

Workers' Compensation

Colorado Campus

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Policy Number: 37-CO

Policy Applies To: All Employees – Colorado Campus

The Workers' Compensation Act of Colorado ensures the provision of necessary medical care and compensation to workers who are unable to work due to an injury on the job or a work-related illness. Full-time and part-time employees are covered for workers' compensation benefits from their first day on the job; there is no waiting period for eligibility.

Under Colorado law: (1) "injury" means personal injury or death from an accident arising out of and in the course of employment, or occupational disease resulting from employment or conditions that are a natural incident of the work or exposure as a result of the employment that is not from exposure outside of the employment. (2) "Employee" includes workers, governmental agency volunteers, and others, but not any person employed by an out-of-state employer performing incidental work in Colorado where the employee is covered at the time of injury under the workers' compensation act of another state regardless of where the contract for employment was created. For purposes of this policy, the term "injury" adopts the definition under Colorado law as stated above.

Workers' Compensation benefits include partial payment of lost wages if a work-related injury causes the employee's absence for more than three days or three shifts of work. In addition, Workers' Compensation, through the University's insurance carrier, pays all medical costs for medically necessary services pertaining to work-related injury when utilizing approved medical providers. The University supplements wage payment by expending accrued personal, sick, and/or vacation leave, as necessary, once verification of the claim is received from the carrier, and the statutory "waiting period" has been met.

When a work-related injury results in lost time for more than fourteen days, the Workers' Compensation wage benefits are retroactive to the original date of injury. In cases where the Workers' Compensation insurance carrier provides payment of wages, it is at the rate of two-thirds of the employee's average gross weekly wages at the time of injury up to a statutorily established cap. Supplemental wage payment, when available, makes up the difference to the amount of the employee's regular net pay. The University will continue to pay the employee's portion of medical premiums, and the employee will be required to reimburse the University monthly.

Employees must report a work-related injury, in writing, immediately, to their supervisor (regardless of the severity of the injury) so medical care, if needed, can be initiated. Colorado law requires such reporting within ten days of injury. Reporting beyond this timeframe are late filings but must still be reported. Either the supervisor or the employee must notify NSU's Workers' Compensation Manager and the Office of Public Safety directly and submit a Workers' Claim for

Compensation form (WC 15) immediately to the NSU Workers' Compensation Manager. After receiving the employee's notice of injury, a list of authorized physicians will be provided to the employee.

Injured workers must also file a Workers' Claim for Compensation form (WC 15) with the Colorado Division of Workers' Compensation (DOWC) within two years of the date of injury to ensure receipt of all benefits needed to treat the injury and compensation for lost wages. This form is available at DOWC offices and on the Risk Management CO page.

NSU is required by law to report work-related injury whether severe or minor, to the DOWC and to its insurer within ten business days of such occurrence. If the injury causes the employee to miss three or more shifts of work, NSU is required to file a report with the DOWC. Failure to submit the form timely could result in monetary and other serious fines for the university and/or insurance denials for the injured worker. Therefore, NSU requires all supervisors and employees to report all work-related injuries immediately.

In Colorado, workers' compensation coverage for unpaid interns, as well as employees, is required by law. Educational institutions who contract with facilities and place students for internship in the state are deemed an employer under Colorado law of such students and must provide workers' compensation coverage for the students, with the exception of student teachers. As of 2022, Colorado is a non-reciprocating state meaning that it will not accept another state's (Florida's) workers' compensation coverage. Consequently, NSU must provide worker's compensation insurance coverage for personnel working in Colorado and for students during internships in Colorado through a Colorado workers' compensation insurance policy.

Arrangements for immediate medical care will be authorized and arranged by the NSU Workers' Compensation Manager or Insurance Carrier-Gallagher Bassett. Medical care will be provided through the Workers' Compensation Network, NSU's insurance company and coordinated by NSU's Workers' Compensation Manager. Employees electing to utilize medical providers not authorized in advance by NSU or the university's workers' compensation insurance carrier may be individually responsible for any costs related to services received.

NSU reserves the right to conduct drug and/or alcohol testing of all employees suffering work related accidents or incidents. Information about NSU's Drug- and Alcohol-Free Workplace Policies may be accessed online at <https://www.nova.edu/hr/policies/drug-alcohol-free-workplace.html>.

Time away from work for the initial medical care should not be charged to the employee's accrued available sick, personal, or vacation time. Subsequent follow-up medical care should be recorded in Shark Time (KRONOS) or on a leave and absentee report utilizing the employee's accrued sick, personal, or vacation hours, or be unpaid.

Employees are responsible for coordinating medical leave of absence with OHR, Lincoln Financial Group, and their department. Please see instructions for coordinating leave at <https://www.nova.edu/hr/benefits/leave-of-absence-lfg.html>.

In emergency situations, supervisors contact the Office of Public Safety to determine whether or not to call 911 to provide medical attention for injury suffered on the campus. The Office of Public Safety and the supervisor reports the injury as required by this policy.