City Personnel Policy

WORK-RELATED INJURY REPORTING

POLICY:713

Council approval: 12/19/2022 # Pages: 5

Policy:

The purpose of this program is to provide guidelines for employees who are injured on the job. The City of Council Bluffs is committed to a safe workplace and the prevention of work-related injuries or illness through prompt reporting of injuries and subsequent investigations. The City complies with all State workers' compensation laws that govern work-related injuries and illnesses. Additionally, the City has a Return to Work Program to assist eligible employees who are temporarily unable to return to regular duties as a result of a work-related injury or illness.

1. Definition of a Work-related Injury
   An injury or illness is considered by Occupational Safety and Health Administration to be work-related if an event or exposure in the work environment either caused or contributed to the resulting condition or significantly aggravated a pre-existing condition.

2. Treatment of Work-related Injuries

   A. Emergency Treatment- If a work-related injury is an emergency, the injured employee should be taken to either Mercy Emergency Room; or when circumstances warrant, an ambulance should be called.

   B. Non-Emergency Treatment- Employees needing non-emergency medical attention shall report to CHI Health Company Care- Mercy Council Bluffs location- 715 Harmony Street, Council Bluffs IA, 51503. Supervisors shall contact CHI Health Company Care in the event the injured employee is seeking immediate medical care, to notify the clinic that an employee is enroute by calling (712) 328-5550.

   C. Out of the City Treatment- While this is rare, it could happen. An employee on assignment out of town should seek appropriate level of care.

3. Reporting Procedures

A. Employees must report all work-related injuries and illnesses to their supervisor as soon as the injury is identified. Reporting of all work-related injuries is required regardless of whether or not medical treatment is sought.

B. The injured employee and supervisor must complete an Injury Reporting Form on the day of the incident being reported to investigate the reasons for the injury and identify potential preventative measures.

C. Employees needing non-emergency medical attention shall report to the current City health care provider as identified by the City Risk management office. After obtaining care, the employee shall notify the City Risk management office or designee.

D. Under Iowa law employers have the authority to direct the medical care regarding its employee's work-related injuries. If an employee decides to go to another provider without being directed from the authorized treating clinic, the employee will be responsible for all expenses related to that visit. Work related benefits may be delayed or denied unless the employee is seen by the City's designated physician, as stated above.

E. The Injury Reporting Form shall be forwarded to the City's Risk management office or designee no later than the next workday after the injury was reported. In the event the employee is incapacitated, the supervisor will file the appropriate forms.

F. If an employee is hospitalized as a result of a work-related injury or illness, the Department Head shall notify the City's Risk management office or designee as soon as possible.

4. Post Incident Drug Testing

All employees who have a work-related injury will take a drug and alcohol test if reasonable suspicion exists as documented by the Reasonable Suspicion Form. A supervisor must complete the Reasonable Suspicion Form within two hours of being notified of the injury. The drug and alcohol test will be coordinated through the City's Human Resources Department or through the emergency room as applicable.

5. Lost Time Reporting **(*non-sworn employees only*)**

A. Employees experiencing lost-time injuries will be paid for the day in which they were injured.

B. If it is necessary for an injured employee to be off work beyond the day of the injury, then that injury is considered to be a lost-time injury. The treating physician must authorize all lost time prior to taking the time off.

C. The next three consecutive calendar days or three cumulative days of lost time, after the day of injury (hereafter referred to as a waiting period) will be charged against the employee's regular benefit time.

D. An employee who is eligible for workers' compensation may use an approved leave for scheduled workdays lost during the first three days following the injury or illness. If the employee continues to be eligible for workers' compensation, the employee will be paid at the workers' compensation rate of pay starting on the fourth day.

E. If the period of incapacity extends beyond the fourteenth day following the day of injury, and if the treating physician certifies, the employee will be reimbursed the three-day waiting period.

6. Job Injury Monitoring

A. Employees who have been hospitalized for work-related injuries must call or report their status to the City Risk management office or designee upon discharge from the hospital.

