

## **Workers' Compensation**

An employee is eligible for workers' compensation leave from the district during the period of time the employee is temporarily disabled as the result of any injury arising out of and in the course of employment which qualifies for an indemnity payment from the district workers' compensation insurance carrier. Workers' compensation insurance covers temporary disability leave and authorized medical benefits.

Workers' compensation leave shall be available only to those persons who sustain a temporary total disability and are unable to perform services for the district while disabled.

It is the intent of the Board of Education that temporarily disabled employees receive a payment from the school district in addition to any temporary disability indemnity payment for which the employee is eligible under the Workers' Compensation Act so that the employee does not suffer a financial hardship while disabled.

While an employee is on workers' compensation leave, the employee shall receive a payment from the district equal to 90 percent of the weekly wage. Such payments by the district shall continue until the employee is no longer eligible for temporary total disability benefits, but in no event shall workers' compensation leave exceed 90 calendar days from the date of the injury.

During the period of workers' compensation leave, the district shall not charge any earned vacation leave, accrued sick leave or other similar benefits to the employee nor shall such benefits be available to the employee while eligible for workers' compensation leave. The sole compensation to the employee during the period of disability shall be the district's workers' compensation leave payment provided for by this policy.

Because the district will pay each employee an amount which exceeds the indemnity payment available under workers' compensation, the district shall seek authorization from the workers' compensation division to allow reimbursement by the division or insurance carrier to the district for any benefit payments for which a district employee applies and for which the employee is eligible. The indemnity payment shall be assigned to the district while it is making workers' compensation payment to the employee in accordance with this policy.

In the event temporary disability exceeds the 90 calendar days for which workers' compensation leave payments are available from the district and the employee is still

eligible for indemnity payments, those payments shall be made directly to the employee from the workers' compensation division or insurance carrier.

Employees shall continue to have school district insurance coverage, while on workers' compensation leave.

The administration is directed to notify the worker's compensation division or insurance carrier of the district's eligibility to receive reimbursement while an employee is on workers' compensation leave. The administration also is directed to establish necessary procedures to implement this policy.

Adopted: August 14, 1984  
Revised: August 25, 1998  
Revised: July 24, 2007  
Reviewed: February 12, 2019

LEGAL REF.: C.R.S. 8-42-124

CROSS REFS.: GBGG, Staff Sick Leave  
GCD, Professional Staff Vacations and Holidays  
GDD, Support Staff Vacations and Holidays

Garfield School District No. Re-2, Rifle, Colorado