

Subject: Salaries While Absent Due to Work-Related Injury	Number: 2-22
	Date Issued: December 1, 1998 Date Revised:
Responsible Department: DAS—Human Resources	Approved:

Purpose

1. To outline the City's policy in regard to salaries when a permanent City employee is absent due to a work-related injury.
2. To establish a uniform procedure designed to verify that an employee's injury was actually incurred in the course and scope of employment.
3. To promulgate procedures for the administration of workers' compensation benefits, which are established by law, Resolution or Memorandum of Understanding.

Policy & Procedures

1. Upon receiving knowledge that an employee has sustained a work-related injury which requires medical treatment or involves lost time, the employee's department shall submit the following claim forms to Human Resources for documentary purposes:
 - a. The original "Employer's Copy" and "Insurer/Administrative Agency Copy" of the completed Employee's Claim for Workers' Compensation Benefits; and
 - b. The original and two copies of the completed Employer's Report of Industrial Injury or Illness.
2. Where the employee's absence can be directly traced to a work-related injury, the employee's department shall place the employee on Injury Pay in accordance with the provisions of Fresno Municipal Code Section 2-1515. (Note: For law enforcement officers and firefighting personnel, claims involving a hernia, pneumonia, tuberculosis, or heart trouble are presumed to be work related.)
3. Where there is doubt as to whether the employee's absence is directly traced to a work-related injury, the employee's department shall place the employee on sick leave, vacation, holiday, administrative, compensating time off (CTO) or leave without pay as appropriate. If the employee's absence is ultimately determined to be industrial, the employee shall receive the specified percentage of wages or salary and the leave hours used will be restored to the employee's account. If repayment is required as a result of this adjustment, it will be deducted from subsequent monies owed the employee in installments equal to the number of pay periods originally involved.
4. Partial days of absence from duty necessitated by the employee's attendance at medical examinations or treatment in connection with a work-related injury shall require

verification from the medical provider which specifies the injury and outlines the date and nature of the service provided. Such partial days of absence, including the day of injury, shall be at full pay and shall not be credited to the waiting period; however, this time shall be recorded as injury absence.

5. Absences from duty due to the employee's physical incapacity to perform the required duties of the position shall require physician verification. Such verification shall specify the injury, include the date of medical examination, a diagnosis of the employee's condition, the anticipated dates of disability, and an explanation by the attending physician regarding the relationship to any claimed industrial injury.
6. Subsections (a) and (b) of Section 2-1515 of the Fresno Municipal Code specify the regulations applicable to Workers' Compensation salary continuation.
7. Subsection (c) of Section 2-1515 of the Fresno Municipal Code allows for modification of Subsection (a) and (b) if accomplished by Council Resolution or Memorandum of Understanding.
8. Paid leave time may not be used to supplement the amount of salary continuation which is authorized for job-related injuries.
9. Retirement benefits shall not be reduced as a result of compensation at the reduced percent payment rate. Changes in contribution by the City and employee shall be in accordance with applicable retirement code section.
10. Taxes shall not be withheld on compensation at the reduced percent rate, which is not taxable, due to injury in the line of duty.