

## **Risk Management and Safety**

### **Worker's Compensation Procedure**

#### 1. Purpose and Scope

- 1.1 This document presents an outline of the procedure encompassing activities related to reporting a Worker's Compensation claim and its processes.

#### 2. Background

- 2.1. When employees are injured on the job, the University provides Worker's Compensation care to the injured employee based on the State of Indiana Worker's Compensation guidelines. JWF Specialty provides the management and administrative responsibility as the University's Third Party Administrator of claims.
- 2.2. Treatment is provided by Notre Dame Wellness Center (NDWC) located on campus. When the NDWC is closed, medical care is provided by using the on-call option through NDWC, or by St. Joseph Regional Medical Center. Emergency services are also provided through St. Joseph Regional Medical Center.
- 2.3. Employees, Supervisors, and Managers shall report all injuries in a timely manner.

#### 3. Responsibilities

##### 3.1. Employees

- 3.1.1. Employees shall identify and report all injuries or illnesses incurred on the job to their Supervisor immediately. This applies to all university employees whether full-time, part-time, and temporary, student workers and graduate assistants when performing work related tasks for the university.
- 3.1.2. If medical care is desired at the time of reporting, the employee shall be sent to the Notre Dame Wellness Center (NDWC).
  - 3.1.2.1. If the NDWC is closed, the employee shall seek treatment at St. Joseph's Regional Medical Center when immediate care is needed. If an employee needs guidance on whether to seek treatment, the NDWC provides an on-call number after hours at 574-634-9355. If the injury is serious call

911 for emergency treatment. The employee shall be treated at St. Joseph's Medical Center in Mishawaka, Indiana. All follow up care should occur at NDWC or guided by NDWC.

3.1.3. Employees shall share return to work slips with their Supervisor/Manager after each appointment. If the employee is assigned work restrictions, these shall be discussed with their Supervisor to determine if they can be met. It is the Supervisor and employee's responsibility to work within the guidelines of his/her restrictions. If an employee is asked to work outside their current work restrictions they shall remind their Supervisor they are under restrictions. If the employee continues to have concerns, they shall contact Notre Dame Wellness Center at 574-634-9355 or Risk Management & Safety (RMS) for assistance at 574-631-5037.

3.1.4. If an injury requires time away from work by an approved Worker's Compensation Provider, or if restrictions are unable to be met by their department, the employee may be eligible for salary replacement. The employee shall ask their Supervisor to reach out to the Systems Program Manager in RMS ((574) 631-7532) for current guidelines. The employee may return to work when the physician provides a return to work slip that allows the patient to return or the department can accommodate the restrictions.

## 3.2. Supervisors

3.2.1. When an employee reports an injury, the Supervisor shall ask the employee if they would like to receive medical treatment. If the employee desires medical care, they should be sent to the NDWC.

3.2.1.1. If the NDWC is closed, the Supervisor shall ask the employee if they need guidance on treatment (minor injury) or immediate care. If the injury is minor, the Supervisor shall ask the employee if they wish to use the on-call option provided by NDWC for guidance. If care is recommended, they shall report to St. Joseph's Regional Medical Center. All follow up care shall occur at NDWC for management of treatment.

3.2.1.2. If emergency treatment is needed call 911 or 574-631-5555.

3.2.2. The Supervisor/Manager shall complete the required form for all injuries that occur on campus via the electronic process on our website at <http://riskmanagement.nd.edu/workers-compensation/> within 24 hrs. of the injury.

3.2.3. The Supervisor/Manager shall receive a copy of the return to work slip from the employee after each provider visit.

3.2.3.1. The Supervisor shall review the work restrictions and determine if the accommodation can be met. If the restrictions can be met, the employee is expected to report to work. If the restrictions cannot be met, the Supervisor shall share this time off with NDWC or RMS.

3.2.3.2. Providers at NDWC may contact Supervisors/Managers to discuss restrictions.

3.2.3.3. When an employee is off work greater than 7 calendar days, worker's compensation salary begins. The Supervisor shall contact the Systems Program Manager, at (574)631-7532 and/or the Claims Specialist at JWF Specialty, (317)706-9591 to report missed time.

3.2.4. An employee may not return to work until a release is received by the Worker's Compensation provider or the restrictions can be met.

#### 4. Record Keeping

4.1. RMS shall record all injuries and alert any State organizations such as OSHA as required by law. JWF Specialty shall report all required injury data to the Indiana Worker's Compensation Board as listed in their guidelines.

4.2. RMS shall maintain the OSHA-300 log.

4.3. RMS and JWF Specialty shall manage the medical treatment and determine compensability of all Worker's Compensation injuries.

4.4. JWF Specialty shall process all approved medical services received and make payment to the providers.

4.5. RMS and JWF Specialty shall maintain worker's compensation files and provide and maintain claims in a database for reporting processes.

4.6. JWF Specialty shall process all indemnity payments required under the Worker's Compensation Act weekly for approved worker's compensation injuries. JWF shall provide reporting of claim data to RMS monthly, quarterly and bi-annually.

- 4.7. RMS and JWF Specialty shall work with outside counsel on claims that are referred to the Worker’s Compensation Board until closed. Notre Dame General Counsel shall provide guidance in claims throughout the legal process.
- 4.8. RMS shall provide a copy of the worker’s compensation survey form for employees to complete on the RMS website.
- 4.9. RMS and JWF Specialty shall close the worker’s compensation claim once the patient reaches maximum medical improvement by his /her worker’s compensation provider.

### Revision History Table

History	Effective Date
Procedure created	February 2016
Procedure updated to include: <ul style="list-style-type: none"> <li>● JWF Specialty references throughout document, and</li> <li>● Updates to options for after-hours treatment for employees.</li> </ul>	October 2019
Procedure updated to include: <ul style="list-style-type: none"> <li>● Updated all references of Notre Dame Wellness Center to reflect NDWC, and</li> <li>● Updated references to Risk Management &amp; Safety to reflect RMS, and</li> <li>● General document formatting changes, and</li> <li>● Section 2.1 reference to Indiana Workers Compensation Guidelines, and</li> <li>● Section 3.1.1 to include additional applicable employee classifications.</li> </ul>	December 2020
Procedure updated to include: <ul style="list-style-type: none"> <li>● Updated language in 4.8 to identify where the survey form is located and availability.</li> </ul>	April 2024