

Policy Manual



Title: Workers' Compensation	Number: 6Hx2-3.26
Legal Authority: Fla. Statutes §440 Florida Workers' Compensation Act	Page: Page 1 of 3

GENERAL STATEMENT

Broward College is committed to providing a safe and healthy work environment for faculty and staff. In accordance with *Florida Statutes §440 and Florida State Board of Education Administrative Rules*, all employees of the College and qualified volunteers are entitled to compensation for on-the-job accidents, injuries, or occupational-incurred illnesses under the Florida Workers' Compensation Act. Under this Act, an employee is entitled to benefits for loss of wages if his/her disability exceeds 7 calendar days.

THE POLICY and THE STUDENT

Any student employed by the College is entitled to coverage for on-the-job accidents, injuries, or occupational-incurred illnesses.

THE POLICY and THE FACULTY AND STAFF.

All College employees and volunteers are entitled to Workers' Compensation benefits for occupationally incurred illnesses and injuries. Any full time employee who suffers an accidental compensable injury arising out of work performed in the course and the scope of employment is eligible for up to 12 Workers' Compensation Leave days. Family Medical Leave will be used in conjunction with workers' compensation disability benefits. Only 7 calendar days of Workers' Compensation Leave may be used per injury/illness. After the injured employee has exhausted the initial 7 calendar days of leave, the employee is then entitled to benefits for loss of wages under the Florida Workers' Compensation Act. Under this Act, the employee is entitled to two-thirds of his/her regular salary, up to the maximum set by the Workers' Compensation Act.

IMPLEMENTATION and OVERSIGHT

The Vice President, Talent and Culture has responsibility for the implementation and oversight of this policy.

VIOLATION OF POLICY

Policy violations and appeals shall be investigated by Vice President, Talent and Culture and/or his/her designee. Violations of this policy will be investigated and may result in disciplinary action up to and including termination.

DEFINITIONS

Definitions are pursuant to Florida Statute § 440.02

Accidental – an unexpected or unusual event or result that happens suddenly.

History: Revised on August 26, 2008, revised on September 25, 2012, revised January 24, 2017; revised February 07, 2023			
Approved by the Board of Trustees	Date: 02/07/2023	President's Signature 	Date: 02/07/2023

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Alternate Duty – Temporary duties that are different from the employee's regular work area/responsibilities and are within the "functional limitations and restrictions" stated on the DW-25 form. Alternate duty is evaluated with each subsequent physician visit when functional restrictions are updated.

Authorized Treating Physician – a physician who is authorized by the Workers' Compensation adjuster to provide medically necessary treatment to an employee who sustains a job-related injury.

Compensable Injury – injuries suffered by an employee arising out of work performed in the course and the scope of employment. The injury, its occupational cause, and any resulting manifestations or disability must be established to a reasonable degree of medical certainty, based upon objective medical findings, and the accidental compensable injury must be the major contributing cause of any resulting injuries. A mental or nervous injury due to stress, fright or excitement only is not an injury by accident arising out of employment.

Compensation – the money allowance payable to an employee as provided for in Florida Statute, Chapter §440.

Days – Calendar days

DWC-25 – The Uniform Medical Treatment/Status Reporting form completed by the treating physician. This form identifies whether the employees have limitations and restrictions and also when the employee has reached Maximum Medical Improvement (MMI).

Employee – any person who receives remuneration from an employer for the performance of any work or service while engaged in any employment under any appointment or contract for hire or apprenticeship, express or implied, oral or written.

Employee Temporary Transitional Duty Notification – form signed by the supervisor and the injured worker which specifies the employee's temporary alternate duty assignments and the employee's responsibilities and obligations related to program participation.

Essential Functions – the basic job duties that an employee must be able to perform with or without reasonable accommodations.

First Report of Injury or Illness (DWC-1) – the Division of Workers' Compensation form used to report a work related injury or death.

Functional Limitations and Restrictions – identification of the employee's ability or lack of ability to perform stated activities and the degree to which these activities may be performed.

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Injured Worker – an employee who sustains a job-related injury or illness. The employee has the responsibility of meeting all scheduled medical appointments and returning to work following each appointment, except when the authorized treating physician provides a medical diagnosis that prevents the employee from returning to work and is documented on the DWC-25.

Injury – personal injury or death caused by accident arising out of and in the course of employment and any diseases or infections naturally or unavoidable resulting from such injury.

Maximum Medical Improvement (MMI) – the medical condition at which further recovery from, or lasting improvement to, an injury or disease can no longer be anticipated, based upon reasonable medical probability.

Medical Documentation – DCC-25 forms, treatment notes, work status slips or discharge notes provided by the authorized treating physician.

Temporary Transitional Duty/Modified Duty – temporary duties established within the employee's regular position or another position that complies with the functional limitations and restrictions as reflected on the DWC-25. Temporary transitional duty is evaluated with each subsequent visit to an authorized treating physician when functional restrictions and limitations are updated.

Workers' Compensation Benefits – Insurance benefits that replace part of an employee's wages if the employee is unable to work due to a work-related injury or illness. Benefits include all medical expenses incurred from injuries, illnesses or accidents considered work-related and compensable.

Work Restrictions – The authorized treating physician's description of the work an injured employee can or cannot do based on the DWC-25 functional limitations and restrictions. Work restrictions help protect employees from further or new injuries.

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