

Employee handbook policy

What it should say regarding workers' compensation

Having a written workers' compensation policy in your employee handbook makes it clear to employees that they are important to your organization and that you take their injuries seriously. You can simplify your process of developing a written policy by incorporating the following points or using the sample language on the back of this sheet. Having a written policy may save you trouble down the line with legal issues and employee relations.

Consider including three main points:

1. Employees must report work injuries right away.

You as an SFM policyholder need to report work injuries to SFM within 24 hours, so you'll want to instruct your employees to report work injuries to you or their supervisors right away. The two keys pieces of information for employees are who to tell and when to do it. Make sure, too, that your supervisors know the importance of prompt reporting and pass along any reports of injury to your claims coordinator as soon as they hear about them.

2. Employees will be brought back to work as soon as medically able.

Transitional work performed within the doctor's medical restrictions allows the employee to recuperate while staying productive and continuing to contribute to the success of the organization.

3. Fraud is not tolerated.

Workers' compensation fraud disrespects you the employer, disrespects honest co-workers and disrespects an important benefits program designed to help employees who are injured on the job. It is punishable under state law as a theft crime. Make clear to employees that you and your workers' compensation insurer have zero tolerance for fraud and actively pursue offenders.

Getting started

On the next page are some sample written policies to help you get started. This four-part structure is typical of many organizations, but see what best fits yours.

When introducing a workers' compensation policy, consider communicating these same points to your employees in other ways, such as a training class or your employee newsletter.

If you are subject to OSHA regulations, your handbook may also need to address certain safety and reporting-related procedures.

For assistance with your workers' compensation policy, as with other employment matters, SFM recommends contacting Littler-Mendelson, a national employment and labor law firm whose services are available to SFM policyholders at discounted rates based on size. Call SFM at (952) 838-4224 or Littler's office at (612) 630-1000.

Sample handbook policies

General policy

It is the policy of the company to provide a workers' compensation program at no cost to employees. This program covers any injury or illness sustained in the course of employment.

Report injuries promptly

Any employee who sustains a work-related injury or illness should inform the company's workers' compensation claims coordinator or his or her supervisor immediately. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately.

The supervisor should immediately inform the company's workers' compensation claims coordinator of the injury or illness so the coordinator can complete a First Report of Injury and submit it to the company's insurer.

The workers' compensation claims coordinator will help the employee and the employee's supervisor arrange for appropriate medical treatment.

Neither the employer nor the insurance carrier will be liable for the payment of workers' compensation benefits for injuries that occur during an employee's voluntary participation in

any off-duty recreational, social or athletic activity arranged by the employer.

Return-to-work program

It is the policy of the company to support the practice of bringing injured employees back to work, as soon as they are medically able, to a position within the company compatible with any physical restrictions they may have.

Current positions can be modified to fit an injured employee's medical restrictions by modifying workstations, altering specific tasks or reducing hours. If this is not possible, temporary transitional jobs may be made available either with the employee's department or through a temporary assignment with another department.

Zero tolerance for fraud

Workers' compensation fraud is a punishable crime. Our organization and our insurer have a "zero tolerance" policy for fraud. Offenders will be prosecuted. If you think you see fraud happening, tell a supervisor or manager right away, or call our insurer, SFM, at (800) 937-1181. Your tip will be investigated and kept strictly confidential.

SFM[®]
The Work Comp Experts