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MEMORANDUM #14-17HR

TO: Agency Administrators

FROM: Carolyn Horwich, J.D., Director of Human Resources

THROUGH: Rip Colvin, Executive Director

SUBJECT: DMS Guide on Workers' Compensation and Disability Leave

DATE: April 19, 2017

Attached please find a recent information guide from the Department of Management Services regarding Workers' Compensation and Disability Leave.

We have highlighted those sections of the Guide that are most relevant to the entities of Justice Administration.

Please disregard the People First codes referenced in the Guide.

Thank you.



DIVISION OF HUMAN RESOURCE MANAGEMENT POLICY GUIDELINE

STATE PERSONNEL SYSTEM

SUBJECT: *Hours of Work, Disability Leave With or Without Pay and Employer Contributions for Employees on Workers' Compensation*

POLICY GUIDELINE: *HRM #2017-013*

EFFECTIVE DATE: *April 17, 2017*

SUPERSEDES: *Program Guidelines: Hours of Work, Disability Leave With or Without Pay and Employer Contributions for Employees on Workers' Compensation*

STATUTES/RULES/REGULATIONS/LAWS:

29 C.F.R. Part 785.43, Fair Labor Standards Act (FLSA)

Section 284.44, Florida Statutes (F.S.), Salary indemnification costs of state agencies

Section 440.15, F.S., Compensation for disability

Rule 60L-34.0061, Florida Administrative Code (F.A.C.), Disability Leave

Rule 60L-34.0032, F.A.C., Holidays

Rule 60P-2.006, F.A.C., Contributions, Underpayments of Contributions, and Overpayments of Contributions

Rule 60P-3.009, F.A.C., Contributions, Underpayments, and Overpayments

FORMS: *N/A*

ADDITIONAL REFERENCE MATERIALS:

[*Payroll Preparation Manual*](#)

[*Workers' Compensation Employer/Agency FAQs*](#)

[*FRS Employer Handbook*](#)

[*State Group Disability Income Plan Certificate*](#)

[*Workers' Compensation System Guide*](#)

SCOPE AND PURPOSE:

This document addresses specific benefits issues for employees on Workers' Compensation. For proper administration of Workers' Compensation pay and benefits issues outside the purview of the State Personnel System (SPS), it is important for agencies to be familiar with the pertinent provisions in the Payroll Preparation Manual of the Department of Financial Services (DFS), Bureau of State Payrolls; Workers' Compensation advisories and other information specific to state employers from the DFS Division of Risk Management; the Florida Retirement System Employer Handbook of the Department of Management Services (DMS), Division of Retirement; and the State Group Disability Income Plan Certificate of the DMS, Division of State Group Insurance. In addition, the Workers' Compensation System Guide issued by the DFS Division of Workers' Compensation contains important information for all Florida employers (not specific to state agencies).

QUESTION AND ANSWER:

Question 1:

On the day an employee sustains a job-connected injury/illness (compensable under Workers' Compensation), what should the timesheet reflect as hours of work?

Answer:

Pursuant to 29 C.F.R. Part 785.43, Fair Labor Standards Act, ***“Time spent by the employee in waiting for and receiving medical attention on the premises or at the direction of the employer during the employee’s normal working hours on days when he is working constitutes hours worked.”*** Therefore, on the day of the injury/illness, “hours of work” shall include (in addition to actual hours worked) the total number of hours that the employee was engaged in waiting for medical treatment (including time spent waiting to be transported and actual travel time) as well as receiving medical treatment (up to the time the employee is either admitted to a medical facility or released by the medical provider). In addition to medical treatment on the day of injury/illness, any appointments that the employer (versus the medical provider) compels an employee to attend during normal working hours when the employee is working are considered hours worked.

If the employee is released from the medical facility after the normal workday or shift has ended, those additional hours could result in overtime for included employees. See Appendix A, Example One. However, whenever appropriate, agencies may offset any such overtime during the applicable workweek or work period. See Appendix A, Example Two. Likewise, these additional hours could cause an employee to offset any leave taken during the regular work period in which the injury/illness occurred. See Appendix A, Example Three.

