



OREGON YOUTH AUTHORITY
Policy Statement
Part I – Administrative Services



Subject

Workers' Compensation

<i>Section – Policy Number:</i> D: Personnel Management – 1.5	<i>Supersedes:</i> I-D-1.5 (12/02)	<i>Effective Date:</i> 06/09/2003	<i>Date of Last Revision:</i> 06/09/2011
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Related Standards and References:	<ul style="list-style-type: none"> ▪ ORS 656.262 (Processing of claims) ▪ ORS 656.340 (Vocational assistance) ▪ ORS 659.415 (Reinstatement of worker) ▪ ORS 659.420 (Employment of injured worker) ▪ OAR 839-06-130 (Injured Worker Reinstatement) ▪ OAR 839-06-135 (Injured Worker Reemployment) ▪ OAR 839-06-150 (Retention and Loss of Reinstatement and Reemployment Rights) ▪ Applicable Collective Bargaining Agreements ▪ SAIF Form 801 (Workers' Compensation Claim Form 801) ▪ OYA policy: I-C-7.0 (Safety Program) I-C-7.3 (Hazard Communications Program) ▪ OYA form: YA 8300 (Incident/Accident/Hazard Report)
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Related Procedures:	<ul style="list-style-type: none"> ▪ None
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Policy Owner: Human Resources Manager	Approved: // <hr/> Karen Brazeau, Director
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I. PURPOSE:

This policy delineates how OYA responds to its injured workers.

II. POLICY DEFINITIONS:

None

III. POLICY:

OYA is committed to assuring a safe and healthy workplace for all staff and to the early return of injured workers to the workplace.

It is the policy of OYA to reinstate or re-employ injured workers at the earliest opportunity, providing temporary job modification if necessary. If a staff is injured

on the job, OYA will make modified or light duty work available to the staff as soon as the staff is released to return to the workplace.

OYA will participate in employer incentive programs, such as the Employer At Injury Program, through the State Accident Insurance Fund, the Workers' Compensation Division, and other program sources. OYA will commit any reimbursement from these programs to the goal of maintaining a safe and healthy work environment.

IV. STAFF RESPONSIBILITIES:

A. Injured staff

1. Reports any work-related injury or illness to his/her immediate supervisor/manager within 24 hours.
2. Completes the worker portion of the YA 8300.
3. Completes the SAIF 801 when injury or illness results in medical assistance.
4. Delivers the SAIF 801 to his/her immediate supervisor/manager on the day of incident or diagnosis of condition.
5. Maintains regular contact with his/her immediate supervisor/manager while off work due to injury or illness.
6. Notifies supervisor/manager or Human Resources of any change in address or telephone number within 10 days of the change while off work.
7. Provides a doctor's certificate to his/her immediate supervisor/manager when released by the treating physician to return to active work.
 - a) Staff will provide the certificate to his/her immediate supervisor/manager within 24 hours.
 - b) The certificate must clearly specify if released to the former job and any restrictions.
8. Requests re-employment or reinstatement with his/her immediate supervisor/manager within seven calendar days following the date of the ratification of the treating physician's release to return to work.
 - a) The request must be in writing, dated and signed.
 - b) If the former job or a suitable alternative is not available at the time of the request, staff shall contact his/her supervisor/manager in person or by telephone once per week to renew the request.

- (1) If an offer of a suitable position is refused, OYA will consider the refusal as possible grounds for termination of employment and an abandonment of reinstatement or re-employment rights.
 - (2) Reinstatement or re-employment rights may be lost by failure to adhere to injured worker's responsibilities.
- c) Failure to seek a written release upon becoming able to return to active work may constitute abandonment of reinstatement or re-employment rights.

According to ORS 656.340, insurers are responsible for requesting reinstatement or re-employment on behalf of injured workers.

B. Injured staff's immediate supervisor/manager

1. Ensures that staff understand the Workers' Compensation policy and procedures.
2. Completes YA 8300 for any injury or illness on or off the job site.
3. Immediately investigates any work-related accident, injury or illness and informs the Central Safety Manager of **any** safety or health complaints or hazards.
4. Provides SAIF 801 claim form to the staff upon learning of the need for a claim as evidenced by either medical treatment more than first aid or time loss due to work-related injury.
5. Reviews worker's portion of the SAIF 801 for completeness.
6. Completes employer description of accident.
7. Sends a copy of the SAIF 801 to Human Resources.
8. Sends staff's copy to the injured worker.
9. Removes and retains employer's copy of the SAIF 801.
10. Sends the SAIF 801 to the State Accident Insurance Fund Corporation within five days after notice or knowledge of any medical treatment.
11. Makes personal contact with the injured worker within one week of injury or illness and maintains weekly contact, if possible, while the injured worker is off the job.

Added
06/09/2011

12. Works with the staff and the agency Claims Coordinator to provide early return-to-work assistance to injured workers.
13. Notifies the agency Claims Coordinator within 24 hours when an injured worker requests reinstatement or re-employment and provides the date when the injured worker is released to return to work.

C. Executive Staff

Ensure that supervisors/managers and superintendents/camp directors work with injured workers to provide early return-to-work assistance.

D. Claims Coordinator

1. Administers the workers' compensation program.
2. Assists or advises supervisors/managers on how to investigate reports of injury or illnesses.
3. Keeps agency management informed of the status of the agency's injured workers.
4. Works with the injured worker's immediate supervisor/manager and the worker's physician, if necessary, to implement an early return-to-work program.
5. Performs review of vacant positions and light duty tasks that need to be completed to determine where employment may be available within the agency.

E. Human Resources Staff

Maintains a proper recordkeeping system to comply with occupational safety and health reporting requirements.

V. Incentive Funds

A. General responsibility

1. Supervisors/Managers, with the assistance of the Central Safety Manager, must research and initiate applications for wage reimbursement, or worksite modification funds or incentives that are available to assist employers in returning injured workers to the work site at the earliest possible date.
 - a) Such applications will be forwarded to central Human Resources for addition of payroll data and other required information.
 - b) Central Human Resources will:

- (1) Complete the applications and submit them to the appropriate agency.
- (2) Maintain a record of applications and results, and maintain an account of funds received through such incentive programs.

2. Disbursement of funds

Funds received from incentive programs will be dispersed in the following manner:

- a) Seventy percent of funds received will be returned to the local work site that provided the modified or light-duty work for the injured worker.
- b) Thirty percent of funds received will be held in a central fund, administered by central Human Resources at the direction of the Central Safety Manager.

3. Expenditure of funds

- a) Funds returned to the local worksite will be expended by the local Safety Committee, with the approval of the field supervisor, superintendent/camp director, or assistant director.
- b) Such funds must be used for activities, training, equipment, or modifications to worksites that are directly related to improving the safety and health of the work environment.
- c) Funds held by central Human Resources will be expended at the direction of the Central Safety Manager for agency-wide safety activities, including sponsoring agency-wide safety training or sponsoring attendance of agency representatives at safety conferences.

VI. LOCAL OPERATING PROTOCOL REQUIRED: NO