



OREGON YOUTH AUTHORITY
Policy Statement
Part I – Administrative Services



Subject:

Workers' Compensation

Section – Policy Number:

D: Personnel Management – 1.5

Supersedes:

I-D-1.5 (06/13)
I-D-1.5 (06/03)
I-D-1.5 (12/02)

Effective Date:

07/28/2014

Date of Last Review:

07/28/2018

Related Standards and References:

- [ORS 656.262](#) (Processing of claims)
- [ORS 656.340](#) (Vocational assistance)
- [ORS 659A.043](#) (Reinstatement of injured worker)
- [ORS 659A.046](#) (Reemployment of injured worker)
- [OAR 839-006-0130](#) (Injured Worker Reinstatement)
- [OAR 839-006-0135](#) (Injured Worker Reemployment)
- [OAR 839-006-0150](#) (Retention and Loss of Reinstatement and Reemployment Rights)
- Applicable Collective Bargaining Agreements
- [SAIF Form 801](#) (Workers' Compensation Claim Form)
- [OYA policy: I-C-7.0](#) (Safety Program)
- [I-C-7.3](#) (Hazard Communications Program)
- OYA form: [YA 8300](#) (Incident/Accident/Hazard Report)

Related Procedures:

- None

Policy Owner:

Human Resources Manager

Approved:


 Fariborz Pakseresht, Director

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.

OYA reinstates or re-employs injured workers at the earliest opportunity, providing temporary job modification if necessary. If a staff member is injured on

the job, OYA makes modified duty work available to the staff member as soon as the staff member is medically cleared to return to the workplace.

OYA participates in employer incentive programs, such as the Employer at Injury Program, through the State Accident Insurance Fund Corporation (SAIF), the Workers' Compensation Division, and other program sources. OYA commits any reimbursement from these programs toward 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 (Incident/Accident/Hazard Report).
3. Completes the SAIF 801 (Workers' Compensation Claim Form) when the employee seeks medical treatment.
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 to provide status updates.
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 prior to returning to work.
 - b) The certificate must clearly specify if released to the former job and any restrictions.
8. May request re-employment or reinstatement with his/her immediate supervisor/manager within seven calendar days following the date 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 workplace injury or illness on the job site.
3. Immediately investigates any work-related accident, injury or illness and informs the OYA 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 completed YA 8300 and, if applicable, 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. 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. Executive Staff

Ensure that supervisors/managers 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. Assists the injured worker's immediate supervisor/manager and the SAIF Return to Work consultant, if necessary, to implement an early return-to-work program.
5. Performs review of modified duty tasks that need to be completed to determine where employment may be available for injured workers 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. The OYA safety manager must research and initiate applications for wage reimbursement, worksite modification funds, or incentives that are available to assist employers in returning injured workers to the work site at the earliest possible date.
2. Central Human Resources must:
 - a) Review with SAIF applications for wage reimbursements or worksite modification funds or incentives that are available for wage reimbursement through the employer-at-injury program (EAIP) on a semi-annual basis.
 - b) Ensure that SAIF submits applications to Department of Consumer and Business Services (DCBS) for eligible funds.

- c) Maintain a record of applications and results, and an account of funds received through such incentive programs.
- d) Forward copies of SAIF 801s received from OYA field offices, facilities, and Central Office to SAIF within five days after notice of knowledge of any medical treatment.

2. Disbursement of funds

Funds received from incentive programs must be held in a central fund administered by central Human Resources at the direction of the OYA safety manager.

3. Expenditure of funds

- a) Requests to spend funds may be made by a field supervisor, superintendent/camp director, or an 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 may be expended at the direction of the OYA safety manager.
- d) Agencywide safety activities (e.g., agencywide safety training, agency representatives attending safety conferences) may be expended at the direction of the OYA safety manager.

VI. LOCAL OPERATING PROTOCOL REQUIRED: NO