

# Benefits and Leaves: Workers' Compensation

<b>Subject:</b>	<b>Human Resources</b>
<b>Policy:</b>	<b>Workers' Compensation</b>
<b>Effective Date:</b>	<b>January 2021</b>
<b>Review Date:</b>	<b>Three (3) years from Effective Date above</b>
<b>Responsible Party:</b>	<b>University Human Resources</b>
<b>Applicability:</b>	<b>This policy applies to all employees</b>

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## 1. INTRODUCTION AND PURPOSE

This policy provides an overview of the workers' compensation coverage provided to MSU Billings employees. Workers' compensation benefits are available to employees who have a work-related injury or disease.

## 2. COVERAGE

MSU Billings employees are provided with workers' compensation coverage through the Montana University System Self-Funded Workers' Compensation Program (MUS Work Comp). This coverage is provided at no cost to employees. Human Resources oversees the program for Montana State University Billings employees.

## 3. BENEFITS

Workers' compensation benefits are paid in cases of work-related injuries and diseases that are compensable under the Montana Workers' Compensation Act; generally, injuries and illness that occur accidentally through the course and scope of employment and are verified by medically objective findings. Benefits available through MUS Work Comp include related expenses for:

- a. Approved medical, hospital, and related services.
- b. Wage compensation for those who are temporarily unable to work. Under current rules, replacement wages equal to  $66 \frac{2}{3}$  of the employee's average wage received at the time of the injury, calculated using the previous four (4) pay periods, up to a maximum weekly amount established annually by the state Department of Labor; and
- c. Vocational rehabilitation opportunities, and disability compensation in cases of permanent impairment.

#### **4. REPORTING**

Workers' compensation benefits are dependent, by state law, on timely reporting. Additionally, best outcomes for the injured employee are achieved when a claim is initiated without delay. Any injuries incurred while working shall be reported to the worker's supervisor as soon as possible, but no later than thirty (30) days after the injury. Occupational illnesses that develop over time should be reported when the worker first suspects their symptoms may be work-related.

The injured employee and their supervisor must complete a [First Report of Injury and Occupational Disease](#), sending the original, signed, hardcopy to the campus claim coordinator at Human Resources, if not signed electronically.

#### **5. ELIGIBILITY**

The campus claim coordinator facilitates the claim filing process but does not determine the acceptability or compensability of a claim. A professional claims adjuster will be assigned to the claim to determine whether the claim is accepted and compensable under state law and regulations.

#### **6. BENEFITS**

Injured workers may be eligible to receive partial wage compensation after a waiting period of four (4) workdays, or thirty-two (32) working hours, whichever is less. An injured worker may not receive both sick leave and wage loss benefits for the same work period.

For a comprehensive explanation of benefits available to an injured worker, please see the Montana Department of Labor (DLI) [Explanation of Workers' Compensation Benefits](#).

#### **7. RETURN TO WORK**

Successful healing and return to work are best achieved with early reporting of incidents, following medical advice, and staying in communication with your supervisor, claims adjuster, care provider, and campus claim coordinator. The university has adopted a [Stay-At-Work/Return-To-Work policy](#) to help employees stay at, or return to, meaningful, productive employment as soon as medically possible following an injury or illness.

If an injured employee is not capable of immediately returning to their regular position, the university may place the employee in a temporary assignment in which the employee's regular position or hours are modified to accommodate the employee's temporary physical abilities or identify alternate work that is better suited to the employee's temporary physical abilities.