

**WAGE CONTINUATION,
INJURY LEAVE
AND
TRANSITIONAL WORK PROGRAM**

CITY OF ASHLAND

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WAGE CONTINUATION

The City of Ashland will apply the following guidelines toward the use of Sick Leave and Injury Leave. Sick Leave will remain unaltered by definitions (see codified ordinance 155.02). However, Sick Leave will not be used for injuries or illnesses that are directly work related. Any employee who suffers a compensable work related injury or occupational illness may elect to receive Injury Leave in lieu of Ohio Bureau of Workers' Compensation compensation.

The Ohio Bureau of Workers' Compensation (OBWC) pays compensation at a rate of 72% of the full weekly wage for the first 12 weeks of disability and at 66 $\frac{2}{3}$ % for all subsequent weeks of disability. In most cases, administrative delays have caused interruptions in income from the last day of work to the eventual receipt of benefits of up to three (3) months or more.

In order to prevent such delays, the City of Ashland will, in qualifying claims, continue to pay wages at a rate equal to 100% of the employee's current wages. A calculation will be performed to compensate for the loss of overtime income, and the greater amount will be paid if applicable. In most cases, payments will begin upon completion of a certified claim application. **The payments by the City will be taxable income to the employee and subject to the same tax withholding requirement as one's regular weekly wage. Workers' Compensation benefits payable by the State are not taxable income to the employee.**

Receipt of Injury Leave will be in lieu of workers' compensation lost time benefits. **The payment of medical benefits will continue to be the responsibility of the Ohio Bureau of Workers' Compensation. Since the claim number will already be assigned by the Bureau, no interruption in the disabled employee's benefits should occur.** Employees who elect to receive Injury Leave will receive benefits such as rehabilitation services and job accommodation through OBWC if eligible.

This plan is designed to eliminate any financial hardship suffered by an employee as a result of an occupational illness or injury.

INJURY LEAVE

Any employee who suffers a compensable industrial injury or illness can, subject to the below mentioned terms, receive injury leave in lieu of workers' compensation lost-time benefits. Related medical benefits are the responsibility of the Bureau of Workers' Compensation.

QUALIFICATIONS

1. The injury or illness must be determined to be compensable by the City. In no event will compensation commence before a state claim number is assigned. In the case of dispute, Wage Continuation will continue until the dispute is settled or until maximum medical is attained, or until ninety (90) days per contract or ordinance. Greater lengths of time will be determined on the merit of the injury and at the discretion of the appointing authority. In the event that the claim is determined not to be a compensable injury or illness by the Industrial Commission, the employee's wage continuation will be retroactively applied toward accumulated sick leave and other accrued benefits per the City's FMLA policies.
2. The doctor must complete a **First Report of Injury (FROI-1)**.
3. Competent medical proof of disability must be provided via Form C-84. The attending physician must complete the form in its entirety and affix his/her original signature to the form. Copies are unacceptable.
4. The employee must mark the selection for wage continuation found on the report of absence and sign the wage continuation agreement.
5. The City reserves the right to have the employee examined by a physician of its choice and at its cost to confirm the medical diagnosis and/or the period of disability.
6. Injury leave time will be paid for only those period(s) of lost time that otherwise would qualify the employee for receipt of workers' compensation lost time benefits, subject to the following limitations:

TERMINATION CONDITIONS

Wage Continuation / Injury Leave will cease upon any of the following conditions:

1. Attending physician releases employee to return to work.
2. Employee returns to full work status.
3. Employee returns to work for another employer.
4. Employee fails to return to a "light duty assignment" consistent with his/her medical restrictions.
5. Employee fails to appear for employer-sponsored medical examination.
6. Employee has reached maximum medical recovery and/or the condition has become permanent.
7. Regardless of the above conditions of termination, management may, at its sole discretion, terminate injury leave benefits at any time if disability exceeds twelve (12) weeks. (Employee would then receive appropriate worker's compensation reimbursement.)