

**District Code:**

**SUPPORT STAFF WORKERS' COMPENSATION**

1. Each employee claiming an injury arising out of and in the course of employment has ultimate responsibility for filing his/her claim within the time prescribed by the Workers' Compensation Law, RSMo. 287.010 et seq. (the "Law"). However, the following information is provided by the district to aid employees in filing claims in order to benefit from the Workers' Compensation Law.
2. The Division of Workers' Compensation administers this Law. All accident reports and claims for compensation must be filed with the Division in a timely manner. Assistance from the district is available to the employee (and his/her immediate supervisor) through the Assistant Superintendent for Human Resources.
3. The Workers' Compensation Law requires that the employee report any work place accident resulting in an injury, no matter how minor, to his/her immediate supervisor as soon as practicable and in no event later than thirty (30) days after the accident. The supervisor will, in turn, notify the Assistant Superintendent for Human Resources. Pursuant to this Law, the report of such injury must include the time, place and nature of the injury, and the name and address of the employee injured.
4. The district's Workers' Compensation insurance carrier will pay initial medical costs, including medical, surgical and hospital treatment (nursing, ambulance and medication) as may be reasonably required after the injury or disability occurs, to cure and relieve the employee from the effects of that injury. If, after investigation, the carrier determines that the injury is not compensable under the Workers' Compensation Law, it will notify the employee by telephone if possible, and by letter, that medical costs incurred after a specific date will be at the expense of the employee or his/her group health insurance carrier. The employee may send a copy of this denial letter to his/her health insurance carrier.
5. Workers' Compensation is payable on the basis of a percentage of the employee's weekly wage as established by the applicable sections of the Law. This compensation is administered by the Division of Workers' Compensation through the District's insurance carrier. No compensation is payable for the first three (3) days unless the disability lasts longer than fourteen (14) days. Compensation is payable in the same manner as wages were paid prior to the injury, in any event at least once every two (2) weeks.
6. The maximum weekly payment for temporary total disability, temporary partial disability or permanent partial disability shall not exceed that amount established by the Workers' Compensation Law as administered by the Division of Workers' Compensation.
7. Such other scheduled compensation for disfigurement, death, burial or other claims shall not exceed the amount established by the Workers' Compensation Law as administered by the Division of Workers' Compensation.

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8. This compensation is not subject to assignment, garnishment, execution, set-off or counterclaim and cannot be in any way liable for any debt, except for the purpose of collecting unpaid and delinquent child support obligations pursuant to RSMo. 287.260.
9. A statute of limitations exists for all claims by employees that are believed not to be properly compensated. Assuming the employee has filed a timely report of injury, the employee must file a claim with the Division of Workers' Compensation within two (2) years after the date of injury or death, or the last payment made under the Law on account of the injury or death; provided, however, that if the report of injury or death is not filed by the district as required under the Law, the employee's claim must be filed within three (3) years after the date of injury, death or last payment made on account of the injury or death.
10. For coordination of Workers' Compensation benefits with district sick leave pay, the following applies:
  - A. An employee may elect to exhaust accrued sick leave pay in preference to receiving temporary total disability benefits from the district's Workers' Compensation insurance carrier.
  - B. An employee whose accrued sick leave pay expires before he/she is able to return to work may revert to Workers' Compensation for the remaining time of the disability. The three (3) day waiting period described in paragraph 5 does not apply if the employee already has been on sick leave for at least three (3) days.
  - C. An employee who elects district sick leave pay cannot simultaneously receive benefits from the district's Workers' Compensation insurance carrier.
  - D. An employee who elects district sick leave pay cannot later be reimbursed by the district's Workers' Compensation insurance carrier for the period of time he/she used accrued sick leave.
11. Any employee on district sick leave who also receives payments from the Workers' Compensation insurance carrier shall turn over such payments to that employee's supervisor. The supervisor will forward such payments to the Assistant {to the} Superintendent for Human Resources. The Assistant Superintendent for Human Resources will then forward the compensation draft(s) to the business office for deposit in the district's general fund.
12. All supervisors/principals shall monitor workers' compensation injury cases to make certain that employees who are receiving district sick leave pay are not also receiving temporary total disability payments from the district's Workers' Compensation insurance carrier.
13. Nothing contained in this district policy abrogates or takes precedence over any award, decision or any other aspect of the Workers' Compensation Law as administered by the Division of Workers' Compensation.

**PATTONVILLE SCHOOL DISTRICT**

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