

**Workers' Compensation
Handbook
For
City of Stockton
Employees**

MARCH 2013

Sustaining an injury or illness on the job, whether slight or serious, is an unpleasant experience for anyone. In addition to the injury itself, you may have worries about medical treatment and financial loss. We hope that this booklet will help eliminate some of those worries.

California Workers' Compensation Law requires every employer to provide its employees with Workers' Compensation coverage. This coverage guarantees automatic benefits to employees injured on the job or who incur a job-related illness. Potential benefits include medical treatment, temporary and permanent disability payments, and job displacement benefits. Immediate benefits are in the form of medical care.

The City of Stockton is self-insured for its Workers' Compensation Program. The City's work injury claims are administered by an outside-contracted Third Party Administrator (TPA). If you sustain an injury, the Workers' Compensation information provided you will contain information about the City's current TPA.

WHO IS ELIGIBLE FOR COVERAGE?

All City employees have protection under the Workers' Compensation Law, including part-time and temporary workers. Generally, volunteers are not eligible for coverage.

WHEN AM I ELIGIBLE FOR COVERAGE?

Workers' Compensation coverage begins the first minute you are on the job and continues any time you are working. You do not have to be employed for a certain length of time, nor do you have to earn a certain amount of wages before you are protected.

You should immediately report all injuries to your supervisor. He/she will then submit a Supervisor's Investigation Report to Risk Services. If you need to seek medical attention, your supervisor will provide you with various information and forms and ask you to complete an Employee Claim Form (DWC-1). Your department will complete an Employer's Report. These reports are necessary to process your claim.

WHAT TO DO IF I AM INJURED?

Report your injury to your supervisor immediately. If medical care is needed and your supervisor is not available, report to an alternate supervisor or the personnel unit of your department. If your injury is before or after normal business hours, Monday through Friday, 8:00 a.m. to 5:00 p.m., you may go to one of the medical facilities listed below, and then report the injury to your supervisor within 24 hours. When all else fails, call Human Resources and ask for Risk Services at (209) 937-8233.

DO I NEED TO FILL OUT ANY FORMS?

Yes. If you need to seek medical attention, you are responsible for reporting the injury to your supervisor, obtaining the appropriate forms and information, completing the employee section of the Employee Claim for Workers' Compensation Benefits (DWC-1 Form), and completing the Receipt of Workers' Compensation Claim Information Form. After completing the forms, give the forms to your immediate supervisor or his/her designee.

WHERE DO I GO FOR MEDICAL TREATMENT?

If your injury requires attention by a doctor:

Dameron Occupational Health Services

420 W. Acacia Street, Suite 2
Stockton, CA 95203
Monday through Friday
7:00 AM to 6:00 PM
(209) 461-3196 ext. 3802

Sutter Occupational Health

2545 W. Hammer Lane
Stockton, CA 95209
9:00 AM to 8:00 PM Seven
Days a Week
(209) 954-4040

Lodi Occupational Health Services

840 S. Fairmont Avenue, Suite 9
Lodi, CA 95240
Monday through Friday
8:00 AM to 5:00 PM
(209) 333-1751

Injuries Requiring Emergency Medical Treatment

Dameron Hospital Emergency
Room
525 West Acacia Street
Stockton, CA 95203
(209) 944-5550

WHAT DO I TELL THE DOCTOR OR HOSPITAL WHEN I GET TO THE MEDICAL FACILITY?

Provide the receptionist with the Medical Treatment Authorization form which has been completed by your supervisor. Advise the doctor's office or hospital emergency room that your injury occurred on the job and the circumstances regarding your injury. The medical provider may ask for the name of your employer or insurance carrier. Advise the medical provider that you are a City employee and that the medical reports/bills should be sent to the City's TPA.

This information is included on the Medical Treatment Authorization Form.

After each doctor's visit, you will be provided a Status Report. You must provide the Status Reports to your supervisor and/or the personnel unit of your department after each visit. ***It is your responsibility to keep your department informed of your medical/disability status. Failure to do so may create an interruption in any temporary disability benefits you may be entitled to.***

CAN I GO TO MY OWN DOCTOR?

Yes, but only if you have pre-designated your doctor to treat you for a work related injury. This is done by obtaining a pre-designation form from Risk Services. The form must be completed and turned into Risk Services prior to a work related injury. The doctor you pre-designate must have previously directed your medical treatment, must have your medical history on file, and must agree to be pre-designated. Please note that not all doctors are willing to provide treatment for workers' compensation injuries. Please be sure that your doctor handles workers' compensation claims. If you did not pre-designate your regular doctor before your injury, you will receive medical care from one of the doctors listed on the Medical Treatment Authorization form. Follow up treatment may be requested from other providers included in the City of Stockton Medical Provider Network (MPN). You may request a change of treating physician through the City's TPA, but you must select another doctor from within the MPN. Requests for such a change must be directed to your claims adjuster with the TPA.

WHAT TYPE OF INJURIES ARE COVERED?

All injuries, regardless of severity, are covered if they are caused by your job. All job injuries are to be reported to your supervisor, even if they are minor and do not require treatment by a doctor.

