

# OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

Series 4000

Personnel

AR 4157.1, 4257.1, 4357.1(a)

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## Work-Related Injuries

In order to provide medical benefits, temporary or permanent disability benefits, wage replacement, retraining or skill enhancement, and/or death benefits in the event that an employee becomes injured or ill in the course of employment, the district shall provide all employees with insurance and workers' compensation benefits in accordance with law. The Superintendent or designee shall develop an efficient claims handling process that reduces costs and facilitates employee recovery.

*(cf. 3320 - Claims and Actions Against the District)*

*(cf. 4032 - Reasonable Accommodation)*

*(cf. 4113.4/4213.4/4313.4 - Temporary Modified/Light-Duty Assignment)*

*(cf. 4154/4254/4354 - Health and Welfare Benefits)*

*(cf. 4157/4257/4357 - Employee Safety)*

*(cf. 4157.2/4257.2/4357.2 - Ergonomics)*

*(cf. 4161.11/4261.11/4361.11 - Industrial Accident/Illness Leave)*

The Superintendent or designee shall notify every new employee, at the time of hire or by the end of the first pay period, of his/her right to receive workers' compensation benefits if injured at work. (Labor Code 3551; 8 CCR 15596)

*(cf. 4112.9/4212.9/4312.9 - Employee Notifications)*

In addition, a notice regarding workers' compensation benefits shall be posted in a conspicuous location frequented by employees, where the notice may be easily read during the workday. (Labor Code 3550)

In the event that an employee is injured or becomes ill in the course of employment, he/she shall report the work-related injury or illness to the Superintendent or designee as soon as practicable.

Within one working day of receiving notice or knowledge of any injury to an employee in the course of employment, the Superintendent or designee shall provide a claim form and notice of potential eligibility for workers' compensation benefits to the employee or, in the case of the employee's death, to his/her dependents. The claim form and notice shall be provided personally or by first class mail. (Labor Code 5401)

The Superintendent or designee shall additionally ensure that any employee who is a victim of a crime that occurred at the place of employment is given written notice personally or by first class mail within one working day of the crime, or when the district reasonably should have known of the crime, that the employee is eligible for workers' compensation benefits for injuries, including psychiatric injuries, that may have resulted from the crime. (Labor Code 3553)

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*Series 4000*

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The Superintendent or designee shall ensure that all employee notices described above are in the form prescribed by the Department of Industrial Relations (DIR), Division of Workers Compensation.

Upon learning of a work-related injury or illness, or injury or illness alleged to have arisen out of and in the course of employment, the Superintendent or designee shall report the incident to the DIR within five days after obtaining knowledge of the injury or illness. If a subsequent death arises as a result of the reported injury or illness, an amended report indicating the death must be filed with the DIR within five days after being notified of or learning about the death. (Labor Code 6409.1)

In addition, in every case involving death or serious injury or illness, the Superintendent or designee shall immediately make a report by telephone or email to the Division of Occupational Safety and Health. (Labor Code 6409.1)

*Legal Reference:*

*EDUCATION CODE*

*44984 Industrial accident and illness leaves, certificated employees*

*45192 Industrial accident and illness leaves, classified employees*

*LABOR CODE*

*3200-4855 Workers' compensation, especially:*

*3550-3553 Employee notice*

*3600-3605 Conditions of liability*

*3760 Report of injury to insurer*

*4600 Provision of medical and hospital treatment by employer*

*4906 Disclosures and statements*

*5400-5413 Notice of injury or death*

*6409.1 Reports*

*CODE OF REGULATIONS, TITLE 8*

*15596 Notice of employee rights*

*Management Resources:*

*DEPARTMENT OF INDUSTRIAL RELATIONS PUBLICATIONS*

*A Guidebook for Injured Workers, 2016*

*Notice to Employees -- Injuries Caused by Work*

*Time of Hire Pamphlet*

*Workers' Compensation Claim Form (DWC 1) & Notice of Potential Eligibility*

*WEB SITES*

*California Department of Industrial Relations, Division of Occupational Safety and Health:*

*<http://www.dir.ca.gov/dosh>*

*California Department of Industrial Relations, Division of Workers Compensation:*

*<http://www.dir.ca.gov/dwc>*

Adopted: 4-18-17