



## TIPS TO CONTROL WORKERS' COMPENSATION COSTS

NCIRMA, your League's Workers' Compensation insurance program, has periodically conducted a Claims Workshop. These Workshops have been designed to assist the participants of this program by providing you with guidelines to help you avoid costly pitfalls in dealing with the workers' compensation system. The purpose of this Bulletin is to summarize the actions and steps you need to take whenever any employee is injured on the job or alleges a claim has occurred.

- **First and foremost**, you as the employer have the right to designate the physician who will treat any employee who has been injured on the job. You can seek the assistance of the RMS Workers' Compensation Claim unit, who can advise you how to establish your designated physician. Be sure to let all of your employees know who you have chosen to be your designated physician. Additionally, be certain to train all of your supervisors so they know who employees are to go to for treatment of work-related injuries.
- **Establish a system** for reporting workers' compensation claims and designate one person to whom all injuries must be reported. Be sure to include a policy that all employees must report injuries immediately to their supervisor.
- **All job-related injuries** must be reported to the Industrial Commission on Form 19, Employers Report of Employee's Injury. You may call the RMS Workers' Compensation Claims unit (1-888-561-1083) to report a claim. The Claims unit will take all necessary information and complete the Form 19 for you. Or, you may FAX your completed Form 19 to: 1-919-715-8465. Do not delay in reporting any claim to RMS. The sooner it is reported, the sooner the claim can be resolved.
- **When an employee reports a job-related injury**, get a detailed statement from the employee as to how the accident occurred and the nature and extent of the injury. You may use the RMS Supervisor's Accident Investigation Report designed for this purpose. Copies are available from your RMS Loss Control Consultant. You should also FAX a copy of this report to us to be included in the claim file.
- **Train your supervisors on how to complete an accident investigation report**. You may request the RMS Loss Control Consultant in your service area to conduct this training for you. There is no cost for this service.
- **Designate one person** to be in charge of your safety program, who would also maintain contact with injured employees until they return to work. A lack of communication could

result in higher costs in administering the workers' compensation program. If in doubt, call the RMS Workers' Compensation Claim unit. Keep us informed of any information you think is important.

- **You should be familiar** with all situations which represent an obvious safety hazard and try to eliminate them. An employee injured by an obviously inherently dangerous condition that was known to you may, under certain specific circumstances, be able to file a civil action against you in addition to recovering workers' compensation benefits. Whenever a dangerous situation cannot be eliminated, be sure the employee is provided with and uses proper personal protective equipment
- **Whenever possible, develop a temporary light-duty job** for injured employees. Make certain your designated physician knows about the types of tasks you have available for the employee to do. Provide the physician with a list of these tasks, along with a copy of the injured employee's job description. Remember that temporary light duty tasks do not have to be within the same department where the employee normally works. These tasks may be located within any departmental area.
- **Obtain a written "return-to-work" document signed by designated physician** which authorizes the employee to return to light duty before reaching maximum medical improvement. The same condition applies when an employee is being returned to full duty to perform their previous job.
- **You can not discharge or demote an employee** for filing a workers' compensation claim.
- **An injured employee must be allowed to return to work** in spite of the injury as long as the employee is qualified to perform the essential functions of the job, without threatening the safety and health of other employees.
- **You may be required to make reasonable accommodations** of a job's duties so as to enable the employee to perform the job's essential functions.
- **Job descriptions** should be reviewed and revised to the extent necessary to clearly delineate the essential and non-essential functions of each job. These descriptions will help determine the employer's responsibility under the ADA.
- **For assistance**, please feel free to call upon the RMS Staff at anytime for help or to answer your questions.

For additional information contact risk management services at **1- 800-228-0986** and select **"safety and risk control"** from the available options.

*This Bulletin is intended to assist in minimizing potential exposure to financial loss and is not intended to insure compliance with federal, state or local laws, regulations or rules, nor is it intended to be a substitute for legal counsel, actuarial assistance or other professional services. By offering periodic information on safety or risk management topics, neither the League nor its sponsored risk pools undertake to assume or guarantee safety or risk from injury or loss.*