

Workers' Compensation Claims Procedures

When an employee of Broken Arrow Public Schools sustains an injury while performing activities within the scope of their job description and during contract hours, he/she is entitled to file a workers' compensation claim with the district.

When filing a claim, the following steps should be observed:

1. The employee shall report the accident to his/her immediate supervisor during the shift in which the injury occurs.
2. The employee shall immediately complete the "Employee Report of Accident/Injury;" the employee's supervisor shall complete the "Administrative Accident Investigation Form." Both forms should be submitted to Human Resources within 24 hours of the time of the accident.
3. If medical attention is necessary, it must be authorized by Human Resources prior to treatment unless injury is life-threatening. Hospital emergency room treatment will not be authorized unless the injury is life-threatening.
4. If treatment is necessary, the employee shall report to Human Resources to complete forms regarding authorization to treat, release of medical records, and authorization to coordinate sick leave and workers' compensation benefits. Benefits will not be initiated until paperwork is complete.
5. If the injury requires that the employee miss work due to temporary total disability, the employee must submit a doctor's statement to that effect to Human Resources.
6. Employees receiving workers' compensation benefits and/or receiving treatment under the district workers' compensation plan must provide Human Resources paperwork given the employee by the treating physician, including appointment times.
7. Medical appointments should be scheduled in such a way as to impact the employee's normal work schedule as little as possible.

If the injury results in temporary total disability of the employee, and if Human Resources authorizes payment of the claim, payments to the employee will commence effective on the fourth day of total disability.

If the employee/claimant has sick leave accrued and has provided proper authorization, sick leave and workers' compensation payments can be made as follows:

Beginning with the fourth day of temporary total disability, the employee will be given the option of (1) being placed on sick leave and receiving full pay until all sick leave is exhausted, or (2) receiving workers' compensation allowances. When the employee has used all available sick leave, or elects workers' compensation allowance, the employee will automatically be placed on extended medical leave until released to return to work. After the employee is placed on extended medical leave, the employee will draw only loss of time benefits from workers' compensation and must pay the premiums for insurance and any other benefits directly to the district insurance office to keep these benefits in force until return to work.

Pay for holidays for 12-month employees will continue only through the same period in which sick leave was used.

A release from the doctor authorizing a return to duty is required before the employee may return to work. This release must list any restrictions or conditions which might affect the employee's ability to perform the essential job functions of the employee's work assignment. Upon receipt of the proper doctor's release, the school district human resource office will notify the supervisor and verify the exact time and date of the employee's return to work.

If an employee is unable to obtain a release from the doctor to return to fulltime, unrestricted duty within a "reasonable time" period as established by the Board of Education, and it becomes necessary to employ a replacement to fulfill the job requirements, then the employment of the injured employee may be terminated. The Broken Arrow Board of Education has established ninety (90) calendar days as a "reasonable time" period for the return of the injured employee to the original job. When the injury warrants additional time, leave may be renewed for one additional ninety (90) calendar day period, or a portion thereof. Employees granted medical leave due to an injury sustained in the performance of his/her job are assured of a position upon recovery within the limits noted above, but not necessarily the one previously occupied or the same class status if it was necessary to fill the previous position during the employee's absence. Broken Arrow Public Schools is under no affirmative obligation to create a position for a returning employee.

The district will attempt to return to work those permanent employees who have sustained a job-related injury or illness and are thus temporarily prevented from returning to their full former employment. The availability of light duty work is at the employer's discretion and must comply with the employee's medical restrictions. Upon receipt of physician certification that the employee can return to work in some capacity, the Human Resources office will review the restrictions and assess how such restrictions are likely to impact the employee's ability to perform the essential functions of the regular position. If the medical restrictions cannot be accommodated within the original position, alternatives will be reviewed. If a temporary alternate assignment can be accommodated, the employee will be advised by the Human Resources office of the light duty position chosen and will be assigned such duty for a period normally not to exceed 90 days per injury. Overtime is not allowed to employees working in a light duty assignment. In the event an employee refuses a light duty position within their medical restrictions and ability to perform, Broken Arrow Public Schools is not obligated to provide additional alternatives. The employee may also be subject to a limitation or termination of any benefits for lost time being received under the Worker's Compensation program.

The Human Resources office has the responsibility for the administration of claims for medical and disability benefits to employees who are injured on the job and the coordination of any light duty assignments.

Source: Administrative Procedure December, 1982; modified August, 1985, January, 1987; amended and adopted as Board of Education policy June 10, 1991; amended October 5, 1992; amended February 1, 1993; amended June 1, 1999, amended July 1, 2004.