

## **WORKER'S COMPENSATION FACT SHEET**

The Worker's Compensation Act provides benefits when at the time of injury, the employee is performing service growing out of and incidental to his or her employment. Injuries should be immediately reported to your supervisor who will provide an Employee Occupational Injury and Illness Report.

You have the choice of physician, chiropractor, psychologist or podiatrist licensed in the State of Wisconsin to provide reasonable and necessary treatment to cure and relieve the effects of injury. You have the choice of a second physician. Simultaneous treatment by two doctors is not accepted, nor is a third choice of physician unless referred by your primary doctor. Doctors within a clinic are not considered a change of doctors.

The Worker's Compensation Act provides payment for medical treatment to cure and relieve the effects of injury. Compensability is determined following evaluation of medical support that treatment relates to the work injury. Seeking treatment does not guarantee medical expense will be approved under Worker's Compensation.

When you seek medical treatment, advise the provider you have a worker's compensation claim. Medical bills should be submitted to your campus worker's compensation coordinator. Should you receive medical bills, including prescriptions, submit them to the worker's compensation coordinator on your campus.

The State of Wisconsin utilizes medical case management services to injured State employees. Medical care and services, such as inpatient hospitalizations, surgical procedures, MRI and CT scans, physical therapy and chiropractic treatment may be reviewed for appropriateness. If such treatment is recommended by your health care provider, promptly notify your worker's compensation coordinator prior to having such treatment.

Should an injury result in more than three days lost time from work, contact your worker's compensation coordinator. Medical documentation is required to substantiate disability payments under Worker's Compensation.

For further information regarding worker's compensation, please contact:

**UWEC- Human Resources**

**Schofield Hall 230**

**105 Garfield Ave.**

**Eau Claire, WI 54702**

**715-836-3131**

*This Fact Sheet briefly explains options available under the Wisconsin Worker's Compensation Act. This document does not constitute a legal document. The law and bargaining unit agreement would prevail in the event of a discrepancy.*

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LOST TIME**

When a work related injury or illness results in absence from work, a medical report is required giving the reason and dates of lost time. It is the responsibility of the employee to be sure medical reports are provided timely at the onset of disability as well as on a regular updated basis, including estimated return to work dates. Lack of complete medical documentation may result in a delay of payments.

**Temporary disability** benefits are approximately two-thirds of the employee's average weekly wage subject to a maximum amount specified by law. Temporary total disability is paid on a six-day per week basis. Payments are made to coordinate with regular scheduled payroll dates. Temporary disability is not paid for the date of injury or when three-day waiting period for disabilities lasting seven days or less. If the absence extends beyond eight days after the date of injury or last day worked, compensation is paid for the entire period including the three day waiting period.

Temporary disability is paid while **medical documentation** shows the employee is unable to work due to the work injury, until the employee is released by the physician and work is available within any restrictions, or until the employee reaches a maximal healing.

The University of Wisconsin System encourages early return to work. Contact your department to see if modified duty is available within your restrictions.

Leave Options

Temporary disability compensation can be supplemented with your **accumulated leave credits**. This allows employees to supplement their worker's compensation payment (approximately two-thirds of salary) with approximately one-third leave credits so they receive about their normal paycheck.

An employee cannot receive more than his/her regular base pay; therefore when credits are paid in addition to worker' compensation, an overpayment results. The payroll is reduced by this amount. The overpayment is divided by the hourly rate to determine the amount of leave credits to be credited to your account. Hours of leave credits restored are leave-without-pay.

An employee may elect to be on **leave-without-pay** during the period of absence and receive only temporary disability compensation. If this option is chosen, or the employee does not have enough leave credits to cover the absence, the employee would not be paid any accrued leave credits.

Leave credits are not **earned** for hours of leave-without-pay, including hours restored as a result of an overpayment.

**Retirement credits** are earned for any period of time in which temporary disability benefits under worker's compensation are paid provided the employee remains in active employment status. Upon return to employment, the employer may recover from the employee's payroll the amount of retirement contributions paid on their behalf during the disability.

Worker's compensation payments are **not taxable** for social security, federal tax or state tax.

Worker's compensation is integrated with Income Continuation Insurance. Benefits paid under worker's compensation will be deducted from any paid income continuation benefits.

If during the absence an employee is no longer on the payroll, you should **contact your Benefits Office to make arrangements for premium payment of benefits and/or insurance**, as well as appropriate leave of absence forms.