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Purpose

The purpose of this procedure is to describe the benefits and establish processes under which injured employees, including student assistants and work-study students, receive workers' compensation benefits under the provisions of Florida laws and rules and Florida State College at Jacksonville's (FSCJ/College) self-insured Workers' Compensation procedures.

Procedure

- A. Any full-time employee who is required to be absent as a result of personal injury by accident arising out of and in the course of employment may be granted Workers' Comp/On the Job Injury (WCMP) leave during the first seven (7) calendar days, including holidays observed by the College, after each such accident. Such absence must be for a qualified workers' compensation disability for which work accommodations cannot be made. The determination of disability shall be based on the report of the attending Workers' Compensation physician.
- B. All workers' compensation checks received for the same period of time for which an employee has been compensated with WCMP leave shall be endorsed and delivered to the College by the employee. Failure to do so will result in having proceeds deducted from the employee's pay.
- C. Except when WCMP leave is authorized, an employee may elect to supplement workers' compensation payments provided under Florida's law by using accrued sick or annual leave. Employees who elect to use accrued sick and annual leave may retain the workers' compensation check and draw the remaining portion of salary from their sick and annual leave balance. If the employee chooses not to use accrued sick or annual leave or does not have accrued leave, the employee will be placed on personal leave without pay for the duration of the absence.
- D. Commencement of workers' compensation payments, duration of payments and rates of compensation are determined in accordance with Florida Statutes. Workers' compensation indemnity payments are made on the following schedule:
 1. If disability lasts seven (7) days or less, no payment is made.
 2. If disability lasts more than seven (7) days payment is made for the eighth (8) through the twenty-first (21) day.
 3. If disability lasts more than twenty-one (21) days, payment is made retroactive to the first day of disability.
 4. All medical expenses for treating a personal injury by accident arising out of and in the course of employment, and such diseases or infections as naturally or unavoidably resulting from such injury are covered under workers' compensation. The College is a drug-free workplace under Florida law, and as it is a condition of employment for employees to refrain from reporting to work or working with the presence of illegal or unprescribed drugs or alcohol in their bodies, a

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drug and alcohol test may be administered by the workers' compensation medical provider when an injured employee first presents for treatment. If there is a positive confirmed drug test, workers' compensation benefits shall be denied. If the employee refuses to submit to a test for drugs or alcohol, that employee forfeits eligibility for medical and indemnity benefits under the Workers' Compensation Act, and WCMP leave.

- E. When an employee must be absent due to a job incurred illness or injury, the College will continue to pay the portion of the cost of medical insurance benefits for a period of twelve (12) weeks as long as the employee continues to pay the employee portion of coverages for which they are enrolled.
- F. College personnel shall use the following procedures for on the job injuries:
1. Each administrator is responsible for informing staff of the coverage available under the act.
 2. It is the responsibility of any employee who is injured in, or as a result of, the performance of his/her duties to immediately report the injury to his/her immediate supervisor.

For Life Threatening Injuries:

- a. 911 immediately; Campus Security will automatically receive a notification.
 - b. Permit rescue personnel to determine the medical facility to which the injured person shall be transported and ascertain the name of the facility; and
 - c. Promptly notify the Risk Management Office that an employee has been injured and transported to a medical facility.
 - d. The priority is to take care of the medical needs of the injured person. Afterward, a First Report of Injury or Illness ([DWC-1 Form](#)) is fully completed, signed by the employee and supervisor. If the employee is unable to sign, the supervisor or a College representative may indicate "not available" on that line. Submit the form to Risk Management using this [link](#) within 24 hours of injury.
5. For injuries occurring after regular working hours, on weekends, holidays or College breaks contact Campus Security. If medical care is needed, complete the DWC-1 and take it with you to an authorized provider (CareSpot or Concentra). The DWC-1 is the authorization for treatment. Submit the DWC-1 to the Risk Management link as soon as practicable.
 6. Injuries that occur when an employee is on temporary duty leave elsewhere and that require medical attention shall be treated at the nearest medical facility. The supervisor shall be notified as soon as practicable. If the supervisor is not available, Campus Security should be notified.
 7. The College contracts with a Third-Party Administrator (TPA), Davies Claims North America, to manage workers' compensation claims. Risk Management will report all claims to the TPA. The TPA will determine whether or not the injury or illness qualifies as a workers' compensation claim in accordance with Florida's workers' compensations laws, rules and regulations.

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8. The TPA will contact the employee upon receipt of the DWC-1 form and will authorize referrals for examination and treatment, as appropriate. The TPA will manage the claim on behalf of the College. In the event that an employee is scheduled for a medical appointment or therapeutic treatment during their work schedule, use of WCMP leave is authorized.
 9. Supervisors are responsible for informing injured employees that the College will not be responsible for the payment of employee's private physicians or specialists not previously approved in accordance with this policy, except in cases where immediate emergency care is provided for a qualified injury.
 10. Employees who are released from medical treatment and are approved to return to work with no restrictions shall return to work per the regular schedule and provide a copy of the doctor's release paperwork to their supervisor. The supervisor shall forward a copy to Risk Management.
 11. In the event that an injured employee is released to return to work with restrictions, the employee shall provide a copy of the doctor's release to Risk Management who will coordinate with the employee's supervisor to ensure the work restrictions can be accommodated within the prescribed limitations. If the work restrictions cannot be accommodated, notification will be made to Human Resources and the TPA. The supervisor shall monitor the employee's compliance with stated limitations and restrictions and shall report any instances of non-compliance to the RMO.
- G. The TPA shall report any failure of an injured employee to follow prescribed procedures to Risk Management and shall investigate any allegations of WC fraud. An employee who is charged with misconduct pursuant to this Administrative Procedure shall be subject to the College's disciplinary rules and procedures and may be subject to criminal prosecution.

REFERENCE: F.S. Chapter 440, 1001.64, 1001.65, 1012.69

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