Industrial Accident Leaves

1. **Introduction.** The California Workers' Compensation laws provide that employees who suffer injuries or illnesses which have arisen out of and in the course of their employment be provided benefits as prescribed by those laws. The Los Angeles Community College District is "self-insured" for the costs of Workers' Compensation Claims and the administration of the program; this means that all Workers' Compensation costs are charged directly to the District's budget, and are not covered by insurance policies.

2. **Medical Treatment.** When an employee becomes injured on the job, a College Safety and Police Services Officer must be summoned. The Officer will render appropriate first aid and will immediately refer the employee to a medical treatment facility listed in Personnel Guide B410, MEDICAL PANEL.

   a. **Medical Service Order.** When an employee is referred for treatment, the Medical Service Order (Form WC-15-11/80) which informs the medical facility that the injury is industrial in nature, should accompany the employee. It is the responsibility of the College Safety and Police Services Officer on the scene to complete this form. If the employee is unable to hand carry the form, the Officer should send it to the treatment facility immediately.

   b. **Serious Injuries.** If an employee suffers an industrial injury so serious that he/she must be taken for treatment by City or County paramedics or ambulance the facility he/she is taken to may not be one of those listed. If this occurs, the Insurance Section at the District Offices (extension 2200) must be informed by the College Safety and Police Services Officer on the scene of the facility to which the employee was taken as soon as possible.

   c. **Refusal of Treatment.** If, after suffering an industrial accident, an employee refuses to be treated by a facility on the Approved Medical Panel, the Medical Service Order should be prepared; however, the statement, "I have declined medical treatment for' this injury," should be entered on the reverse side of table form. The employee must sign and date this statement which should then be countersigned and dated by a witness. The form should then be sent to the Insurance Section.
3. **Report of Injury.** The "Employer's Report of Occupation Injury or Illness" (Form 5020) must be submitted within twenty-four (24) hours of an accident; however, it is not necessary to complete it prior to referring the employee for treatment. The form must be completed and signed by the Captain of College Safety and Police Services. Under no circumstances should the injured employee fill out the form. Submitting the report does not in itself make the District liable or responsible for claims in disputed cases.

   a. **Employee Information.** Items 6 through 13B identify the injured employee and provide wage information. If any of this information is not available, the form should be submitted and the Insurance Section will complete it. Items 12A, 12B, 13, and 13A will always be completed by the Insurance Section.

   b. **Injury or Illness.** Items 14 through 30 call for information regarding the place where the injury happened, how it occurred, the nature of the injury, and other pertinent information. This information should be obtained by the officer completing the form from those employees who have first-hand knowledge of the accident or injury. Only if no witnesses exist, should the information come from the injured employee.

   c. **Accidents Resulting in Hospitalization or Death.** In the event of a serious accident (one where the employee will be off work for more than three (31 days) or an accident which results in the employee's death, the Insurance Section must be informed immediately by telephone (extension 2200).

4. **Industrial Accident Leave.** When it has been determined that an illness or injury is industrial in nature, that is, it arose out of and in the course of District employment, an Industrial Accident Leave will be granted to the employee. For employees in collective bargaining units which are represented by exclusive representatives, the leave will be processed in accordance with the Industrial Accident Leave article in the appropriate contract. For certificated and classified administrators and unrepresented classified employees, the following leave provisions apply:

   a. **Requirements**

      (1) Certificated Employees

         (a) The employee must be serving under a semi-annual or annual contract, OR

         (b) The employee must have had continuous status with the District during the immediately preceding three (3) years and have received pay for at least 100 days during each of those years, OR

         (c) The injury or illness was directly related to the performance of the employee's duties and caused by an assault and/or battery as determined by the Chancellor or his designated representative. (See PG B420, LEAVE—Assault and Battery.)

      (2) Classified Employees

         (a) The employee must have permanent status, OR

         (b) The employee has completed a total of three (3) consecutive years of continuous employment with the District immediately preceding the beginning of the leave with any combination of limited-term, probationary, or permanent status, including at least 130 days of paid service during each of the three (3)
years. A day of paid service shall be defined as any day for which pay is received, OR

(c) The Chancellor or his designated representative has determined that the illness or injury was directly related to the performance of his/her duties and caused by assault and/or battery. (See PG B420, LEAVE-- Assault and Battery.)

b. Length of Leave
(1) Leave is granted from the first day of absence resulting from industrial accident or illness but shall not exceed sixty (60) working days (when the employee would have been performing his/her duties) for one accident, and shall not extend beyond the last day for which temporary disability is received. The illness leave balance will be reduced by one (1) day for each day of authorized absence regardless of the amount of a temporary disability indemnity award.

(2) The 60 days is not accumulative from year to year. In case the absence for the same accident extends into the following year, only the unused portion of those 60 days will be available.

c. days will be continued on industrial accident leave but will be paid from his/her accumulated illness balance. When this balance is exhausted, if still unable to return, the employee will be placed on unpaid industrial accident leave.

d. Compensation. Before salary payments can be made, the Employer's Report of Occupational Injury or Illness (Form 5020) must be filed with the Insurance Section.

(1) The District will issue appropriate salary warrants which will include the amount of the temporary disability payments, but not exceed the employee's full salary. Such warrants are subject to normal retirement and other authorized deductions.

(2) During the initial 60-day absence, the employee shall receive the difference between his/her regular salary and the compensation received from temporary, disability payments; absences are not charged against the employee's accumulated illness balance. If the 60-day maximum is exceeded, the employee may start drawing any regular accumulated illness compensation.

