WORKERS' COMPENSATION - *In a Nutshell*

►Required by State Law, O.S. Title 85A, Workers’ Compensation Act.

►**WHO is covered by the Act?** Paid employees (full-time or part-time)

 Volunteer Fire Fighters

 Reserve Police Officers

 Volunteer Civil Defense

 Elected Officials

►**WHAT is covered by the Act?**  An injury or illness that “arises out of and in the course of employment” is covered. (WC case law determines what is covered.)

►**WHEN does an incident become a Workers’ Compensation claim?** When an injury results in **the loss of time beyond the shift** or **which requires medical attention away from the work site. (The city should always file a Form 2 if either event happens.)**

►**Payments include:** Medical expenses (per WC Medical Fee Schedule)

 Temporary Total Disability (TTD) *(3 Day waiting period)*

 Permanent Partial Disability (PPD)

 Permanent Total Disability (PTD)

 Death Benefits

►**Rates from 5/28/2019-12/31/2019:** $867.71 – Maximum TTD Weekly Rate\* $350.00 - Maximum PPD Weekly Rate \*

\* Injured employee receives 70% of their Average Weekly Wage up to the TTD Maximum of $867.71 per week.

►**The Big Trade-off:** It’s ‘No-Fault’ Coverage *but* the benefits are limited based on schedules in the Workers’ Compensation Act.

► ***Never*** tell your employees, “*That’s covered by workers’ compensation*.”

There are plenty of exceptions and unusual circumstances that may not be covered. If you or the employee thinks the “accident” is covered, file it with your workers’ compensation carrier and let the claims adjuster determine if the incident is compensable.

**The claims adjuster will determine compensability because they are the experts!**

► **Four Keys to Managing your Workers’ Compensation Claims:**

1. Communication (Before, During and After an incident)
2. Documentation (Fill out the forms ASAP and send to the claims adjuster)
3. Incident Investigation to Prevent Recurrences (formal process; investigate every incident)
4. Emphasize Safety as a Value in the Workplace (Supervisors lead by example)