

Regulation 4357.1: Work-Related Injuries

Status: ADOPTED

Original Adopted Date: 09/25/2009

In order to provide medical benefits, temporary or permanent disability benefits, wage replacement, retraining or skill enhancement, and/or death benefits in the event that an employee becomes injured or ill in the course of employment, the district shall provide all employees with insurance and workers' compensation benefits in accordance with law. The Superintendent Chief Learning Officer or designee shall develop an efficient claims handling process that reduces costs and facilitates employee recovery.

~~Reasonable Accommodation)~~

The Superintendent Chief Learning Officer or designee shall notify every new employee, at the time of hire or by the end of the first pay period, of ~~his/her~~**the employee's** right to receive workers' compensation benefits if injured at work. (Labor Code 3551; 8 CCR 15596)

~~Employee Notifications)~~

In addition, a notice regarding workers' compensation benefits shall be posted in a conspicuous location frequented by employees, where the notice may be easily read during the workday. (Labor Code 3550)

In the event that an employee is injured or becomes ill in the course of employment, ~~he/she~~**the employee** shall report the work-related injury or illness to the Superintendent Chief Learning Officer or designee as soon as practicable.

The employee and appropriate district staff shall also promptly document the date and time of any incident, a description of the incident, and any persons present.

Within one working day of receiving notice or knowledge of any injury to an employee in the course of employment, the Superintendent Chief Learning Officer or designee shall provide a claim form and notice of potential eligibility for workers' compensation benefits to the employee or, in the case of the employee's death, to ~~his/her~~**the employee's** dependents. The claim form and notice shall be provided personally or by first class mail. (Labor Code 5401)

The Superintendent Chief Learning Officer or **designee shall ensure that all employee notices described above are in the form prescribed by the Department of Industrial Relations (DIR), Division of Workers Compensation.**

The Superintendent Chief Learning Officer or designee shall additionally ensure that any employee who is a victim of a crime that occurred at the place of employment is given

written notice personally or by first class mail within one working day of the crime, or when the district reasonably should have known of the crime, that the employee is eligible for workers' compensation benefits for injuries, including psychiatric injuries, that may have resulted from the crime. (Labor Code 3553)

~~The Superintendent Chief Learning Officer or designee shall ensure that all employee notices described above are in the form prescribed by the Department of Industrial Relations (DIR), Division of Workers Compensation.~~

Upon learning of a work-related injury or illness, or injury or illness alleged to have arisen out of and in the course of employment, the Superintendent Chief Learning Officer or designee shall report the incident to the district's insurance carrier **or DIR, as applicable**, within five days after obtaining knowledge of the injury or illness. If a subsequent death arises as a result of the reported injury or illness, an amended report indicating the death ~~must be filed with the insurance carrier within five days after being notified of or learning about the death. (Labor Code 6409.1)~~ **shall be filed within five days after being notified of or learning about the death. (Labor Code 6409.1)**

In addition, in every case involving death or serious injury or illness, the Superintendent Chief Learning Officer or designee shall immediately make a report to the Division of Occupational Safety and Health (Cal/OSHA) by telephone or through an online mechanism made available by Cal/OSHA. (Labor Code 6409.1)

For the purpose of this report, serious injury or illness means any injury or illness occurring in a place of employment or in connection with any employment that requires inpatient hospitalization for other than medical observation or diagnostic testing, or in which an employee suffers an amputation, the loss of an eye, or any serious degree of permanent disfigurement. (Labor Code 6302)

~~In addition, in every case involving death or serious injury or illness, the Superintendent Chief Learning Officer or designee shall immediately make a report by telephone or email to the Division of Occupational Safety and Health. (Labor Code 6409.1)~~