



OREGON YOUTH AUTHORITY
Policy Statement



I-D-1.5 - Workers' Compensation

Approved:

Effective:

June 9, 2003

Supersedes:

I-D-1.5 (12/02)

Karen Brazeau, Director

Interpretation:

REFERENCES

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)

POLICY

The 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 the OYA to reinstate or re-employ injured workers at the earliest opportunity, providing job modification, if necessary. If a staff is injured on the job, the OYA will make modified or light duty work available to the staff as soon as the staff is released to return to the workplace.

The 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. The OYA will commit any reimbursement from these programs to the goal of maintaining a safe and healthy work environment.

I. 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 Employee Services 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, the 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.

(1) 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 job-related accident, injury or illness and informs the Area Safety Coordinator of **any** safety or health complaints or hazards.
4. Reviews worker's portion of the SAIF 801 for completeness.
5. Completes employer description of accident.
6. Sends a copy of the SAIF 801 to Employee Services.
7. Sends staff's copy to the injured worker.
8. Removes and retains employer's copy of the SAIF 801.
9. Sends the SAIF 801 to the State Accident Insurance Fund Corporation within five days after notice or knowledge of any medical treatment.
10. 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.
11. Works with the staff and the agency Claims Coordinator to provide early return-to-work assistance to injured workers.

12. 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. Field or Facility Services Managers

1. 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 search of open positions to determine where employment is available.

E. Employee Services

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

II. Incentive funds

A. General responsibility

1. Supervisors/Managers, with the assistance of the Area Safety Coordinator, shall 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 Employee Services for addition of payroll data and other required information.

- b) Central Employee Services 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

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

- (1) 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.
- (2) Thirty percent of funds received will be held in a central fund, administered by central Employee Services at the direction of the Area Safety Coordinators.

- b) Expenditure of funds

- (1) Funds returned to the local work site will be expended by the Local Safety Committee, with the approval of the Field or Facility Services Manager.
- (2) Such funds shall be used for activities, training, equipment, or modifications to worksites that are directly related to improving the safety and health of the work environment.
- (3) Funds held by central Employee Services will be expended at the direction of the Area Safety Coordinators for agency-wide safety activities, including sponsoring agency-wide safety training or sponsoring attendance of agency representatives at safety conferences.