Generally, if the medical provider releases the employee (without restriction) before the end of the workday or shift in which the injury/illness occurred, the employee should return to work for the remainder of that workday or shift, and travel time back to the work place shall also be treated as hours worked. But in circumstances where the employee is sent home or is admitted to a medical facility prior to the end of the workday or shift, the employee will need to account for the remaining contracted hours in that workday or shift by either offsetting them with any additional hours worked in the applicable workweek or work period or by using paid disability leave (Leave Code 0065, ADMIN-WORKERS' COMP) for the remainder of the day of injury/illness, in accordance with Rule 60L-34.0061(1)(a), F.A.C. (See questions below for additional guidance regarding use of paid disability leave.) Also (as it relates to the initial 40 hours of paid disability leave provided in the above-cited rule) anytime employees on a standard 8-hour workday or shift begin using paid disability leave in the midst of a workday or shift, or anytime employees on a flexible work schedule use paid disability leave, those 40 hours might not carry them through the full seven calendar days that constitutes the waiting period before Workers' Compensation disability payments begin (i.e., “7-day waiting period”). If that is the case, the employee will need to use personal leave or leave without pay (Leave Code 0060, LWOP-WORKERS' COMP) for any remaining calendar days in the 7-day waiting period. Otherwise, the use of Leave Code 0060 does not begin until the eighth calendar day of the disability, which is when the employee becomes eligible for Workers' Compensation disability payments. When feasible, agencies may revert employees to a standard 8-hour a day schedule if it will minimize the need to use personal leave and/or leave without pay (Leave Code 0060, LWOP-WORKERS' COMP) during the 7-day waiting period. See Appendix A, Example Four.

Question 2:

What if the employee, after reporting an incident, is able to complete the regularly scheduled workday or shift without interruption or any medical attention but, later on (within the same calendar day), decides medical attention is needed?

Answer:

Such employees must follow the appropriate procedures for seeking after-hours medical care that is covered under the Workers' Compensation managed care contract. However, at this point in the day they are no longer on duty (as per provisions of the FLSA) and the time taken to seek and obtain medical care is not work time; therefore, it is not compensable.

Background (for questions One and Two):

All workplace injuries/illnesses should be documented and reported pursuant to the policies and procedures of the State Employees' Workers' Compensation Program (administered by the DFS Division of Risk Management), even if no medical treatment or time loss is indicated. However, often the injury/illness does require medical attention of either an emergency or non-emergency nature. And, although emergency situations may necessitate that the injured employee call 911 directly, it is generally the supervisor (i.e., the employer) who is responsible for ensuring the employee receives a proper medical evaluation by contacting the State's managed care provider for authorization and direction, as provided under the Workers' Compensation contract. As such, the employee is considered to be under the control or direction of the agency ("suffered or permitted to work", in the terminology of the FLSA) during the time that the initial medical treatment is being arranged and/or provided. This principle applies to all SPS employees, including OPS, regardless of whether they are included or excluded for overtime purposes.

Notes:

- OPS employees and agency volunteers are not eligible for paid disability leave (Leave Code 0065, ADMIN-WORKERS' COMP).
- The Workers' Compensation law does not recognize a partial day of disability. Consequently, if the employee is placed completely out of work, seven full calendar days of disability must pass before the employee is eligible for disability payments. The seven calendar days always begins on the calendar day after the day of injury/illness and ends at the end of a full calendar day. As discussed in Question One, if paid disability leave (Leave Code 0065, ADMIN-WORKERS' COMP) must start on the date of accident, employees may need to use personal leave or leave without pay (Leave Code 0060, LWOP-WORKERS' COMP) to carry them through seven full calendar days of disability.
- Once an employee becomes eligible for Workers' Compensation disability benefits (beginning on the eighth day of disability) they also become eligible to accrue leave credits and receive the state contributions toward group insurance, even though they may be totally off the agency's payroll. This is why use of Workers' Compensation unpaid disability leave (Leave Code 0060, LWOP-WORKERS' COMP) is required starting on the eighth calendar day of disability for the portion of the workday paid by Risk Management.

