

# Board Policy

Code No. 403.2R1

## EMPLOYEE INJURY ON THE JOB

### PROCEDURE ACCIDENT AND INJURY REPORTS (Employee)

#### **EMPLOYEE**

An injury to an employee while on duty, no matter how minor, must be immediately reported by completing an injury report form and forwarding to the Administration Center so that the necessary claim form can be sent to the insurance company.

The primary consideration is prompt appropriate medical care. The nature of the injury dictates the response.

The District has selected Genesis Occupational Health, (4017 Devils Glen Road, Suite 101, Bettendorf, IA ,421-0640) for any job-related injury requiring medical services. Office hours are 8:30 A.M. to 5:00 P.M. weekdays. After 5:00 P.M. employees should go to Genesis Convenient Care, 2140 53<sup>rd</sup> Ave, Bettendorf, IA.

Job-related injuries and accidents are covered by Workers' Compensation Insurance and are not covered under employee health insurance.

#### **HOW IS INSURANCE PROVIDED?**

Sections 85.3 and 87.1 of the Iowa Code require all employers, subject to the Act, to insure their liability for workers' compensation unless they are relieved from this requirement by the Insurance Department of Iowa. Employers who are relieved from insurance become self-insured and must provide all benefits required, as per section 87.11 of the Iowa Workers' Compensation Act.

#### **WHO PAYS WORKERS' COMPENSATION INSURANCE PREMIUMS?**

The employer is required to pay all insurance premiums for workers' compensation. It is unlawful for the employer to make any deduction from the employee's earnings for the purpose of paying such insurance premiums. Section 85.54 states it is a simple misdemeanor for an employer to withhold from wages for the purposes of paying any such premium.

#### **WHO PAYS BENEFITS?**

The employer, or its insurance carrier, has the responsibility for payment of all benefits under the Iowa Workers' Compensation Act.

#### **HOW ARE WORKERS' COMPENSATION RATES COMPUTED?**

The weekly rate of compensation depends on the employee's average weekly earnings, the number of exemptions and the maximum allowable rate as established by the Industrial Commissioner may change annually. Weekly compensation benefits are based upon a seven (7) day calendar week. The employee is entitled to 80% of the average weekly spendable earnings (subject to the maximum allowable rate). Spendable earnings are the employee's gross earnings less the deductions for federal and state income tax and social security as if the employee claimed the maximum number of exemptions to which the employee is entitled.

#### **WHO CHOOSES THE TREATING PHYSICIAN?**

Section 85.27 states the employer has a duty to provide medical care reasonably suited to treat the employee's injury. The employer also has the right to select the medical care to be furnished the employee. If the employee has reason to be dissatisfied with the care offered the employee should discuss the problem with the employer or insurance carrier. If the problem cannot be resolved, the employee, through appropriate contested case proceedings, may ask the industrial commissioner to

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order other medical care. Under section 85.39 of the Iowa Act, if the employer-retained physician has given a rating of permanent disability, and the employee does not agree with the rating, the employee does have a right to an examination, for purposes of disability rating, by a doctor of his/her choice at the employer's expense. Forms for exercising this right are available from the Iowa Industrial Commissioner.

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