

Board of Trustees of the Nebraska State Colleges

Personnel

POLICY NAME: Employee Injuries, Leave and Workers' Compensation

POLICY NUMBER: 5502

A. PURPOSE

To provide the necessary procedures and requirements for when an employee is injured at work.

B. DEFINITIONS

None

C. POLICY

1. Employee Injuries

The following procedure should be followed when a State College or System Office employee sustains an injury in the performance of their duties:

- 1.1 Whenever an injury occurs, the employee is expected to:
 - Make every reasonable effort to secure prompt medical attention.
 - Notify the College President or Chancellor, in a timely manner, of any such injury, stating in ordinary language the time, place and cause of injury.
 - The College President or Chancellor, upon receiving notification of the happening of any such injury, shall seek the advice of System Legal Counsel who shall approve the "First Report of Alleged Accident or Occupational Disease" form before the same is filed with the Nebraska Workers' Compensation Court.
 - The College President shall immediately provide a copy of the report to the System Office detailing the happening of any such injury.
 - When required, subsequent reports concerning injuries sustained by employees are to be filed with the Nebraska Workers' Compensation Court and the System Legal Counsel shall be kept advised of the condition of the injured employee.

- Employees under the jurisdiction of the Board shall be subject to provisions and benefits of the Nebraska Workers' Compensation Laws.

2. Injury Leave

- 2.1. All employees, as defined by the workers' compensation insurance carrier, who are unable to work as determined by a medical provider, as a result of a job-related injury or disease, may be granted injury leave.
 - Injury leave shall not exceed five (5) of the employee's normal working shifts (no more than a maximum of forty (40) hours) for any particular injury.
 - Such leave is not to be charged against accumulated vacation or sick leave.
 - For details of workers' compensation benefits, employees are to inquire at the College or System Office, as appropriate.

3. Reporting

- 3.1. The College or System Office, as appropriate, shall have the responsibility to supply all the necessary information to the appropriate workers' compensation insurance carrier.

4. Use of Leave

- 4.1. Employees being paid Workers' Compensation for job-related injuries or disease may elect to use accumulated sick leave, vacation, compensatory time or crisis leave (if approved) to supplement their pay up to, but not to exceed, their regular rate of pay.
- 4.2. While using paid sick leave, vacation, compensatory time or crisis leave donations to supplement earnings, vacation and sick leave will continue to accrue, but once exhausted, the employee may be converted to a non-paid status with workers' compensation benefits only.
- 4.3. If the employee declines to use or has no sick leave, vacation, compensatory time or crisis leave balances available to supplement workers' compensation pay, the employee shall not be entitled to any leave or pay benefits or additional accrual of sick leave or vacation except as authorized under workers' compensation. FMLA regulations may apply, if applicable.

FORMS/APPENDICES:

First Report of Alleged Accident or Occupational Disease Form

SOURCE:

Legal Reference: Neb. Rev. Stat. 48-193 Terms; defined.

Policy Adopted: January 1977

Policy Revised: June 1993, March 2006, September 2006, June 2011, April 2023