Question 3:

What is the purpose of the first 40 hours of paid disability leave (Leave Code 0065, ADMIN-WORKERS' COMP)?

Answer:

As described in the DFS Workers' Compensation System Guide, employees covered by Workers' Compensation are eligible for disability benefits (payments to replace lost wages) beginning on the *eighth day* of a medical disability (i.e., after they have been unable to return to work for seven full calendar days following a workplace injury/illness). Consequently, the rule establishing 40 hours of paid disability leave was primarily intended to hold employees harmless during the first seven full calendar days of disability that followed the employee's injury.

This rule applies specifically to SPS employees holding regular positions (i.e., salaried employees -- not OPS employees). Therefore, since OPS employees are not entitled to paid disability leave, such employees fall under the provision of the Florida's Workers' Compensation law that retroactively grants disability benefits for the first seven calendar days of a work-related injury/illness *if and when* the medical disability continues for more than 21 calendar days. (These calendar days do not have to be continuous).

The first 40 hours of paid disability leave may also be used on an intermittent basis. Therefore, if the employee's injury/illness does not cause them to miss five full workdays or the employee works extra hours during the work period, the employee may instead use the first 40 hours to cover appointments with the Workers' Compensation doctor or other medical treatments provided through the Workers' Compensation program.

Background (for Question Three):

Waiting periods for disability benefits are a common cost control measure under disability plans, including Workers' Compensation programs. They provide an economic incentive for employees to return to work sooner. Therefore, it would seem that granting paid disability leave counteracts the purpose of the waiting period. However, bearing in mind that under the Florida Workers' Compensation Law the first seven calendar days of medical disability are covered after 21 or more calendar days of medical disability, and that section 284.44(3) and (4), F.S., requires agencies to reimburse the State Risk Management Trust Fund for any and all temporary total disability payments made to employees for the first 10 weeks of a medical disability, the agency ultimately absorbs the cost of the first seven calendar days anyway. When the first 40 hours are used to satisfy the 7-day waiting period, it is generally a cost neutral practice within the self-insured framework that the State uses for its own Workers' Compensation coverage.

Question 4:

What is the proper use of the next 48 hours of paid disability leave (Leave Code 0065, ADMIN-WORKERS' COMP)?

Answer:

After the employee has exhausted the first 40 hours of paid disability leave, this additional 48 hours of leave is then available to cover intermittent absences based on the following criteria:

- The employee must return to work;
- The employee must have a continuing need to receive medical care under the Workers' Compensation program;
- This leave is specifically for medical appointments (including physical therapy and other treatment) and for travel time to and from medical appointments occurring during the employees regular work schedule and associated with the workplace injury/illness;
- If the employee is placed on Temporary Partial Disability, they may only use paid disability leave for appointments occurring during their reduced work schedule; and
- The employee should present written confirmation from the authorized Workers' Compensation medical provider, which will essentially document that the employee attended a Workers' Compensation medical appointment.

Question 5:

May employees use the additional 48 hours of paid disability leave (Leave Code 0065, ADMIN-WORKERS' COMP) to cover the 7-day waiting period?

Answer:

No. The rule specifically states that the use of the additional 48 hours of paid disability leave is to cover appointments to health care providers, physical therapy, and similar activities provided that these activities are directly related to the employee's Workers' Compensation injury/illness.

Question 6:

May employees who continue to work after a Workers' Compensation injury/illness use the additional 48 hours?

Answer:

Yes. Those injured employees whose time away from work is only for occasional medical appointments (and not because of lost work time due to medical restrictions) who have already exhausted the first 40 hours of disability leave (Leave Code 0065, ADMIN-WORKERS' COMP), may be granted additional paid disability leave (up to 48 hours) for ongoing medical appointments.

