

ATLANTA PUBLIC SCHOOLS

DIVISION OF HUMAN RESOURCE SERVICES

RISK MANAGEMENT AND EMPLOYEE BENEFITS



OUR FOCUS ... STUDENT SUCCESS

WORKERS' COMPENSATION & UNEMPLOYMENT COMPENSATION HANDBOOK

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**Atlanta Public Schools
Center for Learning and Leadership
130 Trinity Avenue, SW
Atlanta, Georgia 30303
404 802-2300**

TO ALL ATLANTA PUBLIC SCHOOLS EMPLOYEES:

This employee handbook contains information prepared by the Risk Management and Employee Benefits/Workers' Compensation/Unemployment Compensation Section to assist employees in the effective and expeditious handling of on-the-job injury claims and information pertaining to unemployment claims. The Risk Management and Employee Benefits/Workers' Compensation/Unemployment Compensation Section makes every effort to put the health and well being of the employee first. Employees are our main concern and every employee is important to us. Each claim is to be given immediate individual attention.

An employee injured on the job has certain rights, benefits and responsibilities. The Atlanta Public Schools, as your employer, also has certain rights, obligations and responsibilities regarding all employees.

The main focus of the Risk Management and Employee Benefits/Workers' Compensation Section is to ensure an employee injured on the job receives immediate, quality medical care. In order to properly administer a workers' compensation claim from the initial injury until the closing of the claim, the accident must be properly reported. Our goal is to safely return an injured employee to productive employment. We believe that healthy, safety-conscious employees produce a healthy, safe and productive work environment.

OUR PLEDGE TO EMPLOYEES:

The staff of the Risk Management and Employee Benefits/Workers' Compensation Section understands an employee's concern when his or her wage-earning capacity may be diminished due to an on-the-job injury. We are here to help you through this difficult time.

1. We pledge to give each injured employee individual attention.
2. We pledge to handle your claim in a prompt and courteous manner.
3. We pledge to fully inform you of all workers' compensation income benefits you are entitled to receive and to pay these benefits to you in a timely manner.
4. We pledge to provide competent medical care and to pay for all authorized medical expenses in a prompt and accurate manner.
5. We pledge to make every effort to work with you in returning you to your regular job should your injury result in lost time from work.

The Risk Management and Employee Benefits/Workers' Compensation Section staff is here to help you. Please feel free to call us with your questions and concerns at:

Harriet Turner, Risk Management Specialist - 404-802-2335

Jeff Thomas, Director, Risk Management - 404-802-2300

Paiige Pruitt, Human Resource Assistant - 404 802-2338

WORKERS' COMPENSATION

WHAT IS WORKERS' COMPENSATION?

Workers' Compensation is a state-administered program which provides for medical treatment, income benefits and, in some instances, rehabilitation benefits if you are injured on the job. This program also provides benefits to your dependents if death results from an on-the-job injury.

WHEN DOES MY COVERAGE BEGIN?

You are covered by Workers' Compensation from your first day on the job with Atlanta Public Schools.

WHAT IS CONSIDERED AN ON-THE-JOB INJURY?

Any injury arising out of **and** in the course of your employment is, by definition, an on-the-job injury. If you are injured on your job while performing assigned job duties during assigned work hours, you are covered under workers' compensation unless the injury is due to your own willful misconduct or if your injury is due to the use of alcohol or drugs or the misuse of controlled substances.

IF I AM INJURED WHILE PERFORMING MY JOB DUTIES, WHAT SHOULD I DO?

REPORT YOUR INJURY IMMEDIATELY TO YOUR SUPERVISOR. Failure to timely report an injury could jeopardize your workers' compensation benefits and/or claim. You should immediately notify your supervisor about the injury and together complete the Employer's First Report of Injury (WC-1). **You must report to one of the facilities on the Panel of Physician's for a drug and alcohol test. Failure to report for the Drug and Alcohol testing will result in immediate termination of Employment with the Atlanta Public Schools.** The First Report of Injury should be faxed to the Risk Management and Employee Benefits/Workers' Compensation Section within 24 hours of the injury. Be as specific as possible when reporting your injury. If anyone witnessed your accident, inform your supervisor of the name of the witness. If your injury is such that you are unable to make a report, you will be provided immediate medical assistance and a report will be made for you. All witnesses to the accident should be as specific as possible when reporting the accident for an injured worker.

By following these procedures, you can help the Risk Management and Employee Benefits/Workers' Compensation Section promptly process your claim and commence your

benefits in a timely manner. It will also assist your work location in identifying and correcting situations to make your work place safer.

MAY I GO TO MY PERSONAL PHYSICIAN FOR TREATMENT FOR MY ON-THE-JOB INJURY?

