
WORKERS COMPENSATION

WORKERS COMPENSATION POLICY*

Employees who suffer job-related injuries and illnesses may be entitled to medical expenses, lost income and other compensation under the New Jersey Workers Compensation Act. The Authority covers workers compensation benefits (through its membership in a joint insurance fund) (with a self-insurance plan) at the employee's full rate of pay during the time which is prescribed by the Workers Compensation Physician. Any occupational injury or illness must be immediately reported to the supervisor. All required medical treatment must be performed by a Workers Compensation Physician appointed by (the joint insurance fund). The Authority and payment for unauthorized medical treatment may not be covered pursuant to the Act. No temporary Workers' Compensation benefits other than the payment of medical bills shall be paid until the employee has been disabled for a period of seven (7) calendar days from the work-related injury, unless otherwise required by law.

Unless explicitly provided for in a bargaining agreement, the Authority will only pay, either directly or through its Workers' Compensation insurer, those benefits that are specifically provided for under the Workers' Compensation Act and will not supplement these benefits with additional benefits pursuant to NJSA 11A:6-8.

While receiving workers' compensation benefits, the pension portion of an employee's benefits will still be paid by the Authority. If, however, an employee is receiving workers' compensation with pay, (which is defined as one hundred (100%) percent compensation of salary) the employee is responsible for all deductions, including pension.

The Authority will not tolerate retaliation or discrimination against an individual because the individual has filed a claim for workers' compensation benefits. This prohibition includes denying or limiting any request for leave because an individual asserted a claim for workers' compensation benefits.

Workers' Compensation Light Duty Policy. The Authority will endeavor to bring employees with temporary work-related injuries or illnesses back on the job as soon as possible. The Authority may recognize a special obligation arising out of the employment relationship and create a temporary light duty position for an employee when s/he has been injured while performing work for the Authority and, as a consequence, is unable to perform his/her regular job duties.

The Authority will not treat an employee with a disability less favorably than an individual without a disability or screen out an individual on the basis of disability in granting such requests for light duty. The Authority will grant such request, at its sole discretion, and on a case-by case basis in consideration of the medical report submitted by the workers' compensation physician, the recommendation of the insuring entity, and staffing needs and requirements. The Authority reserves the right to grant, refuse or terminate a light duty assignment at any time without cause unless it is in conflict with the mandates of the ADA, FMLA, or NJFLA or other state or federal leave laws, where applicable.

Upon return to work on light or full duty, if physical or occupational therapy is prescribed by your physician, it is the Employee's responsibility to schedule their appointments outside of work hours. Alternatively, any appointments that fall during work hours are the responsibility of the employee and said employee is required to use their accrued sick/vacation/personal time. If said employee

does not have any available accrued leave time left, the employee will not be paid for time missed from work due to appointments.

The employee and/or the Third Party Administrator (“TPA”) are obligated to inform the Authority of the employee’s medical progress and the Authority shall have the right to review same periodically. Light duty assignments may be in any department and not just the employee’s normal department. Employees on light duty will receive their regular salaries. If light duty is approved, the employee or TPA must keep the Executive Director and/or designated Human Resources Official informed of the medical progress. If, at the end of light duty period the employee is not able to return to work without restrictions, the employee should contact the Executive Director and/or designated Human Resources Official to discuss his or her options under state or federal law.

This policy does not affect an employee’s rights under the Americans with Disabilities Act, the Family and Medical Leave Act, the Fair Labor Standards Act, the Contagious or Life-Threatening Illnesses Policy, or other Federal or State law.

TRANSITIONAL DUTY POLICY

The Monroe Municipal Utilities Authority will endeavor to bring all employees with temporary disabilities back on the job as soon as possible and may assign transitional duty to employees who temporarily cannot perform the essential functions of their positions because of injury or illness. Transitional duty is not guaranteed and will not exceed 45 workdays. If a department already has one employee on transitional duty, it is unlikely that another employee from that department will be assigned transitional duty.

An employee requesting transitional duty or the Workers Compensation Physician shall notify the Executive Director as soon as the temporarily disabled employee is able to return to work with restrictions. Transitional duty will only be assigned if the employee will probably be able to perform the essential functions of the position after the transitional duty period. The Executive Director will consult with the Department Head to determine if there is any meaningful work that can be performed consistent with the restrictions. Transitional duty assignments may be in any department and not just the employee's normal department. The Executive Director will decide if it is in the best interest of the MMUA to approve a transitional duty request and will notify the employee of the decision. The MMUA reserves the right to terminate the transitional duty assignment at any time without cause.

Employees may not refuse transitional duty assignments that are recommended by the Workers Compensation Physician. In such cases, failure to report to work as directed shall constitute immediate grounds for dismissal. If the employee believes that the transitional duty assignment is beyond the employee's abilities, the employee may request a meeting with the Executive Director who will render a written response within 24 hours.

Employees on transitional duty will receive their regular salaries and are prohibited from engaging in any outside employment of any kind unless they receive prior written approval from the Executive Director. If transitional duty is approved, the employee or Workers Compensation Physician must keep the Executive Director informed of the medical progress. **Upon return to work on light or full duty, if physical or occupational therapy is prescribed by your physician, it is the Employee's responsibility to schedule their appointments outside of work hours. Alternatively, any appointments that fall during work hours are the responsibility of the employee and said employee is required to use their accrued sick/vacation/personal time. If said employee does not have any available accrued leave time left, the employee will not be paid for time missed from work due to appointments.**

If at the end of transitional duty period the employee is not able to return to work without restrictions, the MMUA reserves the right at its sole discretion to extend the transitional duty or place the employee back on Workers Compensation or disability. This policy does not affect an employee's rights under the American with Disabilities Act, the Family and Medical Leave Act, the Fair Labor Standards Act, the Contagious or Life-Threatening Illnesses Policy, or other Federal or State laws.