

# WCM – WORKERS’ COMPENSATION LEAVE

## ELIGIBILITY:

1. An employee must be unable to work due to an occupational injury or disease that renders the employee unable to perform the essential functions of the assigned position.
2. An employee must have exhausted FMLA, if eligible, and all types of accrued leave to be eligible for a Workers’ Compensation Leave of Absence.
  - a. Once FMLA is exhausted, an employee may decline to use all available leave and shall be considered on a Workers’ Compensation Leave of Absence.
  - b. An employee has the option of utilizing any available vacation and compensatory leave before he/she is required to, is placed on, or elects to take a Workers’ Compensation Leave of Absence. The employee must contact the Risk Management Department.

## SUPPORTING DOCUMENTATION:

1. Must submit a statement from an appropriately licensed, Workers’ Compensation doctor that specifies the nature of the incapacitating condition and the anticipated recovery time. The doctor’s specialty, area of primary practice, or credentials must be related to the illness/disability for which the Workers’ Compensation leave is being requested.

## REINSTATEMENT REQUIREMENTS:

1. The employee must submit a medical release from an appropriately licensed, Workers’ Compensation doctor verifying that the employee is able to perform the essential tasks of his/her position. The doctor’s specialty, area of primary practice, or credentials must be related to the illness/disability for which the Workers’ Compensation leave was approved.
  - a. If the Workers’ Compensation release contains temporary restrictions that prevent the employee from performing the essential tasks of his/her position, the employee is not eligible for reinstatement, unless approved by the Risk Management Department.
  - b. If the Workers’ Compensation release contains permanent restrictions that prevent the employee from performing the essential tasks of his/her position, the employee shall be directed to the Diversity and Affirmative Action Programs Office for consideration of reasonable accommodations and the Risk Management Department.

## NEGOTIATED AGREEMENT(S) / CCSD REGULATION:

- ❖ CCSD Regulation 4127
- ❖ ESEA Article 11-6