(3) A full day's salary for any employee who is not serving under a semiannual or annual contract is the salary for one-twentieth of the average number of hours for which pay was received for the pay periods within his/her assignment code basis during the year immediately preceding the beginning of the leave.

(4) When vacation or any Paid leave, except an industrial injury or industrial illness leave, is used in conjunction with temporary disability benefits derived from Workers' Compensation, the vacation or leave shall be reduced by not more than the amount necessary to provide a full day's salary when added to the temporary disability benefits.
(5) If an employee has received a final settlement for permanent industrial disability, and, after the final settlement he/she is absent because of illness arising from the industrial accident or because of the continuation of the industrial illness, he/she may be entitled to regular illness or injury leave benefits. Any allowances made in a final settlement are not subject to deduction under this rule.

e. Effect on Benefits. Time on industrial accident leave does not constitute a break in service; the first 60 days is not charged against illness pay balance; time does count toward salary step advance and retirement credit; does not count as service for certificated tenure or eligibility for other leaves. Classified employees will continue to receive seniority credit for all purposes while on paid or unpaid leave.

f. Activities While On Leave

(1) An industrial accident leave period begins on the first day for which injury is claimed at the hour the employee usually reports for work and extends through the last day for which injury is claimed until the hour the employee is engaged in any gainful employment. The employee will be required to forfeit any injury pay received from the District during any period of employment.

(2) An employee on industrial accident leave shall remain within the State of California unless the governing board authorizes travel outside the State.

5. Procedures for Processing Industrial Accident Leaves.

a. Absences for Twenty (20) Working Days or Less.

(1) The occurrence of an industrial accident should be reported as described in 3. above.

(2) Time should be reported in accordance with procedures established by the Payroll Section.

(3) At the time of approval of temporary disability payments, the Insurance Section will issue an RPA indicating the dates authorized by the temporary disability payment, and the Personnel Operations Branch will process an Industrial Accident Leave of Absence.

(4) Health must be approved before return to service if the absence is in excess of ten (10) working days. (See PC B443, ABSENCE--Return Procedure.)

(6) An RPA indicating "Return from Industrial Accident Absence" in the "Remarks" section must be submitted for processing through the Personnel/Payroll system.


(1) Any employee who is absent for more than twenty (20) working days must request a formal leave of absence, in accordance with applicable procedures.

(2) Employees who are absent because of an industrial accident which is a continuation of that described in a. above, or for a leave which can initially be determined to be in excess of twenty (20) working days, must submit a leave of-absence request form and an Attending
Physician's Statement (Form C305) to request a formal illness leave of absence.

(3) The leave of absence request will be processed by the Personnel Operations Branch. Time should be reported in accordance with procedures established by the Payroll Section.

(4) Illness leaves will be converted to industrial accident leaves in accordance with the procedures outlined in 3. above.

(5) Health must be approved before return to service. (See PC B443, ABSENCE-- Return Procedure.)

(7) Notification of the employee's return to service must be made by an RPA from the work location.

c. **First Three (3) Days.** Although the Workers' Compensation Law prohibits payment of temporary disability for the first three (3) days of an industrial accident, an employee's leave balance(s) will not be charged for these three (3) days.

(1) **Absences of More Than Three (3) Days**
(a) The occurrence of an industrial accident should be reported as described in 3. above.

(b) When the District authorizes payment of temporary disability, the Payroll Section will reverse any charges made to the employee's leave balance(s) for the first three (3) days of the leave.

(2) **Absences of Less Than Three (3) Days.**
(a) The occurrence of an industrial accident should be reported as described in 3. above.

(b) An employee must be referred to a medical treatment facility, as described in 2. above. If the employee declines treatment and is later absent because of the accident, time off will be charged to the employee's illness leave balance until the employee is examined in accordance with 2. above. If required by his/her supervisor, the Employee must provide written medical verification of the reason for the absence.

(c) If the physician who examines the employee in accordance with 2. above determines that the employee must be absent for one, two, or three days, or parts thereof, no charges will be made to the employee's leave balance(s) for this time. Upon receipt of the physician's written report, the Insurance Section will authorize the balance(s) for the dates and times in the physician's report. If time off is not indicated in the report, the Insurance Section may withhold authorization to the Payroll Section until the employee provides the required verification.

(d) Time should be reported in accordance with the procedures established by the Payroll Section. The employee must submit the "Certification of Industrial Accident Illness or Injury" (Form 60.82) prior to time off being reported. Completion of the "Certification of Physician or other Practitioner" section is not required, since the absence was for fewer than five (5) days. The Payroll Section will not reverse the illness leave to industrial accident leave until the employee submits the certification.
(e) For absences of less than eight (8) hours in one day, a Supplemental Report of Injury must be submitted to the Vice President of Administration along with medical verification that the absence was for treatment of an industrial accident or injury.


a. **District Office Injuries.** If a College Safety and Police Services Officer is not present at the District Offices when an industrial accident or injury occurs there, the Safety Services Coordinator and/or the Insurance Coordinator should be summoned.

b. **Injuries or Accidents Occurring When The Police Is Not Available.** When the District police personnel are not available to respond to an industrial accident, the employee who discovers the accident must follow the procedures described in 2. above with regard to summoning assistance from paramedics, if necessary, or referring the employee to an approved medical facility. Each campus office and District Office must maintain a current list of these facilities for reference in emergency situations.