

WORKERS' COMPENSATION

Interlocal Employees

If an employee is injured on the job, the supervisor must be contacted immediately. Additionally the employee (or supervisor if the employee is incapacitated) shall immediately report the accident. Accidents are to be reported to MEDCOR by calling 1-800-775-5866 and answering all questions. Unless requested by the Interlocal administration, no other documents are required.

A notice of injury must be given to your supervisor within 20 days of an accident or the claim may be barred. If the employee can show just cause, the reporting period can be extended to 75 days.

The Interlocal Board has designated workers' compensation physicians. To schedule appointments with these physicians, the injured employee must first contact MEDCOR and follow the instructions given. If MEDCOR directs the employee to see a physician, the Interlocal shall require an injured worker to be evaluated and treated by the designated workers' compensation physician.

If an employee prefers to also visit their personal physician, the following restriction applies: Workers' compensation will pay only the first \$500.00. Once the amount has been reached, the charges will become the employee's responsibility. In either case, accident and eyewitness forms (if applicable) must be completed and returned to the Interlocal.

The employee must inform the doctor or hospital he/she is covered by the Interlocal's workers' compensation plan.

For any day an employee receives disability reimbursement under the Workers' Compensation Law for compensable illness or accident arising out of or in the course of his/her employment, the employee's payment for accumulated leave and compensation shall not exceed 100 percent of their regular gross salary.

Deductions from an employee's accumulated leave shall be prorated on the portion of salary paid by the Interlocal.

At such time as accumulated leave and/or paid vacation time have expired or at such time as the employee may elect not to use accumulated leave and/or paid vacation time, the employee will receive only Workers' Compensation pay.

Employees are expected to return to work immediately upon receipt of a medical release. Injured employees may be assigned to other job duties meeting physician-imposed work restrictions until such time as the employee may return to their regular assigned job duties as determined by the Director. The Interlocal Board has adopted a policy for returning to work with restrictions.

Note—Kansas law specifically excludes injuries to employees while engaged in social and recreational events under circumstances where the employee was under no duty to attend and where the injury did not result from the performance of tasks related to normal job duties or as specifically instructed to be performed by the employer. Injuries at social and recreational activities at which attendance is voluntary are not eligible for workers' compensation. Examples

of this type of situation are: sports activities where the faculty challenges a specific group, games at lunch or after school, donkey basketball benefit games, etc.

If The Employee is “Under the Influence”

The Workers’ Compensation Law clearly states compensation is not payable if the injury was caused primarily by the intoxication of the employee or by the influence of any drugs, barbiturates, or other stimulants not prescribed by a physician. Under the law, the employer may require the employee to submit to a test for the presence of any or all drugs or alcohol in his or her system. If the injured worker refuses to submit to a drug test, it shall be presumed in the absence of clear and convincing evidence to the contrary the injury was caused primarily by the influence of drugs or alcohol.

Recreational and Social Activities Recreational and social activities are not compensable unless such recreational or social activities are an expressly required incident of employment and produce a substantial direct benefit to the employer beyond improvement in employee health and morale is common to all kinds of recreation and social life.

Injuries Suffered While Traveling To and From Work An injury suffered while going to or coming from work is not an injury arising out of and in the course of employment whether or not the employer provided transportation if such means of transportation was available for the exclusive personal use by the employee, unless the employee was engaged in a special errand or mission for the employer, or access to the vehicle was an integral element of the employment. An employee who is injured while deviating from the course of his employment, including leaving the employer’s premises, is generally not eligible for benefits unless such deviation is expressly approved by the employer.

Horseplay An employee who is injured during horseplay occurring in the course of the workday is not entitled to benefits unless the injured employee is an innocent victim not participating in the activity.



On-Line Injury Assessment Service

Should your condition change, or
if you have any questions regarding your injury:

CALL 1-800-775-5866

24 Hour / 7 Days a Week