Question 7:

Are employees on Workers' Compensation unpaid disability leave (Leave Code 0060, LWOP-WORKERS' COMP) eligible for state holiday pay?

Answer:

Yes. The use of Leave Code 0060 signifies that the employee is receiving a disability payment from Risk Management. The employee is considered to be in pay status the workday before the holiday if such day was compensated by Risk Management.

Question 8:

If a holiday occurs during the first seven calendar days of disability, what happens to the hours of paid disability leave (Leave Code 0065, ADMIN-WORKERS' COMP) that are offset by holiday credits (Leave Code 1005, HOLIDAY–State Paid)?

Answer:

Any hours of paid disability leave offset by holiday credits during the 7-day waiting period are available for use after the employee returns to work and such use will be subject to the provisions of Rule 60L-34.0061(1)(a), F.A.C., that govern use of the additional 48 hours of paid disability leave. The 7-day waiting period is not extended due to the holiday and Risk Management will still begin disability payments on the eighth day of disability.

Question 9:

If a holiday occurs after seven calendar days of disability and the employee remains out of work and is collecting disability payments from Risk Management, how many holiday credits (Leave Code 1005, HOLIDAY-State Paid) is the employee entitled to?

Answer:

The holiday credits should equal the number of hours necessary to bring the employee's salary up to 100% of their regular pay (in combination with the disability payment from Risk Management) for the established workday on which the holiday falls.

For example, if the employee is on temporary total disability, Risk Management pays 66 2/3 percent of the employee's average weekly wage, up to a maximum benefit. This equates to approximately 5.25 hours of unpaid disability leave (Leave Code 0060, LWOP-WORKERS' COMP) on the timesheet. In order to bring the employee to a full 8-hour workday, the holiday credit recorded on the timesheet should cover the balance of 2.75 hours. This same principle applies to other workdays (not falling on a holiday); i.e., if 5.25 hours of unpaid disability leave covers the portion of the workday paid by Risk Management, then 2.75 hours of personal leave or leave without pay should be recorded to cover the rest of the workday. See Appendix A, Example Four.

Note: There will be occasions when the maximum benefit (compensation rate) that the employee is eligible to be paid by Risk Management will equate to less than the calculated 66 2/3 percent of the employee's average weekly wage. In these cases, the number of hours per workday that are allocated to unpaid disability leave, personal leave, and/or authorized leave without pay will need to be adjusted appropriately.

Question 10:

When an employee is released by a Workers' Compensation doctor to return to work on a state holiday and the agency can accommodate any potential work restrictions, is the employee eligible for full holiday pay and holiday credits (Leave Code 1005, HOLIDAY-State Paid) from the agency?

Answer:

Yes. Pursuant to Rule 60L-34.0032(1), F.A.C., an employee must be in pay status due to actual work or paid leave for at least a portion of the last workday before the holiday to be eligible for holiday pay. An employee released to return to work would, at a minimum, have paid disability leave (Leave Code 0065, ADMIN-WORKERS' COMP) or unpaid disability leave (Leave Code 0060, LWOP-WORKERS' COMP), which represents disability payments from Risk Management, recorded on her/his timesheet for all or a portion of the last workday before the holiday. Additionally, Risk Management will not provide disability pay for the day an employee is released to return to work (unless the agency cannot accommodate certain work restrictions) so the entire holiday must be paid by the employing agency.

Note: When unpaid disability leave is recorded in People First on the last workday before a holiday, the system is programmed to prorate the holiday and only represent the portion paid by the agency as holiday credits. If an employee is released to return to work on the holiday, agencies must contact the DMS People First Payroll Team Lead to override the system logic and have the entire holiday recorded under Leave Code 1005.

Question 11:

What is the correct timesheet leave code for those hours that are not compensable by the agency under Workers' Compensation and during which the employee will be on authorized leave without pay in lieu of accrued leave?

