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Owner Dept: HR  
Phone: ext. 6605

**Title:** Workers' Compensation Program

**Purpose:** The State Government Workers' Compensation Program of North Carolina was established in 1985 and is administered by the Office of State Personnel. The purpose of the program is to ensure that any eligible employee who experiences a work-related injury or illness receive appropriate medical care and equitable benefits as provided under the Workers' Compensation Act and the Workers' Compensation section of the State Personnel Policy.

**Scope:** All full-time, part-time and temporary UNC Asheville employees are covered by the North Carolina Workers' Compensation Act. Student employees who are injured in the course of their employment are also covered. Volunteers are not covered by the workers' compensation program.

**Definitions:**

**Accidental Injury** – An unexpected and unplanned event which is not designed by the injured employee; a result that occurs by chance. With respect to back injuries and hernias, however, injury shall mean those which arise out of and in the course of the work assigned resulting directly from a specific traumatic event.

**Compensation** – The monetary relief for loss of wages due to work-related injury; also payment for disability ratings given when disabling injuries occur.

**Disability** – Incapacity due to an accidental injury to earn wages which the employee was receiving at the time of the injury in the same or any other department.

**First Aid Treatment** – One-time treatment and subsequent observation of minor scratches, cuts, burns, splinters, etc., which do not ordinarily require medical care.

**Lost Workday** – Any day for which the employee is unable to earn or is not paid a full day's wages as a result of the injury or illness. These days are counted on a calendar basis and are used to determine when an employee may begin to draw compensation.

**Medical-Only Claims** – Those claims which have medical costs that do not exceed \$2,000 and there is one day or less of time lost from work.

**Policy:** Any employee of the University who suffers an accidental injury arising out of and in the course of employment or who contracts an occupational disease within the meaning of the Workers' Compensation Act is entitled to medical attention at the expense of the University. If applicable, the injured employee is also entitled to disability compensation, including a weekly compensation benefit for time lost from work. Please refer to the North Carolina State Government Employee Handbook for further definition.



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## **I. Coordination with Other Agencies**

- A. The North Carolina Industrial Commission** establishes the rules and regulations under which the Workers' Compensation Act is administered. Determination of liability and all bills for payment as a result of the injury will be processed according to these rules and regulations. In cases where the University and the injured employee cannot agree on liability or compensation, the Commission will hold hearings.
  
- B. The North Carolina Department of Labor – OSHA Recordability Requirements** - Workplace injuries and illnesses that may qualify under the Occupational Safety & Health Administration may or may not be qualified as Workers' Compensation. The University Safety Officer and the Workers' Compensation Administrator will determine the accident status for OSHA recordkeeping.
  
- C. Third-Party Administrator** – The State of North Carolina has contracted a third-party administrator to handle workers' compensation claims. The third-party administrator is responsible for determination of liability, authorization of treatment, bill processing, weekly compensation benefits, and forms filing. Contact Human Resources for the name and telephone number of the current third-party administrator.

## **II. Reporting Requirements**

### **A. Reporting by Injured Employee**

All work-related injuries or illness must be reported immediately (or as soon as possible) to the employee's supervisor/department head by the employee or his/her representative. Delay in reporting job-related injuries or illness may result in the loss of benefits.

To ensure the timely payment of benefits, the employee is required to provide written notice of the accident/injury to Human Resources within five days of occurrence of the accident/injury. To fulfill this requirement, the employee should complete the *Employee's Statement of Work-Related Injury*.

### **B. Reporting by the Supervisor/Department Head**

All work-related injuries or illnesses must be reported to Campus Police (251-6710) and Human Resources (251-6605) immediately (or as soon as possible). Additionally, any hazardous working conditions that may have contributed to the accident must be reported immediately to the Environmental Health and Safety Officer and to



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the employee's supervisor so that arrangements for investigation and correction can be made.

Within 24 hours of knowledge of the injury, the Supervisor or Department Head must complete the *Supervisor's Accident Report* form and submit the completed form to the Workers' Compensation Administrator in Human Resources and the Safety Officer.

The Environment Health and Safety Officer and the Workers' Compensation Administrator may require additional forms or information, including employee work schedules, assigned tasks, lost or restricted days and initial and follow-up medical visits to complete required OSHA recordkeeping.

- C. Reporting to The North Carolina Industrial Commission** - The University is required to provide a written report to the Third Party Administrator within twenty-four (24) hours from knowledge of any injury that results in more than one day's absence from work or if medical expenses exceed an amount determined by the North Carolina Industrial Commission. Responsibility for reporting to the North Carolina Industrial Commission rests with the Third-Party Administrator.
- D. Reporting to the North Carolina Occupational Health and Safety Administration and OSHA Recordability** – If an accident results in the death of one or more employees and/or hospitalization of three or more employees, the supervisor/department head must immediately notify Campus Police and advise Campus Police to contact the Safety Officer immediately. Such incidents must be reported to the NC OSH within 8 hours of the occurrence. Additionally, all fatal heart attacks occurring in the workplace, whether or not work-related, must be reported to the Safety Officer immediately.
- E. The Safety Officer and the Workers' Compensation Administrator must determine recordability** and log the injury/illness immediately after occurrence. The supervisor/department head must report all lost and restricted work activity days resulting injury/illness to the Workers' Compensation Administrator.



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### **III. Investigation Responsibility**

- A. All accidents are to be investigated immediately by the employee's supervisor/department head.
  
- B. Serious accidents are to be further investigated by an investigative team that should include the employee's supervisor and the Safety Officer.

### **IV. Claims for Compensation**

Responsibility for claiming compensation rests on the injured employee. The employee, through the University, must file a claim with the North Carolina Industrial Commission within two years from the date of injury or knowledge thereof. Otherwise, according to laws governing workers' compensation, the claim for compensation cannot be filed.

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