

State of Utah DEPARTMENT OF NATURAL RESOURCES POLICIES AND PROCEDURES	REF. NR-97-B-14	PAGE 1 of 4
	EFFECTIVE DATE 06/28/97	
	REVISION DATE 10/01/2003	
SUBJECT: Worker's Compensation Policy and Procedures		
Robert L. Morgan, Executive Director		

I. PURPOSE

To establish guidelines for employee action in the event of a job-related personal injury or accident.

II. SCOPE

This policy applies to all full-time, part-time, temporary, seasonal and time-limited employees and individuals who are approved volunteers with the Department of Natural Resources.

III. POLICY

A. Worker=s compensation leave.

Every employee and approved volunteer is covered by Worker=s Compensation Insurance, obtained and administered by the Department of Administrative Services, Division of Risk Management.

1. Employees who are injured or killed in a job-related accident or by an occupational disease, and can prove or have dependents who can prove that the injury was not purposely self-inflicted, may be eligible for compensation, medical benefits, or liability coverage for loss sustained because of an injury in accordance with Chapter 1, Title 35.
2. No compensation shall be allowed for the first three days after the injury is incurred. If the temporary disability period lasts more than 14 days, compensation shall also be paid for the first three days following the injury.
3. Each employee or approved volunteer shall be entitled to receive medical, nursing, hospital services, medicines and the amount of funeral expenses in case of death, as provided by law. The following provisions, a. through j. shall apply.

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- a. Once all leave benefits have been exhausted, an employee may choose to be on medical leave without pay and retain all worker=s compensation checks as they are received.
- b. Sick leave may be used for periods of worker=s compensation of 14 days or less. Employees shall turn their worker=s compensation benefit check endorsed to the state, into the employing agency to reinstate their sick leave, except for the first three days.
- c. For periods of benefit longer than 14 days, the employee shall make arrangements with the employing agency to buy back two-thirds of all sick leave used upon the receipt of the first worker=s compensation benefit check. If there are indications that the disability will last longer than three months, the employee may also apply for long-term disability and Social Security disability after one month. If approved, after the three-month waiting period, long-term disability will be coordinated with Worker=s Compensation, and the use of additional sick leave will be discontinued.
- d. Worker=s compensation benefits shall not exceed the employee=s gross salary. If the worker=s compensation benefit is less than the employee=s gross salary, the employee may use sick, converted sick, comp excess or annual leave so that the total benefit received equals as near to gross pay as possible.

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- e. Employees who are on leave without pay due to a job-related injury/illness and who have an approved worker=s compensation claim and who have not reached maximum medical stability, shall receive all medical and retirement benefits at the employer=s expense at the current rate and contribution for up to one year from the last day worked. The employee will continue to pay his/her portion of the premiums. The DNR Human Resource Office shall contact Retirement Group Insurance and the Department of Administrative Services, Division of Finance to arrange continued payment of benefit premiums.
- f. Employees in an approved leave status who are covered by worker=s compensation and who return within one year from the last day worked, shall be entitled to return to state employment:
  - (I) To work in their previously held position or a position with a comparable or lower salary range.
  - (II) To receive assistance from the employing agency for an additional year to find a position with similar or less pay to the previously held position.
- g. An agency executive director may extend time lines for return to work into a comparable or lower salary beyond one year if injury resulted in disability prohibiting the employee from performing the essential functions of the job, as defined by the Americans With Disabilities Act. Assistance shall be given to find a position with similar or less pay to that previously held position. The state may require medical evidence upon which to make a judgment.
- h. Before making a termination decision, an employee must have an individualized assessment determining current employability.
- i. Agencies shall develop return to work and temporary transitional assignments in accordance with the Division of Risk Management, Utah Administrative Code R37-1-8.

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#### IV. PROCEDURES

Each division within the Department of Natural Resources should assign an individual to act as the worker=s compensation representative. All worker=s compensation forms will be submitted through this individual.

All injuries to Department of Natural Resource employees or approved volunteers must be reported in a timely and accurate manner, within the first three days of the injury is preferred. Individuals who are injured or become ill while employed by the Department of Natural Resources may use a family physician or a specialist for initial diagnosis and treatment. Once a worker's comp adjuster has been assigned to the case, the injured or ill employee should work with the adjuster for any further treatment authorizations.

When possible, the injured individual=s supervisor should complete Form 122, "First Report of Injury". If the supervisor is unavailable, the next highest level of authority should complete the form. All forms should be forwarded to the division worker=s compensation representative for further processing.

The representative will review the completed Form 122 to ensure that all pertinent information is provided, complete block number 12-policy/self insured number, and forward all copies of the 122 to the Department of Natural Resources Human Resource Office as soon as possible. The division representative will verify time away from work with the division payroll clerk and notify the Human Resource Office in writing or by E-Mail of any time the injured or ill individual is away from work.

The Human Resource office will review, edit where necessary, and electronically submit Form 122 to the appropriate agencies.