

PERSONNEL

Personnel

Workers' Compensation (6.41)

PURPOSE

The purpose of this policy is to conform with applicable state law by providing benefit to employees who are injured in jobrelated incidents.

POLICY

It shall be the policy of Tennessee State University to provide benefits to employees who are injured as the result of an accident which occurs in the course of employment.

PROCEDURE

Whenever an employee sustains an injury as the result of a jobrelated accident, the employees immediate supervisor should be informed. As soon as possible after an accident occurs, the employee should complete a Accident Report Form. This form may be obtained from the Personnel Office or from the immediate supervisor.

1. Payment of Medical Expenses The state, as your employer, is responsible for payment of any reasonable medical expenses you incur in seeking medical treatment for your compensable injury.

2. Payment of Temporary Disability Benefits If your doctor, in the course of treating your compensable injury, determines you should not return to work, you are eligible for temporary disability benefits. These benefits, also called lost time pay, are intended to replace part of the income you may lose as a result of your compensable injury. To receive temporary disability benefits, you must be on a leave without pay status during the time you wish to receive the temporary disability benefits. You may choose to use your accumulated sick and annual leave instead of or prior to applying for temporary disability benefits since your temporary disability benefits will be less than the amount you would receive if you use your sick or annual leave. This is choice to be made by the employee.

To qualify for temporary disability benefits, you must be out of work due to your compensable injury for seven days. Your temporary disability would then begin to accrue on the eighth day of disability. If you are out of work for 14 days or more, then the state will provide temporary disability benefits for the full period of your temporary disability.

The amount of temporary disability benefits you receive is equal to 66 and 2/3 percent of your average weekly salary at the time your accident occurred.

3. **Payment of Permanent Disability Benefits** If your compensable injury results in a permanent reduction in your ability to perform work for which you are suited by education, age and training, then you may be eligible for permanent disability benefits. The state's decision on whether to offer you a permanent disability benefit will be reached after reviewing the recommendations of your treating physician. In addition, the state may require you to be examined by an independent physician whose recommendations will also be considered. The benefit payable, if any, is based upon the degree to which you are permanently disabled. The degree of your disability (which eventually determines the amount of your disability benefit) is subject to negotiation and agreement between you and the state.

4. **Payment of Death Benefits** If your compensable injury results in your death, the workers' compensation law specifies that compensation will be paid to your surviving dependents. The amount of this death benefit differs depending upon who your surviving dependents are. As with both the temporary and permanent disability benefits, the maximum benefit payable is based on the date the compensable injury occurred. Death benefits are payable monthly to your surviving spouse until the amount due has been paid in full; however, if your spouse remarries, your spouse's benefit ceases to be paid.

A benefit is also payable to any surviving dependents until each dependent reaches eighteen years of age (or twentytwo years of age if enrolled in a recognized educational institution), regardless of whether your spouse remarries. If you have no surviving dependents, your estate is eligible for a payment of \$10,000 plus reimbursement of up to \$3,000 for funeral and burial expenses actually incurred. Proof of funeral and burial expenses must be submitted for this reimbursement

REFERENCE

Tennessee Laws