

<b>Policies of the University of North Texas</b>	Chapter 15
<b>15.005 Workers' Compensation Program</b>	<b>Risk Management Services</b>

**Policy Statement.** UNT values the health and welfare of its employees and provides workers' compensation coverage to employees who sustain an injury or occupational disease in the course and scope of employment.

**Application of Policy.** Employees.

**Definitions.**

1. **Alternate Duty.** "Alternate Duty" means a work assignment that allows an injured employee to temporarily perform the essential and marginal functions of a position, other than the employee's regular job, that are within the restrictions prescribed by the health care provider. An alternate duty assignment may be physically located in the employing unit or in another unit.
2. **Benefit.** "Benefit" means a medical or income payment related to a compensable injury.
3. **Claim.** "Claim" means formal request for worker's compensation benefits.
4. **Claims Coordinator.** "Claims Coordinator" means an employee in Risk Management Services who is responsible for receiving notice of work related injury or occupational disease and serves as the liaison between an injured employee, UNT, the healthcare provider, and the insurance carrier.
5. **Compensable Injury.** "Compensable Injury" means damage or harm to the physical structure of the body sustained in the course and scope of employment or disease arising out of and in the course and scope of employment. "Compensable injury" does not include an ordinary disease of life to which the general public is exposed, unless the disease is related to a compensable injury.
6. **Course and Scope of Employment.** "Course and Scope of Employment" means the activity of an employee while performing official UNT business.
7. **Employee.** "Employee" means an individual who is employed by UNT in a full-time, part-time or temporary capacity.

8. Modified Duty. “Modified Duty” means a temporary arrangement until the injured employee can resume full duty. It allows the employee to return to employment in their regular job and perform essential functions of the position and those nonessential duties and tasks that are within the capabilities of the employee, given the restrictions imposed by the treating health care provider. If during the course of the modified duty assignment or after twelve (12) months, whichever is sooner, it is determined that the employee is a qualified individual with a disability as defined under the ADA, the employee may request a reasonable accommodation in accordance with University Policy 04.014. The modified duty position may be considered a reasonable accommodation if the accommodation does not create an undue hardship on the university.
9. Workers’ Compensation. “Workers’ Compensation” means coverage that provides employees medical and income benefits if they sustain a compensable injury or occupational disease in the course and scope of employment.

### **Procedures and Responsibilities.**

1. Employee Responsibility.
  - a. Reporting Injury or Occupational Disease. Employees must notify their supervisor when they are injured within thirty (30) days of the date the injury or within thirty (30) days of when the employee knew or should have known that an occupational disease may be related to their employment.
  - b. Exposure to Communicable Disease. Employees who believe they may have been exposed to bodily fluids, injured by a sharp object or injured in any manner that could reasonably transmit a communicable disease must immediately inform their supervisor and be tested within ten (10) days of the possible exposure.
  - c. Submission of Claim. Employees who want to file a workers’ compensation claim must complete and return all required claim forms to their supervisor or the Claims Coordinator.

Responsible Party: Employee

2. Supervisor Responsibility.
  - a. Reporting Injury or Occupational Disease. The supervisor is responsible for immediately informing the Claims Coordinator of employee injuries or when an employee has been or may have been exposed to an occupational or communicable disease as a result of the work environment.

- b. Submission of Claim Forms. The supervisor must complete and return all required supervisor forms to the Claims Coordinator.
- c. Education and Training. The supervisor must inform employees of their rights and responsibilities under the UNT Workers' Compensation Program on an annual basis.
- d. Additional Responsibilities. The supervisor must notify the Claims Coordinator immediately when an employee sustains a compensable injury and is unable to work, returns to work, is on modified or alternate duty, exhausts sick and/or vacation leave, resigns or is terminated.

Responsible Party: Supervisor

3. Claims Coordinator Responsibilities.

- a. The Claims Coordinator must act as a liaison with all applicable parties and maintain records of all work-related injuries reported and claims filed.
- b. The Claims Coordinator must conduct periodic training for units, supervisors, and employees.
- c. The Claims Coordinator must administer return to work options for injured employees as part of the Workers' Compensation Program.

Responsible Party: Claims Coordinator

4. Return to Work.

Employees may return to work on alternative or modified work assignments following a compensable injury until released to full duty by their health care provider, as set out in the UNT Return to Work policy (05.020).

Responsible Party: Claims Coordinator; Human Resources

5. False Claim.

- a. An employee who intentionally files a workers' compensation claim when an injury or occupational disease is not sustained in the course and scope of employment or who provides false information about a claim is subject to criminal and civil penalties and disciplinary action, including termination.

Responsible Party: All persons

6. Protection Against Retaliation.

- a. Retaliation against any person who reports an injury or occupational disease, encourages another to report, seeks assistance or guidance about workers' compensation, or who files a workers' compensation claim in good faith is strictly prohibited. UNT will take immediate action to address retaliation, up to and including termination for individuals who are found to have engaged in retaliation.

Responsible Party: All persons

**References and Cross-references.**

UNT Policy 05.020 Return to Work

UNT Policy 16.004 Prohibition of Discrimination, Harassment, and Retaliation

SORM Procedure 405, September, 1999, "HIV/Communicable Disease Procedures."

Texas Administrative Code, Title 28, Part 2 Texas Department of Insurance, Division of Workers' Compensation

Texas Labor Code, 418.001, Penalty for Fraudulently Obtaining or Denying Benefits

Texas Labor Code, Chapter 501, Workers' Compensation Insurance for State Employees

Texas Workers' Compensation Act (Labor Code, Title 5, Subtitle A, Section 412.051)

**Forms and Tools.** N/A

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\*Format only