

OFFICE OF THE SOLANO COUNTY SUPERINTENDENT OF SCHOOLS

Series 4000 – PERSONNEL

Policy 4157.1

Work-Related Injuries

The Solano County Office of Education (SCOE) desires to provide its employees with insurance and workers' compensation benefits in accordance with law. The County Superintendent or designee shall develop an efficient claims handling process in order to reduce costs and facilitate employee recovery.

An employee shall report any work-related injury or illness to his/her supervisor as soon as practicable. Upon learning of an injury, a supervisor shall promptly report the incident to the Human Resources (HR) Department and the insurance carrier as appropriate.

The HR Department shall ensure that every new employee is notified of his/her right to receive workers' compensation if injured at work and that injured employees are given notice of rights in accordance with law.

The H.R. Department shall ensure that notifications regarding workers' compensation are posted in accordance with law.

Workers' Compensation for Employees

Beginning July 1, 2011, workers' compensation claims accepted by the North Bay Schools Insurance Authority (NBSIA) start an employee's 60-day workers' compensation leave allowance on the first day of absence in accordance with Education Code Sections 45192 (classified) and 44984 (certificated).

If the employee returns to work on a modified assignment, bridge assignment, or full-duty assignment during the active claim, the employee will be allowed to use workers' compensation leave for medical appointments related to the workers' compensation claim. On the same day as the appointment, and before returning to the worksite, the employee must submit to HR written verification from the treating physician stating that the appointment is a result of an injury related to a workers' compensation claim.

If the claim is held as "on delay status" by NBSIA, the employee's absence will be subtracted from personal leave until the claim is accepted or rejected by NBSIA. If the claim is accepted, any personal leave that was used during the delay will be reversed. If the claim is rejected by NBSIA, the employee's absence will continue to be deducted from personal leave time.

The same formula will be used to determine the percentage of a day to be counted whether an employee is using his/her 60-day workers' compensation leave allowance or personal leave.

- **Certificated Unit Members:** Any time used that is less than or equal to 3.5 hours will be counted as one-half day of leave. Any time used that is greater than 3.5 hours will be counted as a full day of leave.
- **Classified Unit Members:** Any leave time used will be charged a proration of 60 minutes in 15-minute increments.

Workers' Compensation Benefits for Volunteer Service

1. It is the policy of the County Superintendent of Schools that authorized volunteers will be provided Workers' Compensation insurance benefits as prescribed by law.
2. A Waiver of Civil Claim (Personnel Form #11) will be signed by each volunteer worker prior to services being performed. The volunteer, by signing the waiver form, waives the right to a liability claim and agrees that Workers' Compensation will be the sole remedy for injury. (Attachment A)

OFFICE OF THE SOLANO COUNTY SUPERINTENDENT OF SCHOOLS

Policy 4157.1 (Continued)

Legal Reference:

EDUCATION CODE

44984 Industrial accident and illness leaves, certificated employees

45192 Industrial accident and illness leaves, classified employees

LABOR CODE

3200-4855 Workers' compensation, especially:

3550-3553 Employee notice

3600-3605 Conditions of liability

3760 Report of injury to insurer

4600 Provision of medical and hospital treatment by employer

4906 Disclosures and statements

5400-5413 Notice of injury or death

6409.1 Reports

CODE OF REGULATIONS, TITLE 8

15596 Notice of employee rights

Policy Cross-Reference:

3320 Claims and Actions

4032 Reasonable Accommodation

4113.4 Temporary Modified/Light-Duty Assignment

4154 Health and Welfare Benefits

4157 Employee Safety

4157.2 Ergonomics

4161.11 Industrial Accident/Illness Leave

(print on SCOE letterhead)

WAIVER OF CIVIL LIABILITY CLAIM

Date: _____

TO: _____

FROM: Associate Superintendent,
Administrative Services and Operations

RE: Workers' Compensation Coverage

This is to advise you that it is the policy of the Solano County Office of Education (SCOE) to provide Workers' Compensation benefits to authorized volunteers as if they were an employee of SCOE. Workers' Compensation benefits will be provided in accordance with the California Labor Code for any injury or illness sustained while engaged in any volunteer services specifically for the Solano County Office of Education.

Should you be injured while serving in this capacity and therefore covered under our Workers' Compensation Self-Funded Program, we need to advise you that you would not be eligible to file any civil claim, action, or proceeding.

By signing this document, you acknowledge that the Workers' Compensation benefits will be the sole remedy and agree to hold the Solano County Office of Education harmless from any civil liability.

Signature of Volunteer

Volunteer for: _____
School Site, Program, or Purpose

Approved by: _____
SCOE Site Principal/Department Head

SEE OTHER SIDE FOR PROCEDURES

PROCEDURES

When an individual requests to do volunteer work, s/he must be interviewed by the site principal/department head prior to the start of any duties.

This form must be completed and administrative approval obtained **prior** to volunteer work assignment.

After approval, distribution of this form is as follows:

white copy:	personnel
yellow copy:	site principal
blue copy:	volunteer

Under no circumstances are volunteers to begin work prior to an interview and written approval by the site principal/department head.