

INTRODUCTION

The California Workmen's Compensation Law is designed to compensate employees for lost time occurring as a result of occupationally related illness or injury.

WAGE SUPPLEMENT

To ensure that employees suffering from industrial injury or illness receive full salary during the three-day waiting period, the City of Taft provides an Industrial Injury Supplemental Wage Benefit program for non-safety employees.

Employees in non-safety positions shall be entitled to an Industrial Injury Wage Supplemental Benefit during the first three days of an occupational related injury provided that such injury or illness resulted in time lost from regularly scheduled working hours.

Industrial Injury Supplemental Wage Benefits shall begin on the day following the date of occupational injury or illness and shall continue until the injured employee is eligible for Workers' Compensation benefits or returns to active employment. In no event, however, shall Industrial Injury Supplemental Wage Benefits continue past the end of the third day following the occurrence of occupationally related illness or injury.

Industrial Injury Supplemental Wage Benefits shall be payable only on an employee's regularly scheduled working days and may be used during periods of occupationally related illness or injury not compensated under the California Workman's Compensation Law.

Under no circumstances shall Industrial Injury Supplemental Benefits be used to provide an employee with higher compensation than said employee would receive had the employee worked all regularly scheduled hours during the week in which Industrial Injury Supplemental Wage Benefits are payable.

In granting Industrial Supplemental Wage Benefits, the City of Taft may require medical documentation of occupationally related illness or injury at its discretion. Such documentation shall consist of a statement signed by a licensed physician describing the nature of an employee's occupationally related illness or injury and the anticipated time of the individual's return to active duty.

All employees shall be entitled to full compensation for the regularly scheduled work day on which an occupationally related injury or illness occurs. Such compensation shall not be charged to the Industrial Supplemental Wage Benefit.

At the end of the three-day period, employees may continue to receive their full net salary by using accumulated leave benefits (sick, vacation, ATO). While using accumulated leave benefits, employees shall continue to accumulate sick leave and

vacation benefits, and shall continue to receive health and life insurance benefits in the same manner as if the employee worked all regularly scheduled hours during the payroll period.

In order to receive full net salary the employee shall provide the City Finance Department with a copy of the temporary disability benefit check issued by the City's workers' compensation representative. In return, the City will issue a payroll check proportional to the difference between the temporary disability benefit and the employee's full salary less any applicable taxes and other payroll deductions.

For purposes of this policy, proportional benefit shall be defined as that amount necessary to provide the employee with forty (40) hours pay during a seven-consecutive day work period.

Proportional leave shall be computed by dividing the workers' compensation benefits to which an employee is entitled by the employee's base hourly salary to establish the number of hours for which the employee has been compensated at regular base hourly rate during the seven consecutive day work period.

Upon depletion of leave benefits, employees will receive temporary disability benefits from the City's Workers' Compensation representative. At that time the employee will be required to pay for health and life insurance premiums if continuation in City plans is desired. The employee will be considered on an unpaid status and will not continue to accumulate sick leave and vacation benefits.

ENHANCED INDUSTRIAL DISABILITY LEAVE – CORRECTIONAL OFFICERS

1. A correctional officer who loses the ability to work as a result of an injury incurred in the official performance of his/her duties may be eligible for a financial augmentation to the existing industrial disability leave benefits outlined above. In order to qualify for a financial augmentation, the injury must have been directly and proximately caused by an assault by an inmate or inmates.
2. The Enhanced Industrial Disability Leave (EIDL) will be equivalent to the employee's net take home salary on the date of occurrence of the injury.
3. EIDL eligibility and benefits may continue for no longer than one year after the date of occurrence of injury.
4. During such period, employees shall continue to accumulate sick leave and vacation benefits, and will be entitled to receive health and life insurance benefits in the same proportion as if the employee worked all regularly scheduled hours during the payroll period.

Effective Date: 10/03/1995
Resolution No. 2300-95

SECTION 307

5. Payment of EIDL benefits shall fall under the same provisions as in the Wage Supplement portion of this policy.
6. EIDL will apply only to physical injuries and any complications directly related medically and attributable to assault by an inmate or inmates as determined by the City Manager. This benefit shall not be applied to stress-related disabilities.
7. The final decision as to whether an employee is eligible for, or continues to be eligible for EIDL shall rest with the City Manager. The City may periodically review the employee's condition to determine an employee's continued eligibility for EIDL.
8. Per the Memorandum of Understanding with the General Bargaining Unit, EIDL is not subject to the Grievance and Arbitration Procedure.

WORKERS' COMPENSATION LEAVE AND FAMILY MEDICAL LEAVE ACT LEAVE

Leave for a workers' compensation injury which constitutes a serious health condition under the Act shall also be designated Family and Medical Leave; therefore, workers' compensation leave and Family and Medical Leave Act Leave shall run concurrently. The provisions of Family and Medical Leave are outlined in the Family and Medical Leave Act Leave Policy.