

## Workers' Compensation

<b>Objective:</b>	To establish the procedure for reporting on-the-job injuries and filing for Workers' Compensation.	<b>Policy/Procedure Number:</b>	04-08
<b>Reference:</b> (All applicable federal, state, and local laws)	Personnel Department; New York State Workers' Compensation Law; General Municipal Law, Section 207-c (Sheriff's Department only)	<b>Effective Date:</b>	January 12, 1985
<b>Legislative Policy Statement:</b>		<b>Responsible Department:</b>	Personnel
<b>General Information:</b>		<b>Modified Date (s):</b>	May 19, 1992; December 2, 2003
		<b>Resolution No.:</b>	259
		<b>Next Scheduled Review:</b>	

### I. Definitions:

**II. Policy:** Tompkins County will comply with the provisions of NYS Workers' Compensation Law and General Municipal Law, Section 207-c.

**III. Procedure:**

**A.** Whenever an employee experiences a workplace injury or illness, the employee must complete a County Incident Report within 24 hours and give the report to his/her supervisor. Supervisors must review the Incident Report and make recommendations for follow-up action and forward copies of the completed Incident Report within 48 hours to County Administration and the County Personnel Department.

**B.** Injured employees should seek medical attention if they believe their injuries or illnesses warrant. The name, address and telephone number of our Workers Compensation carrier can be obtained from the Personnel Department and the employee can share it with their doctor for reporting and billing purposes.

**C.** The Personnel Department will file all required documents with the County's Workers' Compensation carrier who is responsible for all communication with the New York State Workers' Compensation Board.

**D.** An employee who is unable to work as a result of his/her illness or injury may choose from the following options:

- Use paid disability for workdays missed. All requirements for paid disability must be followed. Please refer to the appropriate bargaining unit contract and/or Policy 03-01 for disability requirements. The required waiting period must be charged to an accrued fringe if available.
- Use other accrued fringe benefits (sick, vacation, personal, etc.). A portion of the fringes used may be restored when the Workers' Compensation Board reaches a final determination.
- Elect to receive direct Workers' Compensation payments in lieu of disability or other fringes. Direct Workers' Compensation payments are approximately two-thirds of average weekly wages up to a maximum of \$400/week and are payable as follows:

- Nothing for the first 5 work days absent.
- If absence is more than 5 work days but less than 10 work days, payment will be made for the sixth and subsequent days.
- If absence is more than 10 work days, payment will be retroactive to the first day of absence.

**E.** Payment of salary, wages, medical and hospital expenses of any Sheriff, Undersheriff, Deputy Sheriff or Corrections Officer of the Sheriff's Office of Tompkins County for injuries or illness incurred in the performance of duties shall be governed by Section 207-c of the General Municipal Law and the New York State Workers' Compensation Law.