



LEAVE PLAN

606.12 – INJURY LEAVE

- 1. Policy Purpose:** To provide a policy regarding the use of leave by employees who have suffered a work-related injury.

Policy Coverage: This policy applies to all non-represented (non-exempt and exempt), full-time and part-time employees of the East Fork Fire Protection District.

Adopted Date: 07/16/2019

Revised Date: N/A

Policy #: 606.12

***The procedure established in this policy will be superseded and have no effect when covered by a similar or conflicting provision in a Collective Bargaining Agreement. For detailed information, please refer to your Collective Bargaining Agreement. ***

- 2. Policy:**

An employee who suffers an injury that is approved by the District's Worker's Compensation carrier in the course and scope of his or her employment and completes a Form C1 will be entitled to injury leave provided by the District subject to any limitations imposed by this policy or state law.

"Injury" means a sudden and tangible happening of a traumatic nature, producing an immediate or prompt result which is established by medical evidence and resulting from external force, including injuries to artificial body parts.

Any injury sustained by an employee while engaging in an athletic or social event sponsored by the District will be deemed not to have arisen out of or in the course and scope of employment unless the employee received compensation from the District for participation in the event.

A. Compensation

An employee who suffers an injury while on duty as a result of which the employee is incapacitated shall receive paid injury leave. The period for which injury leave compensation will be paid will begin with the date the treating physician identifies the employee as incapacitated and unable to perform both regular duties and light duty assignments. The District will grant injury leave for up to 120 calendar days.

During a period of injury leave, no deduction shall be made from an employee's sick, vacation, or comp time balances. If an employee is still incapacitated after 120 calendar days, the employee may use annual leave, compensatory time off, or sick leave to cover the one-third of the employee's base wages not paid by the District's worker's compensation carrier.

The employee must have followed all prescribed written safety policies and procedures at the time of the injury to qualify for injury leave (e.g. wearing full protective clothing and equipment when necessary, using tools, equipment and office equipment properly, and exercising prudent care while performing assigned functions).

B. Light Duty

Light duty may be made available to an injured employee at the convenience of the District. Employees who are offered light duty and have been released by their treating health care provider to perform the light duty are required to accept the light duty assignment. If an employee turns down the light duty assignment, no regular compensation will be provided and the employee's Sick Leave, Annual Leave, Admin Leave, Comp Leave, Trades, or Leave Without Pay will be used.

C. Eligibility for Concurrent Benefits

When an employee is eligible at the same time for benefits under applicable sections of the Nevada Revised Statutes (NRS) and for sick leave or injury leave benefits offered by the District, the amount of sick leave or injury leave benefit paid to said employee shall not exceed the difference between their normal salary and the amount of any benefit received, exclusive of payment of medical or hospital expenses under required sections of the NRS for that pay period. Any usage of such leave shall be deducted from the employee's sick, injury or other leave balance. The employee may apply for short-term disability subject to acceptance by the insurance carrier.

The District will follow state law with respect to any Occupational Illness or Disease.

D. Total Compensation

When an employee is eligible for benefits under Chapter 616C or 617 of the Nevada Revised Statutes, the payments provided to an employee under those chapters of the Nevada Revised Statutes, exclusive of payment of medical or hospital expenses, will be the total compensation received by the employee.

E. FMLA While on Injury Leave

1. An employee's workers compensation leave shall not be deducted from the employee's FMLA leave subject to any limitations imposed by District policy, state law or the District's workers compensation provider.
2. **Disability Retirement**
 - a. Upon receipt by the District of notice from the District's workers compensation provider of the employee's permanent disability, the District shall notify and meet with the employee to discuss disability retirement with Nevada PERS. If the employee applies for PERS disability retirement, the District shall keep the employee on the payroll for 90 days from the date of application or until Nevada PERS has ruled on the disability retirement application, whichever comes first.

RESPONSIBILITY FOR REVIEW: The District Fire Chief, or his or her designee and/or the Executive Office Manager, or his/her designee, will review this policy every 3 years or sooner as necessary.