

4218-R Workers' Compensation

Employees covered under Wyoming Workers' Compensation Insurance are those working in jobs defined by the state as extra-hazardous occupations, as listed below:

1. Transportation employees (excluding safety patrol and non-special education bus assistants), special education bus assistants, and mechanics
2. Custodians and maintenance personnel
3. Nutrition Services personnel
4. Professional Nurses
5. Industrial arts and agriculture teachers (shop instructors), family and consumer science instructors (FACS), and science teachers
6. Printing department personnel
7. Warehouse personnel
8. Electronics technicians
9. Special Program assistants, while working directly with a student receiving special education services
10. Certified special education teachers and related service providers, while working directly with a student receiving special education services

This list is subject to change as required by state statute. **Refer to state statute for the definition of qualifying claims covered under Wyoming Workers' Compensation.**

If an employee covered under Wyoming Worker's' Compensation is injured while working, they should notify their supervisor immediately. The supervisor will assist the employee in completing the Wyoming Worker's' Compensation **Report of Injury Claim** Form. It is the employee's responsibility to ensure the **Report of Injury claim** Form and supporting medical documentation is submitted to the Safety Manager in a timely manner. In addition, if the employee is expected to miss three or more days of work due to the injury, the employee should also provide **required** documentation to Human Resources. Wyoming Worker's' Compensation requires **any injury to be reported to the District as soon as possible but no later than 72 hours after the injury, and the Report of Injury Form must claims be filed with the Wyoming Workers' Compensation Division within 10 business days of the work injury. Failure to comply with these deadlines may compromise the employee's ability to receive workers' compensation benefits.**

The District will file all necessary paperwork and provide support and resources for the injured employee, but all decisions and communication regarding claim approval and denial will be made by the Division of Wyoming Worker's' Compensation.

If ~~an~~ the Workers' Compensation Division determines the employee's ~~claim~~ is covered ~~approved~~, the employee is responsible for providing their claim number to all treating medical providers related to their ~~work~~ injury. All injury related medical bills must be sent directly to the Division by the provider.

Employees who are released to return to work with restrictions (temporary or permanent) should immediately notify the Safety Manager and Human Resources and provide the medical documentation stating the restrictions. The Safety Manager and Human Resources will work together to consider medically documented restrictions through the District's Disability and Accommodation Requests Guideline. Employees with work restrictions who can perform the essential functions of their position or another vacant position for which they are qualified, with or without reasonable accommodations, will be expected to return to work in their original position, or if unable to return to the original position, to the vacant position. Employees who are not able to return to work with or without accommodations, may be eligible for a light duty agreement.

TEMPORARY TOTAL DISABILITY

If an employee misses three consecutive days of work due to a work injury, they may be eligible for temporary total disability (TTD). The TTD start date is based on the date the doctor certifies an employee unable to work, and will not be allowed for the first three days of disability, unless the employee is off more than eight days.

All TTD benefits will be calculated by Wyoming Worker's Compensation. TTD benefits are equivalent to ~~66% two-thirds (2/3)~~ of an employee's gross monthly wage at the time of injury. ~~but cannot exceed the Statewide Average Wage for the quarter the employee was injured. If an employee is receiving TTD benefits, they are unable to use any paid leave for the same time period.~~

~~If an employee is receiving TTD benefits, they are unable to use any paid leave for the same time period, unless their temporary disability benefits amount to less than two-thirds of their regular pay. In this instance, the employee may use a portion of his or her earned leave to make up the difference. If earned leave is used, gross income from both sources will not exceed two-thirds of the employee's regular pay.~~

AGREEMENT FOR LIGHT DUTY/RESTRICTED ~~RETURN TO~~ WORK ~~CONTRACT~~

~~If an employee covered under Wyoming Worker's Compensation is released to work with restrictions, they~~ Employees who have temporary work restrictions while receiving workers' compensation TTD benefits may be eligible for a light or restricted duty ~~return to work contract. This contract~~ An Agreement for Temporary Light Duty/Restricted Work must ~~will~~ be negotiated between their supervisor and the Safety Manager, ~~signed by the employee,~~ and approved by the employee's treating physician ~~and the Workers' Compensation Division.~~

If eligible, Light duty ~~return to~~ or restricted work ~~contracts~~ agreements benefit the employee because they can earn up to 80% of their normal wage on a light duty ~~agreement contract~~, compared to 66% if they are not working and receiving TTD benefits. ~~TTD benefits will be reduced to 33% if an employee refuses a written offer of light duty.~~

Light duty agreements are not employment contracts. The District reserves the discretion to determine whether light duty will be offered and the duration of all light duty assignments, and the District can terminate light duty agreements at any time with or without reason or cause. In some job descriptions, light duty may not be available or possible, in which case these agreements ~~contracts~~ would not apply. All light duty assignments are temporary and will not become a new position or a modified job description for any employee. In no event will a light duty assignment continue when no suitable light duty work is available for the employee.

POST OFFER, PRE-EMPLOYMENT AND RETURN TO WORK FIT FOR DUTY PHYSICALS

Prospective employees who ~~are~~ will be covered under Workers' Compensation are required to successfully complete a post-offer, pre-employment physical. An employee who has sustained an ~~job-related~~ injury ~~or illness~~ and has been on an extended medical leave for at least 30 days will be required to pass a return-to-work, fit-for-duty physical, ~~with or without accommodations~~, prior to returning to work.

ADOPTION DATE: April 26, 1993; February 28, 1994; Revised April 10, 1995; Revised April 22, 1996; Revised April 14, 1997; Revised June 14, 1999; Revised February 13, 2007; Revised July 1, 2015; Revised December 11, 2018; Revised February 28, 2023; Revised; **Revised May 27, 2025;**

LEGAL REFERENCE(S): State Workers' Compensation Act, Wyoming State Statutes 27-14-101 through 27-1014-805, Family & Medical Leave Act, Americans With Disabilities Act

CROSS REFERENCE(S): 4218, 4219, 4219-R, 4220, 4220-R, 4229, 4229-R

ADMINISTRATIVE REGULATION: