

TOWN OF PROSPER PERSONNEL POLICY

Section 4.04: WORKERS' COMPENSATION

A. Coverage of Employees

The Town of Prosper complies with the Texas Labor Code in the provision of workers' compensation insurance coverage for its employees. This program covers an injury or illness sustained in the course of employment that requires medical treatment, subject to applicable legal requirements and workers' compensation guidelines. Workers' compensation insurance coverage begins immediately upon employment with the Town.

A. Salary Continuation while on Workers' Compensation Leave

Employees may be paid temporary income benefits (TIBs) if their work-related injury or illness causes them to lose all or some of their wages for more than seven (7) days. Temporary Income Benefits are equal to 70% of the difference between an employee's average weekly wage and the wages they are able to earn after their work-related injury (i.e., if an employee was unable to earn any wages, he/she would receive 70% of his/her average weekly wage).

The Town will offer salary continuation to eligible employees, who have approved work-related injury or illness covered by worker's compensation insurance, after they have missed more than 7 days of work. Eligible employees may receive salary continuation which will supplement the employee's income up to their current rate of pay, excluding overtime. Employees who are eligible for salary continuation will be required to endorse their workers' compensation checks payable to the Town of Prosper for deposit by the Town. Salary continuation may be provided up to a maximum of 180 calendar days from the date of eligibility. Town of Prosper certified Police Officers and Fire Fighters are provided up to one year of leave with full pay for work related injury or illness.

Salary continuation will be suspended or initially denied if an employee fails to comply with Town policies and procedures. Specific grounds for suspension or denial are:

1. If the employee fails to report an injury in compliance with the Town's policy (Administrative Regulations, Section 6.03 (B) (1)).
2. If the employee submits a workers' compensation claim that is denied by the Town's workers' compensation carrier.
3. If the employee fails to comply with the directions of his/her treating physician.
4. If the employee engages in any kind of part-time, volunteer, or other outside work while receiving salary continuation (Administrative Regulations, Section 2.07).
5. If the employee refuses to accept any modified or light duty work that is deemed within the employee's capability in the opinion of the treating physician (Personnel Policies, Section 4.05).
6. If the employee refuses to return to active duty after being released by his/her treating physician.
7. If the employee refuses to provide the necessary information and communication regarding the status of his/her workers' compensation injury.

8. If the employee suffers an injury due to his/her work violation of safety standards, or the employee caused or exacerbated hazardous or dangerous situations (Administrative Regulations, Section 6.03 (B) (2)).
9. If the employee reaches maximum medical improvement (the point that the employee's work related injury or illness has improved as much as it is going to improve).
10. If the employee refuses a post-accident drug or alcohol test (Administrative Regulations, Section 6.01 (a) (2)).
11. If the employee's workers' compensation payments are stopped.
12. If the employee is terminated.
13. If the employee is within his/her new hire probation period.
14. If the employee refuses to submit to any independent medical examination or treatment required by the Town in accordance with workers' compensation laws (Personnel Policies, section 2.07 (B) (2)).
15. If the employee chooses to go to a doctor that is not recommended by the Town.

Exceptions to these conditions may be considered by the Town Manager on a case-by-case basis.

If the employee is denied, refused, or exhausts salary continuation while receiving workers' compensation benefits, the employee is eligible to use sick leave, compensatory time, and vacation leave in the amount necessary to make up the difference between workers' compensation benefits and the employee's normal rate of pay.