



Title: **Workers' Compensation Leave**

Code: GBGA

Section: Section G: Personnel Policies

Staff who are injured in the scope and course of their employment may be entitled to benefits under the Colorado Workers' Compensation Act. These benefits may include coverage of medical expenses for the staff member and non-medical payments including, but not limited to, a prorated portion of the staff member's lost wages when unable to work due to a covered injury.

Staff members are required to notify the District of their workplace injury or illness in accordance with the Colorado Workers' Compensation Act. Staff members are required to seek treatment with one of the District's designated medical providers. Only medical documentation from a District designated medical provider will be accepted as part of the worker's compensation process.

Staff members who are temporarily certified unable to perform their regular or modified duties by the District's designated medical provider as a result of injury incurred in the scope and course of their employment with the District shall be deemed to be on workers' compensation leave until they are able to resume their duties or a modified duty position.

The District may provide temporarily modified duty or temporary reassignment for staff members with medical restrictions until the staff member is released to resume their regular duties or until they reach maximum medical improvement, whichever occurs first. Staff members who reach maximum medical improvement and are determined to have a permanent impairment which would interfere with the requirements of their position will be referred to the District's ADA process.

The District shall follow the Colorado Workers' Compensation Act with regard to compensation for any injury related absence from work. Staff members may, at their request, utilize staff leave, vacation leave, or PTO for any injury related absences which would otherwise result in a reduction of pay. Staff members may, at their request, utilize staff leave, vacation leave, or PTO to supplement any wage replacement benefits paid by the District insurance carrier prorated to the portion of the wages not already replaced by workers' compensation insurance.

Certain circumstances may lead to the reduction of non-medical benefits under the Colorado Workers' Compensation Act:(a) that injury is caused by the willful failure of the staff member to

use safety devices provided by the district; (b) that injury results from the staff member's willful failure to obey any reasonable rule adopted by the District for the safety of the staff member; or (c) that injury results from willfully misleading the District concerning the staff members physical ability to perform the job and the staff member is subsequently injured on the job as a result of the physical ability about which the staff member willfully misled the District; or (d) the injury results from the presence, in the staff member's system during working hours, of controlled substances as defined in 18-18-102(5), CRS that are not medically prescribed or of a blood alcohol level at or above 0.10, or at or above an applicable lower level as set forth by federal statute or regulation.

Any staff member found to have submitted a fraudulent claim under workers' compensation shall be subject to disciplinary actions up to and including dismissal.

Adopted: July 6, 1989

Revised: November 16, 1989

February 1, 2001

December 18, 2006

June 30, 2009

March 31, 2010

July 1, 2016

July 1, 2023

Legal Refs:

C.R.S. § 8-42-101 et seq. (Workers' Compensation Act)

C.R.S. § 8-42-105 (Temporary Total Disability)

C.R.S. § 8-42-112 (Acts of Employees Reducing Compensation)

Cross Refs:

GBEC – Alcohol/Drug Free Workplace

GBECA – Controlled Substances and Alcohol Testing of Staff Members Required to Hold a Commercial Driver's License

EL 2.0 Global Executive Constraint

EL 2.3 Treatment of Staff

Adopted: **July 06, 1989**

Last Revised: **July 01, 2023**

Attachments

[GBGA Workers' Compensation - final.pdf](#)