed by University employees. A Sedgwick CMS claims administrator will discuss the claim with the employee, investigate the injury, and determine acceptance of the claim.

Reporting an injury or submission of a claim form does not imply automatic approval of the claim. Claims are approved by Sedgwick CMS for UC San Diego.

If a representative from Sedgwick CMS contacts you, please provide any information requested. This includes departmental files, job description, or time records.

Any questions regarding the status of a claim may be directed to Sedgwick CMS at (858) 636-6200.

Timekeeping: Reporting Time Lost

It is important for the department to keep records of an injured employee's lost time from work. Keep the department timekeeper/UC Path and the UC San Diego Worker's Compensation office informed of the employee's status and days lost from work. Forward a copy of disability slips received from the employee's doctor to the Workers' Compensation Office at Mail Code 0925.

Employees who are unable to work as a result of a work-related injury or illness should be placed on Family and Medical Leave (FMLA) if eligible for coverage.

Any absence *on the day of the injury* is Administrative Leave *with pay* for the injured worker. Time lost after the day of injury should be covered by the employee's accrued sick leave. The employee may choose to use their vacation and/or comp time balances when their sick leave is exhausted.

When a Claim is Accepted

Once a claim is accepted, if the employee has lost more than three days from work, Sedgwick CMS authorizes medical treatment and issues any temporary or permanent disability payments and medical payments related to the claim. The funding for these payments is provided by the University of California's self-insurance program.

If the employee's doctor provides disability for time off work, or the department cannot accommodate restrictions provided by the doctor, Sedgwick CMS will mail a temporary disability check to the employee's home.

The check pays two-thirds of the employee's weekly salary *up to a maximum amount determined by the State of California*. A letter confirming that the claim has been approved will accompany the check.

Since the employee's weekly salary is more than the amount paid by Sedgwick CMS, the remainder of the employee's salary is paid through the UC San Diego payroll system using accrued sick leave and, if the employee so chooses vacation and/or comp time balances. The Payroll Office will issue a full paycheck minus the amount already paid to the employee by Sedgwick CMS.

By law, there is a three-day waiting period before the Workers' Compensation temporary disability payments begin. The employee's sick leave and other selected leave balances will be used to cover any lost time on the first three days the employee can not work after the date of injury. The three-day waiting period is waived if the employee is hospitalized or disabled for more than 14 days.

When an employee is working a reduced schedule due to a work-related injury or illness, the State of California uses a formula to pay employees for lost time from work. Based on the formula, the employee may or may not be paid by Sedgwick CMS. Lost time is charged to all employees working a reduced schedule whether they are on exempt or non-exempt status.

80% Extended Sick Leave

UC SAN DIEGO Policy & Procedures (PPM 516-28) state that upon exhausting sick leave and all other selected leave accruals, an employee **with an approved claim** may then be eligible to receive up to 26 weeks of Extended Sick Leave. The employee's department will pay the difference between what Sedgwick CMS is paying and 80% of the employee's paycheck. This benefit is known as *Extended Sick Leave*. An employee who elects not to use all sick leave and employees who do not earn sick leave benefits are not eligible for 80% Extended Sick Leave. These employees will only receive the payment from Sedgwick CMS.

While on Extended Sick Leave, the employee accrues 100% of regular vacation and sick leave hours. Vacation and sick leave accrued while on Extended Sick Leave can only be used when the employee returns to work.

If the employee does not return to work at the end of 26 weeks following Extended Sick Leave, the Workers' Compensation Office will mail the employee a letter instructing them to apply for non-industrial disability benefits through the UC San Diego Benefits Office. A copy of the letter will be sent to the employee's supervisor and department timekeeper.

At this time, you may contact the Human Resources Department regarding options your department may pursue regarding the injured employee's job position.

Procedures for Pending Claims

A decision on a claim may be delayed by Sedgwick CMS. If more time is needed to make a decision, Sedgwick CMS will mail a letter to the employee's home stating the date a decision will be made. The Workers' Compensation Office will instruct the employee by letter to apply for other Disability Benefits through the Benefits Office if the employee is losing time from work while the case is on delay. The employee's supervisor and department timekeeper will receive a copy of this letter. Once a decision is made on a claim, Sedgwick CMS will inform the employee by mailing a letter to their home.

Procedures for Denied Claims

If a claim is denied, Sedgwick CMS will mail a letter to the employee's home explaining why the claim has been denied. Any questions the employee may have regarding the denial should be directed to Sedgwick CMS or the Workers' Compensation Office. The employee's supervisor or departmental timekeeper may call Sedgwick CMS or the Workers' Compensation Office at any time regarding the status on a Workers' Compensation claim.

When Can an Employee be Replaced?

You may temporarily replace an injured employee at any time; however, California Workers' Compensation law requires that the injured/ill employee's position remain open until the employee returns to work. If the employee is absent for an extended period, contact your Human Resources team leader for guidance. **Important:** If your employee is off work for any length of time, maintain contact so there is a feeling of interest in their welfare. Be sure to report any change in their status to the Workers' Compensation Office.

Important Points to Remember

- Report to the Workers' Compensation Office any changes in the status of an employee, especially if an injured worker starts to lose time from work again after returning to work.
- If an employee has not been able to work, make sure the employee receives a medical release from the doctor before returning to work.
- If at all possible, provide light-duty work and reasonable accommodations when the employee is able to return to work with restrictions.
- All doctor slips and any bills the employee might receive should be sent to the Workers' Compensation Office. If an employee receives a bill, call the Workers' Compensation Office for immediate investigation.
- Section 132a of the California Labor Code prohibits discrimination due to filing of a Workers' Compensation claim.

For more detailed information on any aspect of Workers' Compensation, refer to the UC San Diego Policy and Procedures Manual or the UC San Diego Staff Personnel Manual, #516-28.

Additional Phone Numbers to Call for Assistance

Sedgwick CMS (858) 636-6200

Sedgwick CMS is under contract with the University to manage and determine the validity of all claims and ensure that an injured employee receives any benefits due to them.

Environment, Health & Safety On Campus, (858) 534-3660 At the Medical Center, (619) 543-7575

EH&S is responsible for the Workers' Compensation program elements which relate to providing information and advice regarding safe work practices and ergonomics.

If you have questions or need assistance, contact the UC San Diego Workers' Compensation Office:

Department E-mail: ehswc@ucsd.edu

Risk Management Main Phone Line: 858-534-2454

Pamela Hauser: 858-822-2979, phauser@ucsd.edu

Michelle Benavides-Orizola: 858-534-0994, m1benavidesorizola@ucsd.edu

Gina Sunda: 858-534-0136, gsunda@ucsd.edu

Edie Mitchell: 858-534-3820, e1mitchell@ucsd.edu

Fax: (858) 246-0973

Mail Code 0925

MAILING ADDRESS:
9500 Gilman Drive, 0925
La Jolla, CA 92093-0925