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8.10 Workers Compensation Leave

Saint Mary's College of California

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8.10 Workers' Compensation Leave

Employees with a work-related injury or illness are eligible for workers' compensation leave so long as the leave request is accompanied by a written claim and doctor's certification of the need for leave and, if possible, the anticipated return to work date. All employees are eligible immediately upon hire.

Workers' compensation is unpaid leave but an employee may be eligible for temporary disability benefits paid by the carrier. At no time can the employee receive pay from the College in the form of sick leave and/or vacation and temporary disability benefits. They can be coordinated but must be discussed with Human Resources prior to the leave.

Any leave required by injuries or illnesses attributable to verified work-related reasons will run concurrently with applicable FMLA and CFRA leaves defined above. During a workers' compensation leave the College will continue its contributions to the employee's insurance benefits for up to one (1) year; however the employee must also continue to pay his/her share of the premiums and will be billed monthly.

During a workers' compensation leave the College will continue its contribution and benefit levels to employee's insurance programs for the duration of the FMLA period. When the leave is unpaid, the College will bill the employee for any deductions that would normally be deducted

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by payroll. After the 12 week FMLA period the employee will be given the option to continue their insurance benefits at 102% of the monthly premium under the Health Insurance Continuation Plan (HICuP).

The College will endeavor to place an employee in the same or comparable position upon return from a workers' compensation leave. However, when operational or business needs result in the College needing to fill the position, it may do so after the completion of the required 12-week FMLA/CFRA leave, which runs concurrently with workers' compensation leave.

If the employees medical/physical restrictions or modifications are not reasonably accommodated under the Americans with Disabilities Act (ADA) the College will engage in the interactive discussion process to determine whether the employee would be better placed in a open position that the employee is qualified to hold. The College is not required to return an injured worker into the same position if that position could further endanger the employee or cause unreasonable accommodation.

For reporting procedures and requirements, please refer to Workers' compensation in Section 9.