No. The law requires that the Atlanta Public Schools post in a conspicuous place at each work location a list of at least six physicians who are authorized to treat on-the-job injuries. If you are not aware of this list entitled, "Panel of Physicians," please check with your supervisor or foreman as to its precise location. When you have an on-the-job injury, you **must** select a physician from the panel for treatment. **When you report to a facility for initial medical treatment a drug/alcohol test will be administered. The results will be forwarded to the Risk Management Department for review.** If you are dissatisfied with your first selection of physicians, you may request **one** change to another physician from the posted list. Any further changes will require authorization from the Risk Management and Employee Benefits/Workers' Compensation Section or the State Board of Workers' Compensation.

The Risk Management and Employee Benefits/Workers' Compensation Section has made every effort to list physicians who are well-qualified in treating occupational injuries. We have established lines of communication with these physicians regarding the treatment of injured employees.

WHAT MUST I DO IF I NEED EMERGENCY TREATMENT?

An emergency situation occurs when an employee sustains an injury that demands immediate medical attention, which if not treated immediately, could be life threatening or result in permanent impairment of bodily function. In a true emergency you may get temporary medical care from a non-panel physician or facility such as a 24-hour clinic or an emergency room of a hospital. Once the emergency is over, however, you must choose a physician from the posted panel for continued treatment. The Atlanta Public Schools is not responsible for coverage of unauthorized medical treatment once the emergency is over.

DO I PAY FOR A PORTION OF MY PHYSICIAN'S BILL AND OTHER MEDICAL EXPENSES RESULTING FROM MY ON-THE-JOB INJURY?

No. Your physician's bill and reasonable medical bills are fully covered provided you are treated by an authorized physician. Should you choose, however, to go to a physician that is not on the panel or otherwise seek unauthorized treatment, the Atlanta Public Schools will not be responsible for the charges.

The Risk Management and Employee Benefits/Workers' Compensation Section coordinates all on-the-job injuries with the Group Insurance Section. Consequently, if the unauthorized workers' compensation bills are submitted to group insurance for payment, group

insurance will not cover these charges either. Therefore, it is very important to obtain medical treatment from an authorized panel physician.

HOW WILL I GET REIMBURSED FOR PRESCRIPTIONS AND TRAVEL EXPENSES?

A request for reimbursement for prescriptions and travel expenses along with receipts must be submitted to the Risk Management and Employee Benefits/Workers' Compensation Section. Only prescriptions received from authorized treating physicians will be reimbursed. Mileage request must be submitted within one (1) year of the treatment, must be legible & show exact date, mileage and location. You may also call the Risk Management Section to get information on our Pharmacy program which may allow you to initially fill prescriptions at no cost to you.

WHAT HAPPENS IF I AM UNABLE TO WORK BECAUSE OF MY ON-THE-JOB INJURY?

Once you have notified your supervisor of your injury, you may be entitled to receive income benefits if you are disabled by your authorized treating physician for more than seven (7) days. Your first check will be mailed to you within twenty-one (21) days after the first day you miss work. If you are out more than twenty-one (21) consecutive days due to your injury, you will be paid for the first week of lost time. You will receive two-thirds (2/3) of your average weekly wage, but not more than the maximum rate provided by the Workers' Compensation Act at the time of your injury.

HOW LONG WILL I RECEIVE WEEKLY INCOME BENEFITS?

Effective July 1, 1992, for non-catastrophic injuries you are eligible for weekly income benefits for as long as you are totally disabled, up to a maximum of 400 weeks from the date of accident.

For catastrophic injuries, you are entitled to receive weekly income benefits for as long as you are totally disabled. Vocational Rehabilitation benefits are also provided for such an injury. It is very important that you cooperate with the Risk Management and Employee Benefits/Workers' Compensation Section and your authorized treating physician regarding medical treatment and rehabilitation services to help speed your recovery. Failure to do so may also affect your entitlement to continue receiving benefits.

WHAT HAPPENS TO MY BENEFITS IF I RECEIVE A RELEASE WITH RESTRICTIONS FROM MY PHYSICIAN?

Every effort will be made to return you to work in a suitable job. However, if a suitable job is not available, and it is determined that you have been capable of performing work with restrictions for fifty-two (52) consecutive weeks or seventy-eight (78) non-consecutive weeks,

your weekly income benefits will be reduced by law from the temporary total disability rate to the temporary partial disability rate. You are entitled to receive temporary partial benefits for a maximum of three hundred fifty (350) weeks from the date of accident.

WHAT IS THE TRANSITIONAL WORK PROGRAM?

The Atlanta Public Schools' Transitional Work Program (TWP) is intended to provide an interim step in the return of an employee who has suffered a work-related injury to gainful productive employment. Employees with temporary medical disabilities resulting from a workers' compensation injury or occupational illness are eligible for consideration in the Transitional Work Program. The mission of the TWP program is to make reasonable efforts to provide appropriate duties for an eligible employee who is unable to perform his/her normal job duties.

The Transitional Work Program is not intended to create permanent light duty jobs for injured employees, but rather to provide for an efficient transition from total disability to full reemployment when possible.

