2700.3: Workers’ Compensation

Objective:
To provide a policy for employees who are injured on the job in order to assure them all benefits described by Florida Statutes Chapter 440.

Authority:
This policy amended by City Council on February 7, 2022, Item A-1.

Direction:
The Chief Financial Officer, as an appointed official, serves at the pleasure of, and receives direction from the Mayor.

Functions:
1. Introduction

City government, as an institution, has multiple partners including citizens, taxpayers, businesses, visitors, employees, and other governments. As a major institutional, economic, and service force in the region, it is important that the City strengthen relationships with its partners by adopting clear and comprehensive financial policies.

Furthermore, the integrity of the City of Orlando is of utmost importance, and adopting a set of policies is a key element to maintain this integrity. The purpose of this policy is to provide guidance and direction on the workers’ compensation process to
ensure employees injured on the job are provided the benefits to which they are entitled.

2. Definitions

   a. Job Connected Disability – A medical condition, resulting from accident or illness arising out of and in the course and scope of employment which prevents and employee from performing job-related duties or any alternate duties that might be assigned. Any condition which is self-inflicted or caused by another person for reasons personal to the employee or not because of employment shall not be considered as a disability under this provision.

   b. Date of Disability – The day after the date of occurrence or the first day of disability approved by an authorized physician.

   c. Policy

      a. Workers’ Compensation Medical Treatment

         i. An employee who suffers an on-the-job injury or illness, which does not require immediate emergency medical treatment or ambulance transport should seek treatment at an AdventHealth Centra Care facility during their normal operating hours. Centra Care locations are geographically established throughout Metro Orlando. Employees should seek treatment at the most appropriate geographic location.

         AdventHealth Centra Care medical staff may prescribe or provide therapy or treatment at their election. When necessary and as authorized by Risk Management staff or the approved workers’ compensation third party administrator, referrals to
outside medical providers will be made by AdventHealth Centra Care physicians.

Should an employee be on duty when initially reporting to AdventHealth Centra Care, the employee will be paid the normal rate of pay for the time spent at the facility during the employee’s regular working hours. All authorized physical and occupational therapy sessions will be scheduled by the employee during the employee’s non-duty time, if the employee is otherwise able to work.

ii. Some collective bargaining agreements may have different provisions for therapy and should be referred to for guidance. All AdventHealth Centra Care/Risk Management authorized visits to referral physicians shall be compensated at the employee’s regular rate of pay if the visit must be scheduled during the employee’s regular working hours on days the employee is working.

b. Worker’s Compensation Wage Reimbursement

i. Employees are immediately eligible for statutory Workers’ Compensation benefits after suffering a compensable illness or injury. Indemnity (wage loss) benefits are not paid until after the first seven (7) calendar days of a Job-Connected Disability. If the disability prevents the employee from returning to work for the City for more than seven (7) calendar days, then beginning the eighth (8th) calendar day of disability, the employee receives an amount equivalent to 66-2/3% of their average gross weekly salary, with a statutory limit established by Florida law.
c. Accrued Leave Usage and Workers’ Compensation Payment

i. If the employee is medically unable to return to work on the date of occurrence, the employee shall be paid as if the employee were present on the job for the full working day. Otherwise, the employee shall report to their supervisor for light or full duty assignment.

ii. During the first seven (7) days of disability, the employee may elect to use accrued leave in accordance with the leave usage policy to provide a source of continued income. Also, after the first seven (7) calendar days of the Job Connected Disability, the employee may elect to use accrued leave to supplement Worker’s Compensation benefits. This is allowed provided that when such leave is added to Workers’ Compensation, the total will not exceed 100% of the gross pay the employee would have received if present for a normal work week.

Accrued leave will not automatically be applied. In order to initiate this election, it is the responsibility of the employee’s Division/Department designee to contact the employee prior to the end of the first seven (7) days of the Job Connected Disability and verify if the employee elects to use their accrued leave time. If so, the employee’s Division/Department designee must immediately notify Risk Management or the workers’ compensation third party administrator by phone followed by written confirmation.
Office of Business and Financial Services
Risk Management

iii. If the injury or illness results in disability of the employee for more than twenty-one (21) cumulative calendar days, the waiting period (first seven (7) calendar days of disability) workers’ compensation will be paid to the employee at the appropriate statutory rate.

In order to restore the accrued leave the employee will be required to repay to the City an amount equal to the statutory compensation pay received for used leave. The employee will receive a compensation check equal to the amount required by law and made payable to the employee. If the employee chooses to have the accrued leave restored, the employee will need to reimburse the City for the same amount paid to them for workers compensation. Written evidence of repayment needs to be provided to Risk Management as well as the request to reinstate the accrued leave. Risk Management will then contact Human Resources to adjust the employee’s accrued leave balance. It is the employee’s responsibility to monitor their leave balance for the restoration and accuracy of hours.

iv. If a recognized City holiday falls on a day when the employee is in a no work status or could not be accommodated with light duty (modified) work, they are only entitled to statutory lost wage benefits and not holiday pay. The employee can still choose to supplement the statutory lost time benefit by using accrued leave.

d. Reporting Requirements

i. The employee and supervisor must report any and all job connected injuries immediately and, in all
cases, at least within twenty-four (24) hours of their occurrence by completing the Florida Department of Financial Services Division of Workers’ Compensation Form DWC-1 “First Report of Injury or Illness” (Form DWC-1).

ii. If seeking medical care, the employee must report to and be treated by a designated AdventHealth Centra Care facility. In order to expedite the care, the supervisor or designee should report the accident by calling the AdventHealth Business Health service (BHS) Call Center Telereporting line at 407-691-5490 or toll free at 1-888-807-1020 and follow the prompts for reporting an injury or exposure.

The Telereporting service will electronically create a Form DWC-1 during that call and provide a copy of the Form DWC-1 to the AdventHealth Centra Care location the employee is being transported to. The employee will be provided a copy of the form while at the facility. Another medical facility may be deemed necessary by a supervisor or Risk Management in emergency situations. Use the closest hospital if the injury or illness could be life threatening, otherwise use AdventHealth Hospital if the emergency is after regular AdventHealth Centra Care hours.

e. AdventHealth Centra Care

i. If a medical condition does not result in time away from work, the employee is to return work. [Note: The date of injury/occurrence shall be paid as if the employee were present on the job for the full working day.]
ii. The authorized physician will determine the medical restrictions, if any, to be placed on the employee and provide written details on a “Work Status Report” for distribution.

f. Employee’s Supervisor and Risk Management Duties

i. After an employee has lost one (1) calendar day because of Job Connected Disability, the employee’s supervisor must notify Risk Management and Risk Management will prepare a Form DWC-1a, Wage Statement.

ii. Risk Management enters Workers' Compensation information starting the eighth (8th) calendar day of absence as follows:

The time sheet and/or the automated time keeping entries should reflect the number of hours of Workers' Compensation equal to 66-2/3 percent of the hours normally worked by the employee and code it as Family Medical Leave – Workers Compensation in the appropriate block on the time report. The remaining percentage of time (33-1/3) should be recorded as the type of leave time that was used (e.g. Family Medical Leave – Sick, Family Medical Leave – Personal Leave, etc.). Workers' Compensation is a paid leave status and is reported and counted toward Family and Medical Leave entitlement. The employee, according to State of Florida Workers' Compensation law, will receive 66-2/3 percent of average weekly pay not to exceed a specified statutory limit.
Forms:

As referenced herein.

Committee Responsibilities:

None.

Reference:


Date:

This policy effective on February 7, 2022.