

SUBJECT: Workers' Compensation & Transitional Duty

A. Workers' Compensation

1. PURPOSE: The purpose of this policy is to provide for workers' compensation.

2. POLICY

2.2 Workers' Compensation

Employees are insured under the provisions of the State Workers' Compensation Act for Occupational injuries and diseases that arise/arose out of an in the course of their employment. Employees are required to report all on-the-job accidents, injuries, or illness to their immediate supervisor as soon as reasonably possible or within 24 hours of the accident, injury, or illness. The Supervisor must contact the Personnel Director and/or Administrative Officer and submit the proper paper work for the claim within 72 hours.

The following provisions are adopted pursuant to and are intended to implement the requirements of NRS 281.390:

- a. When an employee is eligible at the same time for benefits for temporary total disability under NRS 616A to 616D, inclusive, or NRS 617, and for any sick leave benefit s/he may, by giving notice to the department head or supervisor, elect to continue to receive his/her normal salary instead of the benefits under those chapters until his/her accrued sick leave time is exhausted. The employer will notify the Workers' Compensation Administrator of the election. The employer will continue to pay the employee his/her normal salary, but charge against the employee's accrued sick leave time as taken during the pay period an amount which represents the difference between his/her normal salary and the amount of any benefit for temporary total disability received, exclusive of reimbursement or payment of medical or hospital expenses under NRS 616A to 616D, inclusive, or NRS 617 for that pay period.
- b. When the employee's accrued sick leave time is exhausted, payment of his/her normal salary under subsection (a) above must be discontinued and the employer will promptly notify the Workers' Compensation Administrator so that it may begin paying the benefits to which the employee is entitled directly to the employee.
- c. An employee who declines to make the election provided in subsection (a) above may use all or any part of the sick leave benefit normally payable to him/her while directly receiving benefits for temporary total disability under NRS 616A to 616D, inclusive, or NRS 617, but the amount of sick leave benefit paid to the employee for any pay period must not exceed the difference between his/her normal salary and the amount of any benefit received, exclusive of reimbursement or payment of medical or hospital expenses under those chapters for that pay period.

- d. If the amount of the employee's sick leave benefit is reduced, pursuant to subsection (c), below the amount normally payable, the amount of sick leave time charged against the employee as taken during that pay period must be reduced in the same proportion.
- e. An employee may decline to use any part of the sick leave benefit normally payable to him/her while receiving benefits under NRS 616A to 616D, inclusive, or NRS 617. During that period of time, the employee will be considered on leave of absence without pay.
- f. In the event an employee is absent from work due to an accepted job-related injury, as the sole discretion of the Personnel Director and/or Administrative Officer, the employer may pay the employee the difference between awarded Temporary total Disability (TTD) payments and the employee's full salary for a period of 60 calendar days; however, such payment must be made by the employer to the employee who has suffered a job-related injury as a result of workplace violence or during the performance of a hazardous duty in response to an officially declared county emergency. Such payment maybe extended an additional 60 days at the sole discretion of the Personnel Director and/or Administrative Officer unless the following provisions apply:
 1. The employee is able to perform all of the essential functions listed in the job description;
 2. The employee is able to perform temporary modified duties; or
 3. The employee becomes qualified to receive permanent disability compensation.

B. Transitional Duty

1. PURPOSE: To provide temporary transitional duty in case of a workplace injury qualifying the employee to workers' compensation.

2. POLICY: The employer is committed to providing work, when possible, for employees who have been restricted by a treating physician due to a work-related injury or illness. Such work will be provided subject to availability. Work will be assigned according to the nature of the injury or illness and the limitations set forth by the treating physician. Every effort will be made to place employees in positions within their own departments. If necessary, an employee will be placed wherever an appropriate position is available.

2.1 Salary and Wages

While on temporary modified duty, employees will continue to receive their regular rate of pay. Employees who are placed outside their department will continue to have their wages or salary charged to their department at which they normally work.

2.2 Duration and conditions of transitional duty

An employee on transitional duty must furnish a written update from the health care provider to the workers' compensation coordinator after each visit in order to maintain in the reassigned transitional duty job. Transitional duty assignments are limited to a period of 90 days, subject to review.

C. Related Forms (Worker's Comp. & Transitional Duty)

- Transitional Duty Letter
- Workers' Compensation Benefits Leave Option Form

RESPONSIBILITY FOR REVIEW: The County Personnel Director and/or Administrative Officer will review this policy every 5 years or sooner as necessary.