

NEW MEXICO SCHOOL FOR THE BLIND & VISUALLY IMPAIRED	SUBJECT: Worker's Compensation NO.455
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Distribution: All Staff	Kind: Board Policy

GENERAL POLICY

In accordance with the provisions of the Workers' Compensation Act, Chapter 52, NMSA 1978, all New Mexico School for the Blind & Visually Impaired (NMSBVI) employees are covered for occupational injuries and illnesses accidentally sustained or death resulting therefrom.

It is the policy of NMSBVI to comply with all provisions of the Rehabilitation Act of 1973, the Americans with Disabilities Act and the Family Medical Leave Act. Should a conflict arise with the interpretation of the NMSBVI Workers' Compensation Act policy/procedure statement and any provision of the cited federal mandates, the federal mandates will prevail.

REPORTING PROCEDURES – Employee Responsibilities

Any employee who has an accident while on duty is responsible for reporting all job related accidents or injuries to their supervisor, immediately. Failure to do so could result in the loss of workers' compensation benefits. When a job-related injury occurs no matter how minor, the following procedures will apply:

- Report the injury immediately, but not later than 15 days of the accident/injury.
- Notify your supervisor first and Human Resources department.
- Complete the Notice of Accident or Occupational Disease form.

The following on-the-job injuries may be handled as follows:

- First determine the type of medical treatment necessary.
- Superficial on-the-job injuries such as minor cuts, bruises, small punctures, scratches, etc., can be treated at Health Services Dept., if further treatment is necessary contact Human Resources.
- Injuries not requiring an emergency but requiring medical care must be coordinated through Human Resources.
- Injuries requiring immediate attention such as bleeding profusely, broken bones, etc., determine whether to call 911 immediately or a visit to the emergency room is required.
- Should an injury require hospital or emergency care the employee is required to inform the provider that the injury is a Workers' compensation claim and may contact Human Resources for verification.

All on-the-job injuries and continued medical care must be coordinated through Human Resources.

Supervisor's responsibilities:

- Supervisors will assist the employee with the Notice of Accident form.
- Supervisors will ensure that accidents and injuries are reported to Human Resources.
- Ensure that steps have been taken in preventing the incidents within their work areas.

Human Resources responsibilities:

- Coordinate all on-the-job injuries.
- Investigate accidents, injuries and follow through with corrective action, if necessary.

PROCEDURES

The day of injury is considered as a full day worked; no sick leave will be charged regardless of the time of injury provided the employee seeks medical treatment. No compensation benefits shall be allowed under the provisions of the Workers' Compensation Act for any accidental injuries/illness which does not result in a disability lasting more than seven days; provided, however, if an employee is off work for 28 calendar days or more, compensation is retroactive to the date of disability.

The weekly compensation rate to the employee by Workers' Compensation for total disability is 66 2/3% of the employee's average weekly gross earning subject to the maximum specified by law.

An employee may use his/her personal sick leave for the initial seven-day period (normally five working days); however, sick leave would be reinstated if a qualifying disability resulted in an absence of 28 calendar days or more. Thereafter, employees may at their option do either of the following:

1. Retain the compensation received from Workers' Compensation and not use any of their accrued sick leave for the time they are absent from work and for which they have received compensation. At this time, the employee will be placed on leave without pay. In order to continue current personal insurance benefits (health, dental, etc., it will be necessary for the employee to pay directly to NMSBVI the amount of his/her payroll deduction for insurance premiums. The premium payment will be due in the Human Resource office on or before each pay period. NMSBVI will continue payment of the school's portion of this insurance premium while the employee is under contract.
2. Retain the compensation received from Workers' Compensation for wage continuation and use accrued sick leave days thus receiving full salary for the period that the employee is unable to work. An employee electing to receive full salary will have one-third of a sick leave day deducted from their sick leave account for each of the duty days which falls within the time period covered by the compensation received from Workers' Compensation benefits.

Employees must exercise one of these options. In the event that an employee who chooses option 2 exhausts accrued leave, option 1 will become effective. The employee will be placed on leave without pay status until maximum medical improvement (MMI) has been reached.

All Workers' Compensation claims shall be processed through the NMSBVI Human Resource Office.