WHAT HAPPENS IF I CANNOT PERFORM MY REGULAR JOB DUE TO MY INJURY AND A SUITABLE JOB IS NOT AVAILABLE FOR ME?

Every reasonable effort will be made to assist you in returning to productive employment either at the Atlanta Public Schools or elsewhere.

WHAT IF I CAN NO LONGER DO MY REGULAR JOB AND MUST TAKE A LOWER PAYING JOB ONCE I AM RELEASED TO RETURN TO WORK?

You may be eligible to receive temporary partial disability benefits based on your reduced earnings. You will receive two-thirds (2/3) of the difference between the old and new average weekly wage not to exceed the maximum amount provided by the Workers' Compensation Act at the time of your accident. These benefits will terminate when your average weekly wage is the same or greater than your pre-injury wage or upon the expiration of three hundred fifty (350) weeks from the date of accident, whichever occurs first.

WHAT HAPPENS IF MY ON-THE-JOB INJURY RESULTS IN A PERMANENT PARTIAL DISABILITY OR A PERMANENT FUNCTIONAL LOSS OF USE OF A PART OF MY BODY?

Permanent partial disability means a functional loss of a body member or the loss of use of a body member or the partial functional loss of use of your body as a whole. Once you have reached maximum medical improvement your authorized treating physician will determine if you have a permanent partial impairment. If it is determined that you have a permanent partial impairment, you will be eligible to receive benefits based on the type and extent of your permanent disability as established by law and as determined by the authorized treating

physician based upon the *Guides to the Evaluation of Permanent Impairment, Fifth Edition*, published by the American Medical Association.

WILL MY DEPENDENTS RECEIVE BENEFITS IF DEATH OCCURS AS THE RESULT OF AN ON-THE-JOB INJURY?

Yes. Your dependents will receive two-thirds (2/3) of your average weekly wage not to exceed the maximum rate provided by the Workers' Compensation Act at the time of your death. Your dependents are generally your surviving spouse and your dependent children.

A widow-spouse with no children is limited to a maximum amount as provided by the Workers' Compensation Act. Where there are minor children involved, benefits will continue until the youngest child is age eighteen (18) or age twenty-two (22) if enrolled full time in college. Burial expenses will be paid up to the maximum amount as provided by the Workers' Compensation Act.

ARE EMPLOYEE MISCONDUCT CLAIMS RESULTING IN ON-THE-JOB INJURIES COVERED?

No. Workers' Compensation does not provide benefits for an injury or accident resulting from an employee's own willful misconduct which includes alcohol or the misuse of controlled substances.

WHAT IF MY CLAIM IS DENIED BY WORKERS' COMPENSATION?

All injuries are reviewed when proper notice is received by the Risk Management and Employee Benefits/Workers' Compensation Section. If your claim is denied, you will be notified of the reasons for the denial. You have the right to request a hearing before the State Board of Workers' Compensation if you disagree with the denial of your claim. A claim with the State Board must be filed within one year of the date of the alleged accident.

UNEMPLOYMENT COMPENSATION

WHAT IS THE UNEMPLOYMENT COMPENSATION PROGRAM?

The Unemployment compensation program was created by the State to help people bridge the gap between jobs. It is designed to assist the short-term unemployed worker by providing funds with which to purchase the basic necessities. It allows the out-of-work employee an opportunity to make a search for employment within his or her skill level and prior earning power. The employer also benefits because it helps to conserve their labor force if they are faced with an involuntarily layoff for a short period of time. **The State of Georgia Department of Labor administers the program and they are responsible for processing unemployment claims and appeals; determining employer tax rates and liability; and for processing employers' quarterly reports and tax payments.**

WHO IS ELEGIBLE FOR UNEMPLOYMENT COMPENSATION?

To be eligible for benefits, claimants must have been paid wages that total at least \$1,296 in the two highest quarters of their base period and earned total base period wages of at least 1.5 times their high-quarter wages or as determined by the Georgia Department of Labor. The base period is the first four of the last five completed calendar quarters immediately preceeding the time of filing.

WHAT EFFECT DOES IT HAVE ON A CLAIM WHEN I AM AN "EDUCATIONAL WORKER"?

Benefit payments **will not** be made on unemployment claims established using wages earned with an educational institution if services were performed in the prior period, term or year for an educational institution and there is reasonable assurance that the individual will perform such services in the next period, term or year.

WHAT EFFECT DOES IT HAVE ON A CLAIM WHEN I AM TERMINATED DUE TO VIOLATION OF ATLANTA PUBLIC SCHOOLS' ATTENDANCE POLICY?

You may be denied Unemployment Benefits by the Department of Labor if it is determined you were in violation of the Atlanta Public Schools' attendance policy.

For additional information contact

Risk Management and Employee Benefits Department

Harriet Turner, Risk Management Specialist — 404-802-2335

Jeff Thomas, Director, Risk Management — 404-802-2300

Paiige Pruitt, Human Resource Assistant - 404 802-2338