

City of Bellaire

Workers' Compensation Information

Workers' compensation provides covered employees with income and medical benefits if they have a work-related injury or illness. Workers' compensation is regulated by the Texas Department of Insurance (TDI), Division of Workers' Compensation.

Employee Responsibilities:

- Report accidents/injuries immediately to direct Supervisor.
- Follow the steps for post-accident injury/illness and return to work as outlined in the procedures.
- The City of Bellaire (COB) is a member of a workers' compensation alliance (network) <https://www.pswca.org>. All doctor's appointments should be coordinated through Human Resources unless it is an emergency. In life threatening situations, employees may seek treatment at a local hospital. Visiting a doctor outside of the network may cause the employee to be responsible for payment of services.
- Must attend all doctor appointments as scheduled and have a work release before returning to duty.
- While out on Workers' Compensation leave, employee must contact their supervisor once per week. The employee may have someone do the contacting only if the employee is medically unable to do so.
- Employee is expected to keep the city informed of his/her status so that work duties/responsibility can be reassigned as needed.

Supervisor Responsibilities:

- Report all accidents and injuries to Human Resources immediately via phone or email. Prompt notification ensures HR is aware of the situation and can anticipate the incident report.
- Submit a completed Accident/Incident Report to HR. The completed form must be submitted to hr@bellairetx.gov no later than the end of the next business day following the accident/incident.

Additional Information:

In the event the injury involves lost time from work, Human Resources will complete the Supplemental Report of Injury (DWC-6) and submit that document to the worker's compensation (WC) carrier. Employees should be aware that the WC carrier will be in contact with them.

Employees who miss more than three (3) consecutive working days due to the job-related injury or illness will be notified that their time off will be counted as Family Medical Leave (FML) in accordance with the FML policy.

An employee who is injured on the job and elects NOT to seek medical attention, must use accrued sick or vacation leave if they elect to stay home because of the injury.

Post-Accident (Medical Appointments):

Employees are expected to notify their immediate supervisor of medical appointments for treatment related to an on-the-job injury. After each appointment, the employee **must** return the DWC Form-73 (Work Status Form) completed by the physician to hr@bellairetx.gov. This form provides documentation from the physician as to the care given, progress made, prognosis, and expected return to work.

If the physician states the employee cannot work and should remain at home, the employee is expected to contact their supervisor each week during his/her time away from work.

If an employee continues to work while being treated, he/she will be allowed a reasonable time for travel to and from doctor appointments. Employees are expected to return to work following medical appointments unless the physician documents they are unable to do so. If additional time is taken that is not required by the physician, the employee will be required to use accrued time for the additional absence.

Post-Accident (Compensation):

If a physician documents that an employee is unable to work due to a work-related injury, the city will pay the employee at their regular pay rate for the first eight (8) days of absence from work.

Temporary Income Benefits:

Employees may be eligible for Temporary Income Benefits (TIB) during their absence from work due to a work-related injury/illness. The TIB amount is equal to approximately 70% of the employee's pre-injury earnings and payments are mailed directly to the employee's home address on a weekly basis. TIB begins to accrue on the eighth (8th) calendar day away from work with the first check due on the fifteenth (15th) day. You may receive a weekly workers' compensation payment and a supplemental salary from the city which together will equal 100% of your regular rate of pay.

Group Health Insurance:

The employee's insurance benefits will remain in effect and the City will continue to pay the employee's coverage at the same rate as prior to the injury. It is the employee's responsibility to pay any dependent coverage or additional employee paid benefits. Premium payments are due on the first day of each month. If an employee fails to make payment, it will be assumed the employee opted to drop the coverage. If coverage is dropped, the employee will not be able to re-instate the coverage until the next open enrollment period.

Other Employment:

City employees are prohibited from engaging in any other form of employment for compensation while off work due to an on-the-job injury. If the City learns of other income or employment, this information will be provided to the appropriate WC carrier and the (TDI) Texas Department of Insurance. The employee may then be subject to disciplinary action up to and including termination.

Return to Work:

Prior to any employee's return to work, the employee shall be required to provide Human Resources with a DWC-73 (status report) from their doctor indicating they may return to duty and any restrictions that may apply. The form will be reviewed by Human Resource prior to the employee assuming any job duties. If there are questions as to limitations, validity of the release, etc., the employee will be expected to cooperate with Human Resources to resolve any questions prior to working. Human Resources may contact the treating physician for clarification.

- If the employee is released to light duty and the city provides a bona fide light duty job offer and the employee is not eligible for FMLA the employee must return to work. If the employee does not return to work, he/she will not be allowed to use accrued leave and the temporary income benefits will end.
- Worker's Compensation runs concurrent with Family Medical Leave (FMLA). If the employee is offered a bona fide light duty job offer and the employee chooses to decline the offer, if eligible under FMLA the employee may use their sick leave. If no sick time is available, the employee may use any eligible leave. Employees must adhere to the City's Family Medical Leave Act policy.