

### **What is Workers' Compensation?**

Worker's Compensation coverage is required by law and provides benefits to eligible employees who have injuries or illnesses arising out of and in the course of employment. The benefits may include payment of a portion of the employee's salary and payment of all expenses for necessary medical care and other support in returning to gainful work.

### **Who is covered?**

All employees (full-time, part-time, undergraduate and graduate student employees) are covered by the provisions of the Kentucky Workers' Compensation Act and Western Kentucky University's Workers' Compensation Program, regardless of fault, assuming the injury is occupationally related and took place within the course and scope of employment or service to the University. Injuries that are self-inflicted or those due to willful misconduct, horseplay, or influence of alcohol or illegal substances are not covered.

### **What types of injuries are covered?**

All work-related injuries are covered under Workers' Compensation so long as the injury is directly related to work and took place while in the conduct of work. All injuries are to be reported to the Department of Human Resources.

### **What should I do if I am injured on the job?**

Immediately notify your supervisor. Employees must then visit the Department of Human Resources to file a Workers' Compensation claim before seeking medical attention, unless the injury or illness is life threatening. If your injury prohibits you from visiting the Department of Human Resources in advance, you should seek medical treatment at WKU Health Services or a physician of your choice. The Department of Human Resources should be notified as soon as possible after seeking medical care. In either circumstance, the treating physician must be made aware that the injury occurred at work and a Worker's Compensation claim will be filed. **Do not** file a claim with your personal health insurance.

### **Where do I seek treatment?**

If you are injured on the job (M-F 8:00am-4:30pm) it is recommended that you seek treatment at WKU Health Services, but you have the option of visiting a medical facility of your choice. Health Services is located at Academic Complex, 1st floor (between Mass Medical Technology Hall and the Guthrie Bell Tower). If the injury occurs at times other than regular business hours, you should seek treatment at the closest medical facility of your choice and notify the Department of Human Resources as soon as practical.

If the injury is life-threatening, you should seek treatment at the nearest emergency room, call 9-1-1 or campus police at 745-2548. The Department of Human Resources should be notified of the injury as soon as practical at 745-8841 so that a Workers' Compensation claim can be filed.

**What kind of medical treatment can I get?**

Medically necessary visits to an authorized health care provider include surgical procedures, hospital care, dental, prescription medications, mileage if seeking treatment outside of town, and any other medical supplies or services ordered by your authorized physician. Chiropractic visits may be limited.

**What if I just want to report an injury but do not need medical treatment (at this time)?**

If your injury is minor or does not require immediate medical treatment you are still responsible for reporting that injury to your supervisor. An accident investigation must be completed and submitted to the Department of Human Resources within 3 days of the incident. This is to ensure proper documentation of the injury in the event medical treatment is needed in the future and also to identify the cause of the accident so that similar injuries do not occur. The accident investigation report can be found by clicking the file <http://www.wku.edu/Dept/Support/HR/AAAweb/Investigation%20Report.xls>.

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**Am I responsible for any charges?**

No. All medical charges will be paid by the University's Workers' Compensation Program. If you should receive any bills, contact the Department of Human Resources or send them directly to Wetherby Administration Building, Human Resources, Room 42 or fax to 745-5582. Should the claim be denied, the employee is responsible for all medical costs.

**If I have to see a physician out of town, will I be paid for my travel?**

Yes. You will be paid \$0.43 cents per mile for travel. A mileage log must be kept verifying round-trip mileage, date traveled, reason for travel, and location.

**Will I remain in a paid status when out for physician visits?**

On the day of injury, employees receive their full pay for scheduled work. Employees are advised to schedule future medical appointments either before or after their scheduled shift. When it is necessary for appointments to be scheduled during working hours, employees must use accumulated sick or vacation time, if available.

**Who decides what Workers' Compensation benefits I am eligible for?**

Risk Management Services Corp. (RMSC) is the University's Third Party Workers' Compensation Administrator. RMSC is responsible for accepting or denying claims in compliance with the law and also for monitoring and processing the claims. Additionally, RMSC is responsible for payment of medical bills and compensation. The goal of the University's Workers' Compensation Program is to provide the best medical care to the injured employee in order to reach maximum medical improvement and return to work as soon as possible.

**What if I will be off work due to my work-related injury?**

An employee who sustains a compensable injury and is unable to work after waiting a period of seven days is entitled to income benefits which are calculated at 66 2/3 percent of the employee's average weekly wage, but no more than one hundred percent (100%) of the average weekly wage. Entitlement to these benefits begins on the eighth (8<sup>th</sup>) day of disability. The first seven (7) days of disability are payable only if the disability lasts (15) days or more. "Days of Disability" refers to those days when a doctor has deemed an employee unable to work because of a work related injury or disease. These "days of disability" do not refer only to consecutive scheduled workdays, but also include weekends and holidays. Medical and income benefits usually continue until an employee reaches maximum medical improvement, is released to return to work by a physician, or returns to work, whichever comes first. Any absence from work must be authorized by the employee's treating physician.

The Workers' Compensation rate for an employee whose 13-week total average earnings are equal to \$500.00 per week would be:

$$\text{Example: } \$500.00 \times 66.6 = \$333.00 / \text{week}$$

**If the doctor excuses me from work for more than (7) days, can I use my accumulated medical and/or vacation leave?**

The University will allow employees to use accrued medical and vacation leave so that employees remain in paid status as long as possible. Upon receipt of a lost time payment from the Workers' Compensation claims adjustment service, the employee will endorse the payment or a portion of the payment to the University and an equivalent amount of leave time will be restored.

**What if I will be off work due to a work-related injury and elect not to use my accumulated medical or vacation leave?**

If an employee elects not to use their medical or vacation leave while off work due to a work-related injury, the employee will remain in "unpaid status" with the University during the leave period. Employees will receive lost time salary payments beginning the 8<sup>th</sup> day at the rate of 66 2/3 percent of their average weekly wage from the Workers' Compensation claims adjustment service.

**What if I will be required to be off work for more than (7) days due to a work-related injury and do not have medical or vacation leave available?**

If leave time is not available, the employee will remain in "unpaid status" with the University during the leave period and will receive salary payments beginning on the 8<sup>th</sup> day at the rate of 66 2/3 percent of their average weekly wage. This will be paid by the Workers' Compensation claims adjustment service.