B. Employees shall provide a Doctor Certificate to their supervisor immediately following each appointment.

C. Employees are required to keep all appointments and report to the City Risk management office or designee unless other arrangements have been made. Failure to keep appointments and report to the City Risk management office or designee is the same as not reporting for work.

7. Medical Expenses/Documentation

All documents, including invoices, received by the employee that relate to the injury must be submitted to the City's Risk management office or designee promptly.

8. Alternative Duty

Modified job duties may be available, in most cases, during the healing period enabling employees to return to work as soon as possible (see policy 901).

9. Employee responsibilities:

A. Report the work-related injury or illness to your supervisor as soon as the injury is identified, on the day and shift that the injury occurs if reasonable. Failure to make appropriate reports can jeopardize the employee's injury on the job benefits and will result in discipline of up to three working days of unpaid suspension, or one 24 hour shift in the Fire Department, for the first offense.

B. If medical treatment is sought:

i. Go immediately to the assigned occupational health doctor/clinic for treatment or, if appropriate, call to set up an appointment.

ii. Report back to the City's Risk management office or designee immediately following the appointment for review of any medical work restrictions. If treatment is sought after regular City Risk Management office hours immediately report back to your Shift Supervisor or Manager.

iii. If your shift is over, report immediately the next working day.

iv. Return to your job, or modified duty job, that meets the doctor prescribed work restrictions.

v. Provide a copy of the Doctor Certificate to your Supervisor.

vi. Follow all medical restrictions 24 hours a day, at home as well as at work.

vii. Report back to the City Risk management office or designee immediately following all medical appointments, except physical therapy.

ix. Communicate with third party administrator, doctors, nurses, departments, and health care providers to enable appropriate medical care and processing of claims.

10. Supervisor/Manager Responsibilities:

A. Ensure that all employees complete the Injury Reporting Form and submit the report to their supervisor, the supervisor will then send to the City Risk management office or designee.

B. Discuss the incident with the injured employee and ensure that the completed Injury Reporting Form is submitted to the City Risk management office or designee within 24 hours of the incident being reported.

C. In the event the employee is incapacitated, the supervisor will complete and submit the Supervisor Injury Investigation section of the Injury Reporting Form to the City Risk management office or designee when employee is not anticipated to return to work within 24 hours of the incident occurring.

D. Conduct a thorough investigation of the incident, including taking photos of the scene and work injury, and identify what can be done to prevent a reoccurrence.

7. A workers' compensation absence may constitute a leave covered by the Family and Medical Leave Act (FMLA). Workers' compensation leaves will run concurrently with applicable Family and Medical Leave Act leaves in cases where

a temporary light duty assignment is not available, where (due to restrictions issued by a healthcare provider) a temporary light duty assignment is not appropriate, or where the employee has refused a temporary light duty assignment. Contact the City Risk Management office if employee is off work due to a work-related injury.

8. Upon conclusion of the investigation of a work-related injury where it is determined the employee did not perform all work duties and activities in accordance with City policies, procedures, and safety practices including, but not limited to, failure to wear Personal Protective Equipment or horseplay, disciplinary action may be administered.

11. City Risk Management Responsibilities:

    A. Establishes and maintains contact with injured employees and provides assistance with work related injury claims; including obtaining medical care as needed. Communicate with third party administrator, doctors, nurses, departments, and health care providers to enable appropriate medical care and processing of claims.

    B. Evaluates Employee Injury Reports to determine accuracy and completeness and to ensure adequate investigation.

    C. Ensures that the City is in compliance with applicable laws and regulations; confirms any employee change in status or potential need for FMLA with the HR leave administrators.

    D. Provides training guidance and instruction to all departments regarding work related injury claims.

Fraud:

The City's Workers Compensation and Alternative Duty Program is made in good faith to our employees, and may not be available for non-work related injuries. It is a crime to lie, or give false information to receive workers compensation benefits. Commission of this crime will subject an individual to dismissal as well as legal prosecution for fraud. Information about workers compensation fraud should be directed to the City's Human Resources Department, the City's Legal Department, or to the Iowa Department of Workers' Compensation Fraud Investigation Unit.