

**One of my employee's was injured what do I need to do?**

If the employee is in need of immediate medical attention, call 911 to make sure the employee receives immediate medical care.

Have the supervisor complete the Supervisor's Investigative Report.

Have the injured worker complete the Injured Employee Statement as soon as practicable.

Have the appropriate person in your department (usually the payroll clerk) file the [Employer's First Report of Injury or Illness](#) (DWC-1) with the City's workers' compensation third party administrator, Claims Administrative Services. Each department has at least one person that has been trained in completing and filing all the necessary City and State forms. The forms and instructions are also on the City's public drive (Worf) under city forms > accident forms > worker's compensation forms.

**If an employee gives me a Doctor's note with work restrictions, what do I need to do?**

You need to contact the immediate supervisor and Human Resources immediately. Human Resources will determine if employee qualifies to return to work under the Return to Duty with Medical or Physical Restrictions Policy. Do not return the employee to work until you are contacted by Human Resources concerning his/her work status.

**If one of my employee's is injured and wants to go see a doctor but does not know which doctor to go to, what do I do?**

Let the employee know that he/she has the right to pick their own treating physician, as long as the physician and or facility will accept Worker's Compensation claimants.

**If the City fails to submit the Texas Department of Insurance/Division of Worker's Compensation forms on a timely basis, what are the consequences?**

Generally, the Texas Department of Insurance/Division of Workers' Compensation can fine the City up to \$25,000/day for each day of non-compliance to any of the filing requirements in the Workers' Compensation Act.

**How long can an employee be off work for a work related injury?**

The Workers' Compensation Act does not address this. Absences for any reason are subject to the City's leave policies.

**What is AWP?**

AWP stands for Accident With Pay. If an employee is losing time due to a work related injury/illness, the amount received in weekly income benefits can range from 70% to 75% of an employee's net take home pay. The remaining

percentage can be supplemented through AWP for a limited amount of time. The department head is responsible for recommending to the Human Resources Director whether an employee qualifies for AWP status. To qualify for AWP leave an employee (1) must be a permanent, full-time employee; (2) must have sustained a compensable, job-related injury/occupational disease; (3) must have reported the injury/illness to his immediate supervisor within 24 hours of the occurrence; (4) must not have been injured as a result of breaking any rules, regulations or laws, including any safety rules adopted by the City or department-mandated safety procedures; (5) must not have been injured as a result of the gross negligence of the employee .

Further explanation of AWP leave status can be found under Classification and Compensation Ordinance 8064, Section 4.5, Accident With Pay Leave.

**Can a department head or supervisor refuse to submit a workers' compensation claim/report?**

No. Anytime an employee has a work related injury, it must be reported to the Claims Administrative Services, Inc., the City's third party administrator. The department head or supervisor should contact Insurance & Benefits at 541-4208 if they wish to discuss the circumstances surrounding any reported work-related injury/illness.

**If I need assistance with a Worker's Compensation issues who can I contact?**

Contact Insurance & Benefits at 541-4208.