

UNIVERSITY OF PITTSBURGH POLICY 07-06-02

CATEGORY: PERSONNEL
SECTION: Employee Support
SUBJECT: Workers' Compensation
EFFECTIVE DATE: February 1, 2012 Revised
PAGE(S): 2

I. SCOPE

This policy establishes the responsibility of the University, as defined by the Pennsylvania Workers' Compensation Act (PA WC Act), to compensate employees for injuries sustained, or exposure to an occupational disease hazard during the course of employment.

This policy also establishes guidelines for modified duty work for employees who are receiving Workers' Compensation lost wage replacement so they may perform productive work within the functional limitations imposed by a work injury or illness.

In compliance with the provisions of the PA WC Act, the University is permitted to self-insure its workers' compensation liabilities.

Therefore, the University retains a third-party claims administrator (TPA) to administer WC payments as defined by the PA WC Act and as managed through the University's Office of Risk Management (ORM).

II. POLICY

Faculty, staff, and certain student employees who believe they have sustained a work-related injury, illness, or disease which prevents them from performing their regular assigned duties, may be eligible for partial wage loss and reasonable, necessary and related medical services and supplies.

Volunteers are not eligible for Workers' Compensation. Students who are performing functions to fulfill a financial aid obligation or to fulfill educational objectives may not be considered employees for the purposes of Workers' Compensation.

Program Administration

It is the responsibility of the Office of Risk Management (ORM) to oversee the University's administration and management of the Workers' Compensation program in accordance with state regulations. ORM consults with the Office of General Counsel on claims as appropriate and delegates claims administration to a third-party claims administrator (TPA). The University's Workers' Compensation program's primary goals are the resolution of claims and the safe and timely return of employees to work.

Reporting an Injury

Employees or their supervisor must report any illness, injury, or disease that is believed to have arisen from the performance of one's job duties to the TPA and their supervisor immediately. Failure to report the injury immediately may jeopardize the Workers' Compensation claim.

Detailed directions for reporting a potential work injury or illness are located at <https://www.risk.pitt.edu/workers-compensation/reporting-work-related-injury>. See <https://www.policy.pitt.edu/er-19-workers-compensation-formerly-07-06-02>.

Medical Treatment

For medical payments to be considered by the TPA, non-emergency treatment must be obtained through the providers listed on the [University's Health Care Provider Panel – Form C](#). Initial medical care for a medical emergency may be obtained at the nearest emergency medical facility. The employee must treat with a panel provider for 90 days from the date of the first panel provider visit.

The University has a Panel list for each campus. Employees may choose a provider from any Panel list. If an employee opts to change providers, they must notify the TPA within five (5) days. Reasonable, related, and necessary medical costs will be paid subject to review by the TPA in accordance with the PA WC Act.

Employees' Rights and Responsibilities under the PA WC Act are available on Employee Acknowledgement of Rights & Duties – [Form D](#).

Lost Time Wage Payments

Pursuant to state law and TPA claim acceptance, a waiting period is applicable before lost time wage replacement is available. You must be disabled more than seven (7) calendar days (including weekends) before WC payments for disability are payable. Lost time wage payments are payable on the eighth (8th) day after injury. Once you have been off work fourteen (14) days, you receive retroactive payment for the first seven (7) days. Please consult with the Office of Human Resources for guidance on use of benefit days, such as sick, vacation, FMLA, etc., to cover any unpaid Workers' Compensation during this waiting period. <https://www.hr.pitt.edu/current-employees/benefits/time-off>

If an employee returns to work at wages less than the time of injury average weekly wage, partial wage replacement may be continued as dictated by state law and administered through the TPA.

Return to Work

The ORMI and TPA will work closely with the employee's Department as needed to assist with the return to work process, at full, modified or alternative work. In cases where the employee is unable to return to his/her time of injury job, the availability of modified duty work is usually considered temporary in nature, and is geared toward the successful return to full duty responsibilities. When necessary, the University may assign modified duty work within or outside of the department or school to which the injured worker is regularly assigned, based upon a review of transferable skills, education, training, work experience, and applicable collective bargaining agreements.

The employee is responsible for maintaining contact with their department supervisor, especially regarding any change in medical status or restrictions, following a medical appointment related to their work injury/illness. In the event the employee is released to work at anything less than his/her pre-injury job demands, it is the Department's responsibility to consider the availability of modified duty work given the injured worker's specific restrictions, job functions, and potential temporary accommodations.

III. REFERENCES

[Procedure ER 19, Workers' Compensation](#) (formerly 07-06-02)

<http://www.cfo.pitt.edu/wc>