WHO PAYS FOR MEDICAL TREATMENT?

The medical provider will bill the City through the TPA. This includes the cost of the doctor, hospital, x-ray, crutches, lab work, and other services and supplies a doctor may prescribe to treat your injury.

You can also be reimbursed for mileage to and from any medical facility for treatment when you submit a statement to the TPA showing the dates of treatment and the mileage involved.

IF THE DOCTOR TELLS ME TO TAKE OFF WORK FOR A WHILE, WHAT HAPPENS TO MY INCOME?

If your claim is accepted as compensable, Workers' Compensation Law provides for lost wages in the form of temporary disability. These payments may be provided as long as the treating doctor says you are unable to work, and you are off work for more than three days. There may be further payments provided after you return to work if the doctor indicates you have permanent restrictions.

WHAT ARE TEMPORARY DISABILITY BENEFITS?

Temporary disability benefits are designed to compensate employees who are off of work for injuries sustained on the job. Temporary disability payments begin after the first three days you are off work due to a work related injury. Your full salary will continue during this three-day period by the use of your annual leave, vacation, or sick leave benefits. After this three-day period, the City will continue to use your annual leave or vacation/sick leave to supplement your income for the length of time you continue to be off work or until you exhaust your vacation/sick leave benefits. This process is called Integration. If you do not inform your department you do not wish to use your leave to cover any gap between your temporary disability amount and normal pay amount it will be presumed you desire to participate in the Integration process. This process helps to keep your benefits as a City employee in force. *If you choose not to utilize your vacation/sick leave to supplement your temporary disability income, you must notify your department and indicate this choice. Once you decide you do not want to participate you may not rescind your choice for any time off related to that particular injury.* Temporary disability benefit checks will be issued by the TPA.

After you return to work, time taken off from work for doctor's appointments, therapy, etc., for your work injury, are not reimbursed by temporary disability payments. The time off for these appointments is deducted from your annual leave or vacation/sick leave. Workers' Compensation law does not provide a benefit or reimbursement for this time off.

WHAT ABOUT FMLA AND WORKERS' COMPENSATION BENEFITS?

If an employee is injured on the job, and the injury or illness also qualifies as a "serious health condition" the time off work will run concurrently and will be counted against any FMLA leave you may be entitled to receive.

WHAT IF I CAN RETURN TO MODIFIED DUTY?

Light or modified duty may be available in certain City departments for a limited time. Some positions are not well suited for light or modified duty. If you have questions regarding light or modified work, contact your department's personnel unit. If further information is needed, you may contact the Human Resources Department at (209) 937-8233 and ask for Risk Services.

If your treating physician releases you to perform modified work, provide your supervisor the aftercare statement from the doctor that sets forth any modifications that must be applied to any return to work assessment. The statement should outline your specific work restrictions. Your supervisor and the personnel unit of your department will determine if your department can accommodate any work restrictions.

WHAT IF I RUN INTO A PROBLEM OR MY CLAIM FOR JOB INJURY IS REJECTED?

Most job injury claims are handled routinely as the benefits are set by the Legislature. If you feel you have not received all benefits due you, contact City Risk Services or the TPA. They will attempt to provide you with the information and explanation you need. If you are not satisfied with the explanation given, you may get advice from the Workers' Compensation Appeals Board Information and Assistance Office at (209) 948-7980.

If you choose to consult with legal counsel, he/she may suggest that an Application for Adjudication be filed with the Workers' Compensation Appeals Board. This is a State agency which reviews cases in which an injured worker believes that the appropriate benefits have not been provided. The Appeals Board is a court of law. You may represent yourself, or you may have counsel represent you. If counsel represents you, his/her fee is fixed by the Appeals Board and is deducted from any benefits awarded you by the Appeals Board.

WHAT IF MY INJURY REQUIRES LIFETIME MEDICAL TREATMENT OR RESULTS IN A PERMANENT DISABILITY?

If a doctor determines the injury requires lifetime medical treatment or causes a permanent disability and limits your physical ability to perform as you did prior to the injury, you may be entitled to an indemnity award.

The City's TPA can assist you in filing a Request for Rating from the Workers' Compensation Disability Evaluation Unit once there is a determination of any permanent disability level. This office issues a rating of permanent disability which occurred as a result of your work related injury. If the rating is acceptable to you and the City, then the City is mandated to pay the award. The amount of the award is usually paid over a set number of weeks or months.

WHAT IF I AM UNABLE TO RETURN TO MY PRE-INJURY OCCUPATION?

If after engaging in an interactive process it is determined that your work-incurred disability prevents you from returning to your usual occupation the City will attempt to place you in another position within City service which you can perform. If this is not possible, you may be entitled to Job Displacement Benefits. The benefit amount varies based on your level of permanent disability and is to be used for education-related retraining or skill enhancement.

LONG TERM DISABILITY BENEFITS

You may be entitled to receive long term disability benefits if you are covered by a disability plan sponsored by the City and meet the benefit waiting period. Please contact Employee Benefits at (209) 937-8622 for further information.

This booklet was prepared by:

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