

**PURPOSE**

Police and Fire employees are covered under the provisions of M.G.L. Ch. 41 S. 100 and 111F and are entitled to the rights and benefits of these laws. All other employees are covered under the Massachusetts Workers Compensation Law and are entitled to the benefits and provisions of this law.

**POLICY**

This policy governs notification and associated practices in the event of a work-related injury.

**APPLICABILITY**

This policy and procedure is applicable to all town employees.

**IMPLEMENTATION PROCEDURE**

1. Worker's Compensation law does not provide for payment of loss wages until after five (5) lost days and then it is retroactive to the first day of injury. For on the job injuries that result in loss time less than five days, the employee will be given leave without loss of pay.
2. All injuries shall be reported immediately to the supervisor or department head and proper forms completed to qualify for insurance coverage. The Form 101 "Employer's First Report of Injury or Fatality" (Mass Division of Industrial Accidents) is specifically required when an employee is injured, or alleges an injury, and is unable to earn full wages for five or more calendar days (not counting Sundays and legal holidays). It is the responsibility of the Town to report an alleged injury, whether or not the Town agrees with the employee's claim. This form must be filed within seven (7) calendar days (not counting Sundays and legal holidays), from the fifth day of disability.
3. Employees may use their accumulated vacation, personal or sick time to make up the difference between their regular pay and the amount of pay received under Workers' Compensation in order to maintain retirement service time and payment for other desired deductions. In some instances, employee's may be charged for the difference in cost of those deductions as Worker's Compensation payments are made directly to the employee and the earnings from use of personal time may not cover the full cost of deductions. Bargaining unit employees should refer to their Collective Bargaining Agreement for guidance as to the applicability of this element.
4. Workmen's Compensation checks will equal approximately 60% of normal pay (or 3 days out of a 5-day week). An employee may use accumulated vacation, personal or sick time days (or 40%) to make up the difference to equal 100% of pay. In no case can the combination exceed 100% of pay. The advantage of using sick time is that any necessary deductions may be taken such as health insurance, life insurance, credit union, or union dues. This would avoid having to bill for these payments.

## WORK-RELATED INJURY PRACTICES

5. Any absence from work due to a work-related illness or injury which is considered a serious health condition will count against an employee's FMLA leave entitlement. The Designation Notice and Notice of Eligibility and Rights and Responsibilities forms are required be filled out and returned to Human Resources.

### **APPROVED BY:**

*Board of Selectmen, Chair:* Gary Daugherty \_\_\_\_\_

*Board of Selectmen:* Stephen Matellian \_\_\_\_\_

*Board of Selectmen:* Brett Simas \_\_\_\_\_

**Original date:** ..... July 17, 2018

**Revised dates:** .....