

REQUISITION SHEET MUST BE ATTACHED
(Applies when agenda item requires a specific payment)

OKLAHOMA COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM REQUEST SHEET

For the Monday ~~Wednesday~~, February 1, 2010 Agenda
(Day of Meeting) (Date and Year of Meeting)

DEPT.: County Clerk as Secretary to Budget Bd. BY: Karen Prince EXT. 1805
(Department Requesting this item) (Contact person for this Item) (Contact's extension)

NAME OF FUND: WORKERS' COMPENSATION LEAVE POLICY AND LANGUAGE WITHIN COUNTY PERSONAL HANDBOOK

AGENDA ITEM DESCRIPTION: Discussion and possible action to approve Resolution No. _____ amending the Workers' Compensation Leave Policy and Language within the Oklahoma County Employees Personal Handbook, as recommended and approved by the Oklahoma County Budget Board on January 21, 2010.

(ALL NECESSARY DOCUMENTATION MUST BE ATTACHED FOR APPROVAL)

APPROVED BY ENGINEER
(If Applicable)

County Engineer

APPROVED BY D.A.
(If Applicable)

1/21/2010
Assistant District Attorney

APPROVED BY PURCHASING
(If Applicable)

Purchasing Agent

NOTE: A COMMISSIONER MUST APPROVE ALL EMERGENCY REQUESTS
FOR ANY ITEM SUBMITTED AFTER THE DEADLINE
(THE DEADLINE IS 9:00AM ONE WEEK PRIOR TO THE DATE THAT THE AGENDA IS TO BE POSTED)

DATE OF REQUEST:

BY: _____
(Person Submitting or Requesting Emergency Request)

DATE OF APPROVAL:

APPROVED BY:

COUNTY COMMISSIONER

Frank W. Miska, Chief Deputy

Number of ORIGINAL DOCUMENTS you have attached: 2 NOTE: The County Clerk will keep one original and will return the remaining originals to you. If you provide only one original, the Board Secretaries will return one photocopy to you. However, if you have special circumstances that require the County Clerk to (check one): _____ keep more than one original; or _____ return all originals to you, please describe them for the County Clerk's consideration: _____

Special Instructions: Please return a signed copy to me. Thanks 1 copy for BOCC
1 copy for Budget Board.

PENDING APPROVAL

Resolution No. _____

A RESOLUTION AMENDING THE OKLAHOMA COUNTY EMPLOYEE HANDBOOK AS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OF OKLAHOMA COUNTY TO BE EFFECTIVE FEBRUARY 1, 2010.

NOW, THEREFORE BEIT RESOLVED that the Board of County Commissioners hereby approves an amendment to the Oklahoma County Employee Handbook, specifically Section 2 Leave Categories, Paragraph D. 2 and 3. Workers Compensation Leave.

D. WORKERS COMPENSATION LEAVE:

1. An employee who sustains illness or injury arising out of or in the course of employment with Oklahoma County shall be provided with reasonable and necessary medical care.
2. In all accepted claims, Oklahoma County employees will be provided their regular monthly salary by the County up to the first three (3) months, plus the balance of the month they were injured, if an employee is required to miss work because of a compensable injury or illness, as determined by the County's authorized physician. This benefit will be paid after a three (3) day waiting period, as mandated by the Oklahoma Statutes (O.S. Title 85, Chap. 2, Sec. 13). Employees may use accrued leave (annual, sick or comp time) for the three (3) day waiting period. Employees will be paid for up to three (3) months, plus the balance of the month they were injured, unless the employee is authorized to return to work earlier. The employee will be placed on Worker's Compensation Leave status.
3. After three (3) months, plus the balance of the month injured, payment of regular monthly salary will cease. Any additional time off will be considered as Temporary Total Disability (TTD) benefits and will be paid through the Workers' Compensation Administrator at the rate mandated by law.
4. An injured employee may receive TTD benefits for as long as the employee is temporarily totally disabled, not to exceed a maximum of 300 weeks. An employee cannot receive their full salary as designated in Section D. 2 and receive TTD payments as designated in Section D. 3, at the same time.
5. Employees will not be allowed to use their accrued leave (annual, sick or comp time) to augment TTD benefit payments or in lieu of TTD while on Workers' Compensation Leave as a result of an on-the-job injury or illness.
6. Authorized absences from the job due to a workplace injury or illness will not be charged against the employee's sick leave or annual leave.

PENDING APPROVAL

7. Temporary, part-time employees, and volunteers injured on-the-job are not generally covered, unless specifically addressed by the Workers' Compensation Act.
8. An employee who is absent from work due to an on-the-job injury shall obtain a **written** release from his/her physician before returning to work. The written release **must** be completed and signed by a physician before an employee is allowed to return to work.
9. Sick and annual leave do not accrue to an employee while on Workers' Compensation Leave.
10. An injured employee must notify their supervisor if they accept or continue other employment while on Workers' Compensation Leave. An employee receiving TTD payments from another employer must promptly report, in writing, the amount of income they are receiving, or any change in their employment status while receiving TTD payments.
11. No employee may receive TTD payments and unemployment benefits covering the same period of time.
12. Oklahoma County will continue to maintain health, dental, vision, and life insurance coverage for employees on Workers' Compensation Leave as long as they were covered prior to such leave.
 - a. During this period, employees are required to continue to pay any premium they were paying prior to Workers' Compensation Leave. Any premium adjustments that are made to all Oklahoma County employees will also include employees on Workers Compensation Leave.
 - b. This premium is due from the employee by the 1st of each month and is considered delinquent after the 15th of the month. Coverage is subject to termination if the premium is not paid by the last day of the month.
 - c. If an employee terminated coverage and then later returns from leave, **they must re-enroll for health insurance coverage by providing evidence of insurability.** If approved, health insurance coverage would be effective the first day of the month following approval.
13. Oklahoma County shall continue to make payments into the employee's Retirement Account during the time they are on Workers' Compensation Leave.
14. WORKERS' COMPENSATION FRAUD: (O.S. Title 21, Chapter 65, Section 1663)

PENDING APPROVAL

A person is guilty of Workers' Compensation Fraud who:

- a. Alters, falsifies, forges, distorts, counterfeits or otherwise changes any material statement, form, document, contract, application, certificate, or other written or verbal statements with the intent to defraud, deceive, or mislead another, including any medical provider or employer, or to obtain benefits therefrom when they are not entitled thereto.

- b. **Upon conviction, said person shall be guilty of a felony punishable by imprisonment in the State Penitentiary not exceeding seven (7) years or by a fine not exceeding Ten Thousand Dollars (\$10,000.00) or by both such fine and imprisonment.**

APPROVED BY THE BUDGET BOARD ON THE 21ST DAY OF JANUARY, 2010.

APPROVED BY THE BOARD OF COUNTY COMMISSIONERS THIS 1ST DAY
OF FEBRUARY, 2010.

Chairman

Member

Member

ATTEST:

Carolynn Caudill, County Clerk

Approved: [Signature] Asst. Dir. 1/21/2010