1. Workers compensation (L&I)

All employees are covered by the Washington State Workers' Compensation Program. This insurance covers employees in case of on-the-job injuries or job-related illnesses. For qualifying cases, Washington State Worker's Compensation Insurance will pay the employee for work days lost and related injury or illness medical costs. All job-related accidents and injuries must be reported immediately to the employee's supervisor. Branch managers and department heads are responsible for directing an injured employee to seek immediate medical treatment if necessary, and shall be responsible for ensuring, as soon as physically possible, that the injured employee completes the Washington State Labor and Industries claim form and the Library's Injury/Accident Report form. The supervisor is required to complete the supervisor portion of the Injury/Accident report form.

Unless otherwise required by State law, the procedure for worker's compensation time loss payment/reimbursement will be as follows:

a. If the job-related injury or illness requires the employee to be absent from work, and the employee is otherwise eligible, the Library will grant that employee Family Medical Leave, which is further discussed in Section 12 of these policies. Family Medical Leave is unpaid; however, the employee is required to utilize any accumulated paid leave, such as sick leave pay and vacation pay leave. Sick leave may only be used consistent with the Sick Leave policy and generally only available for leaves related to the employee's own illness or injury, or for any leave for a family member's illness or serious health condition. Once sick leave pay is exhausted and the employee is still required to be on leave, the employee shall utilize, floating holiday or accrued vacation leave pay for the employee's own serious health condition, parental leave and qualifying exigency leave.

b. If the job-related injury or illness requires the employee to be absent from work for more than three (3) consecutive days, State Industrial Insurance (Worker's Compensation) will begin to pay time loss compensation for hours not compensated through Family Medical Leave, as referenced above. This compensation varies according to a set formula based on marital status and number of dependents.

Employees cannot use sick leave or paid vacation and receive worker's compensation at the same time, because this results in a "double payment." To avoid a double payment, the employer will issue a check for the difference between the employee's regular rate of pay and the time loss benefit payment. Generally, the employee will not suffer an income loss while receiving worker's compensation benefits so long as the employee has a paid leave balance

available to supplement the difference between state benefits and compensation for normal working hours.

When an employee who has received sick leave or paid vacation to cover a work-related injury or illness, later receives a worker's compensation time loss check, he/she must turn the check over to Administrative Operations. Failure or refusal to repay NOLS for any duplication of benefits as required by this policy will be considered fraudulent and may subject the employee to discipline, including termination. Based upon the employee's hourly rate and the amount of worker's compensation time loss received, Administrative Operations staff will determine the amount of leave to be bought back. The HR Specialist will notify an employee when all available sick leave and/or vacation leave has been used. Once sick leave or other forms of accrued leave are exhausted, an employee who remains on workers compensation will keep additional worker's compensation time loss payments until he/she is able to return to work or the employee's condition can no longer be accommodated through medical leave or light duty options. If an employee's condition appears to have lasting or potentially permanent impacts on the employee's ability to perform essential functions of their job, he/she may request information on job openings within the Library they are otherwise qualified to perform. Job retraining programs are also available through the Department of Labor and Industries. When it appears the employee will be medically unable to return to work, and no options for reasonable accommodation or other job opportunities have been found, an employee who can no longer perform the essential functions of their position will be subject to medical termination.

In special circumstances, where the Library is able to fill the position temporarily, an employee may apply for a leave of absence under provisions of these policies. Granting such a request will be the decision of the Library Director and will take into account the best interests of the Library, the length of the leave, Library services that will be impacted and other appropriate considerations. Such extended leave periods are within the discretion of the Library Director and will be evaluated based on the specific facts presented and full consideration of the Library's needs.

2. Return to work

See Policy 12.13: Return to Work.

3. Continuation of benefits

An employee receiving Workers Compensation time loss benefits continues to accrue vacation leave and sick leave for up to six (6) months. The Library also continues to pay the employer's portion of health insurance premiums, provided the employee continues to pay his/her share of premiums, if any. After six (6) months, the employee's benefits shall cease unless the Library Director makes an exception in accordance with the provisions of federal and state law and Library policy. The employee may continue health care benefits by self-paying insurance premiums for the remainder of the time he/she receives Workers Compensation benefits, unless that time frame exceeds the period provided under COBRA.

4. Administration

The Library Director or designee is responsible for administering this policy.