



## **Supervisor's Guide to Workers' Compensation Frequently Asked Questions**

### **Workability Program Philosophy:**

DHMC believes that our employees are our greatest asset. We are committed to providing prompt, high-quality medical care and returning injured workers to full gainful employment as soon as is medically feasible after a work-related injury.

### **What should I do when an employee tells me he/she has been injured?**

You and/or the injured employee complete the Electronic Report of Injury (EROI) found on the Internet under "occurrence reporting" within 24 hours of the incident or exposure. Employees can seek medical attention through DHMC Occupational Medicine Department M-F 8-5 (650-3850) for injuries and exposures free of charge. Occupational Medicine specializes in work-related injuries and return to work assessments. Off hours, employees can be seen in the Emergency Department. As per the NH Workers' Compensation Statute, employees can seek care with any provider that they choose.

### **Will I be advised of any specific treatment plan?**

The employee must provide you with a pink copy of the NH Workers' Compensation Medical Form, or a note from the care provider advising you of lost time or job modifications.

### **How is time away from work for a work-related injury recorded?**

Days away from work due to a work-related injury are recorded as "UWC" (Unpaid Workers' Compensation).

### **May the injured employee use earned time?**

ET may be used in some instances to supplement workers' compensation payments. The Workability Care Manager can make the determination of the appropriate use of ET and make the necessary changes directly with the Payroll Department. If you have questions, please contact Amy Eilertsen at 650-4999

### **How long must we hold the position open for the injured employee?**

The Family and Medical Leave Act (FMLA) requires that employees who have worked at DHMC for at least 12 months and have worked at least 1250 hours in the previous year are guaranteed their job for 12 weeks when they are disabled for any reason. When an employee loses work time for due to a WC injury, they will be notified of their FMLA rights. FMLA runs concurrently with Workers Compensation benefits. Please contact Miranda Pizinger, Leave Administrator, in Benefits for more information 653-1433.

The employer may be required to reinstate the employee if they are released by the treating provider within 18 months of the date of injury. A supervisor is able to replace the

employee with a temporary employee if the original position remains available when the injured employee is able to return to work.

**Should I call the employee? What is the role of the Supervisor?**

Please do. The injured worker commonly has feelings of loss, isolation and a sense of anxiety when separated from the workplace due to injury. Regular contact with the employee can shorten the length of disability by allowing the employee to feel more involved with the workplace. A supervisor can relate caring and concern without violating HIPPA.

**When can I allow an injured employee to return to work?**

An injured employee may return to work once a release-to-work note is from the care provider. The note should indicate the injured employee is able to return to fulltime regular duty, or if they may return with certain restrictions.

**Must the injured employee be accommodated in the workplace?**

Yes. State of NH statute RSA 281-A:23-b states that employers must provide temporary/transitional work opportunities to all employees temporarily disabled by a work related injury or illness. Please see Workers' Compensation Policy in Human Resources Policy Library. Supervisors must make a good faith effort to arrange productive Temporary Alternate Duty work for employee's who have an accepted Workers' Compensation case and have a work capacity. Please contact Amy Eilertsen for more details.

**I can't find work which fits the employee's work capabilities- what do I do now?**

Contact Amy Eilertsen, Workability Care Manager.

**How are injured employees losing time from work paid?**

They are paid directly by Liberty Mutual Insurance Company in Bala Cynwyd, PA.

**Is Workers' Compensation income taxable?**

Workers' compensation wage income is not taxable. The injured employee will not receive a W2 and will not claim the money on their income tax.

**Is Workers' Compensation a DHMC benefit?**

Every employer in the State of New Hampshire is required to provide workers' compensation coverage. The rules are regulated by the Department of Labor.

**The injured employee has appointments to attend. Now what?**

The time away to attend an appointment is treated in the same manner as time away for a non-work-related injury. Medical expenses incurred in a work related injury are paid by the insurance carrier. However, in the State of New Hampshire the time lost to attend a medical appointment – including physical therapy appointments – is not compensated by the insurance carrier.

**Does the insurance carrier contact the employee?**

It is common for an insurance adjuster from Liberty Mutual to contact any injured employee to do a telephone interview. They will ask for details regarding the circumstances of the injury and current treatment.

### **How much money does workers' compensation pay for indemnity (lost wages)?**

Indemnity is equal to 60% of the average weekly wages for the 26 weeks prior to the date of injury. It is tax-free making it closer to 80% of gross earnings. The amount is calculated by the insurance carrier and the first check usually arrives in the third week after the insurance carrier has been notified of the injury.

#### Important numbers:

- \* Amy Eilertsen MN RN-BC, Workability Care Manager: 650.4999
- \* DHMC Occupational Medicine 650.3850
- \* DHMC Benefits: 653.1400
  - o DHMC Leave of Absence Policy--  
[http://policy.hitchcock.org/dspPolicyWindow.cfm?policy\\_id=5489](http://policy.hitchcock.org/dspPolicyWindow.cfm?policy_id=5489)
  - o DHMC Workers' Compensation and Return to Work Policy  
[http://policy.hitchcock.org/dspPolicyWindow.cfm?policy\\_id=5481](http://policy.hitchcock.org/dspPolicyWindow.cfm?policy_id=5481)
  
- \* Liberty Mutual: 800.300.4472 (Insurance carrier for DHMC)  
National Market Claims  
PO Box 3634  
Bala Cynwyd, PA 19004-0634
- \* NH Department of Labor: 1603.271.3176; (Labor and WC related questions)  
Website- <http://www.labor.state.nh.us/>  
NH General Court Rules :  
[http://www.gencourt.state.nh.us/rules/state\\_agencies/lab500.html](http://www.gencourt.state.nh.us/rules/state_agencies/lab500.html)