

# Workers' Compensation & Return to Work

Personnel – General

**EWU Policy 401-07**

**Effective: May 29, 2020**

**Authority: EWU Board of Trustees**

**Proponent: University President**

**Purpose:** This policy prescribes standards and responsibilities related to workers' compensation and transitional return to work programs at Eastern Washington University.

**History:** This policy supersedes the previous version dated March 21, 2014. It was approved by the Board of Trustees on May 29, 2020 and is effective as of that date.

**Applicability:** This policy applies to employees and registered volunteers (as described under Title 51, RCW), who perform services for the university. Transitional return to work applies to all employees eligible to receive wage replacement benefits under RCW 51.32.090.

## 1. GENERAL

### 1-1. Policy

The goal of Eastern Washington University's workers' compensation program is to provide relief to employees and registered volunteers injured in their work in accordance with the Industrial Insurance Act, Title 51 RCW. The university purchases workers' compensation insurance from the Washington State Department of Labor and Industries (L&I).

#### a) Coverage:

- (1) Employees: Coverage begins automatically the first day of employment for all employees.
- (2) Registered Volunteers: Registration of all volunteers is required per EWU Policy 401-04. Volunteers will be registered with Human Resources (HR). Registered volunteers are entitled to receive medical aid benefits for injuries sustained during approved volunteer activities.

#### b) Injury/Illness Reporting:

- (1) Employees and volunteers must report a work-related injury or illness to their supervisor as soon as possible and complete a university Incident Report within 24 hours.
- (2) In the case of an occupational disease, employees/volunteers should report the condition to their supervisor and fill out an Incident Report within 48 hours of the date a medical professional informs them that their condition may be related to their employment/volunteer service at EWU.
- (3) If an employee is prescribed modified duty, limited hours, or not released to work, the employee shall provide a copy of the Activity Prescription Form (APF) to their supervisor. Supervisors shall forward the APF to HR.

- (4) Supervisors with knowledge of a work-related injury or occupational disease will ensure that the Incident Report is completed and forwarded to HR. If the employee/volunteer is unable to complete their portion, the supervisor may complete that portion.
- (5) The university is required by Washington Administrative Code (WAC) Section 296-800-32005 to report any death, probable death, or inpatient hospitalization of an employee within 8 hours. Any non-hospitalized amputation or loss of eye must be reported within 24 hours.
- (6) Department heads must notify the university's Environmental Health and Safety (EHS) department immediately in the event of an employee's work related death or transport to a hospital. If direct voice contact is not made with EHS, then a call should be placed to the University Police Department.

#### c) Filing a Workers' Compensation Claim:

Employees may file a worker's compensation claim in one of three different ways: with either their medical provider at time of treatment or file a claim on line at Washington State Department of Labor and Industries website (<https://www.lni.wa.gov/claims/for-medical-providers/filing-claims/filefast-report-of-accident>) or they may call the Washington State Department of Labor and Industries at 1.877.561.3453.

## 2. RETURN TO WORK

If the employee is released to return to work by their medical provider, HR will contact the employee's supervisor to discuss Return to Work.

### 2-1. Transitional Return to Work

Transitional Return to Work (RTW) is a program for employees receiving wage replacement benefits who, due to their work-related injury or occupational disease, are temporarily unable to return to their full duties at their job of injury. The objective of the RTW program is to maximize the recovery of injured employees after a work-related illness or injury.

**(a) Limitations**

- (1) Transitional RTW opportunities are limited and not guaranteed.
- (2) An employee who is permanently restricted by their medical provider from performing the essential functions of their job of injury is no longer eligible for the RTW program.
- (3) Upon completion of a transitional RTW plan, the employee is expected to return to the same position he or she performed at the time of injury.

**(b) Transitional RTW Plans:**

The development of a transition RTW plan is a collaborative effort by the employee, attending physician, department, HR, and, where appropriate, a vocational rehabilitation counselor. All RTW plans must be documented in writing and approved in writing prior to the commencement of the plan by the employee, employee's medical provider, and department head or designee. Copies of all RTW plans shall be provided to HR. Transitional RTW plans are subject to the following:

- (1) Plans may include restricted duties, reduced or flexible hours, duties outside of normal job duties that are within the employee's restrictions and further the work of the department and/or the university, or combinations of the above;
- (2) Are temporary and may not exceed 90 days, unless such time is extended by written agreement of the department, HR, and the employee; and,
- (3) may be terminated at any time by the university if the transitional work is no longer available or benefiting the university or if the employee's physical restrictions have changed.

**c) Employee Rejection of Transitional RTW**

An employee may decline to accept a transitional RTW plan. If the employee rejects the RTW offer, EWU will notify the employee's claims manager at L&I

of such rejection. Refusal to accept an approved plan may result in termination of workers' compensation wage replacement benefits.

**2-2. Responsibilities**

**(a) The Associate Vice President for Human Resources or their designee will:**

- (1) administer the university's workers' compensation program and be the primary point of contact for L&I claims managers and vocational rehabilitation counselors;
- (2) coordinate the transitional RTW program; and,
- (3) ensure information and training regarding worker's compensation and transitional RTW is made available to employees as deemed necessary.

**(b) The temporarily disabled employee's immediate supervisor will:**

- (1) provide a healthy and safe work environment for the employee;
- (2) keep the HR Consultant 1 updated on the progress of the injured employee;
- (3) participate in the RTW process and related activities;
- (4) meet with the employee and their work unit to explain the modified work, the employee's restrictions and any temporary changes in the work unit during the RTW period; and,
- (5) take all reasonable measures to ensure the injured employee is not directed to perform work other than those duties approved in the RTW plan, unless the employee consents to the performance of such duties and such duties are approved in advance in writing by the employee's medical provider.

**(c) The employee will:**

- (1) report all work-related incidents to the supervisor;
- (2) actively participate and cooperate with the RTW policies and procedures;
- (3) provide medical documentation when requested;
- (4) carefully work within the medical provider's restrictions; and,

- (5) immediately notify their supervisor if any of the assigned duties violate the restrictions imposed by their medical provider. If the problem cannot be resolved with the

supervisor, employees may contact the Human Resources Consultant 1 for further assistance.