Answer:

Leave Code 0060 (LWOP-WORKERS' COMP) is the correct leave without pay code for both portions of the workday covered and not covered by Workers' Compensation disability payments or personal leave. Use of Leave Code 0060 for the entire workday is necessary (in lieu of using Leave Code 0058, LWOP-AUTHORIZED) to trigger the full leave accrual, prorated holiday pay, and the full employer contribution toward the health insurance premium.

Question 12:

If an employee is placed out of work for the entire pay period due to a Workers' Compensation injury/illness and does not have or elects not to use accrued leave credits for the portion of each workday that is not covered by Workers' Compensation disability payments, are they entitled to employer contributions for the health, basic term life and as applicable, SMS/SES disability insurance plans?

Answer:

Yes. Pursuant to Rules 60P-2.006(4)(c) and 60P-3.009(4)(c), F.A.C., employees on Workers' Compensation disability leave without pay (Leave Code 0060, LWOP-WORKERS' COMP) receive the state contribution for the state group health insurance plan and basic term life plan

(with the exception of OPS employees who have the option to enroll in life insurance, but they pay the full premium at all times). In addition, the State Group Disability Income Plan Certificate advises that the state pays the entire cost of the premium for employees enrolled in the SMS/SES disability insurance while on medical leave.

Question 13:

What is the correct timesheet leave code for hours that the agency will pay on behalf of an employee who has been approved for "full-pay status" in accordance with Rule 60L-34.0061(1)(b)2., F.A.C. or the applicable collective bargaining agreement?

Answer:

Leave Code 0056, ADMIN-AUTHORIZED OTHER is the correct code to use for the portion of the workday paid by the agency for full-pay status (hours not covered by Workers' Compensation disability payments). Using Leave Code 0056 (in combination with comments on the timesheet) establishes a clear audit trail for full-pay status separate from the tracking of paid disability leave (Leave Code 0065, ADMIN-WORKERS' COMP) which is only allowed for specific reasons and finite amounts provided in rule. The portion of the workday paid by Risk Management is recorded as Leave Code 0060, LWOP-WORKERS' COMP. The combined use of these two leave codes is necessary to trigger full benefits for an employee who is receiving Workers' Compensation disability payments.

Note: Requests for full-pay status that require approval by the DMS may be approved for up to 26 weeks at a time if sufficient documentation is provided in accordance with Rule 60L-34.0061(1)(b)2., F.A.C. Requests for full-pay status that meet the requirements of section 440.15(11), F.S., do not require approval by DMS pursuant to the statutory provisions.

Question 14:

What treatment periods, if any, are covered by Risk Management if an employee's Workers' Compensation claim is denied?

Answer:

When Risk Management denies a Workers' Compensation claim, it notifies the employing agency by sending a Notice of Denial form, which may deny all or a portion of the treatment period claimed. Depending on the circumstances (including a potential investigation) of the claim, a denial may occur in one of the following three ways:

- The claim may be denied in its entirety retroactive to the date of injury/illness resulting in no treatment being covered by Risk Management;
- The claim may be denied in its entirety, but treatment prior to the denial effective date is covered by Risk Management; or
- The claim is only denied from a certain effective date moving forward and treatment prior to the denial effective date is covered by Risk Management.

Question 15:

Is it necessary to unapprove an employee's timesheet if an employee has recorded paid or unpaid disability leave on his or her timesheet for a treatment period, which is later denied by Risk Management?

Answer:

Yes. Pursuant to Rule 60L-34.0061(1)(a) and (b), F.A.C., any period of treatment that is not covered by Risk Management is not eligible for Workers' Compensation leave benefits. Depending on the circumstances of the denial (see Question 14 above), hours recorded as paid and unpaid disability leave on the employee's timesheet may need to be removed retroactively and replaced by personal leave or leave without pay (Leave Code 0058, LWOP-AUTHORIZED) as appropriate. The agency must determine the appropriate leave to use for the period of time that is not covered by Risk Management in accordance with State Personnel System rules and the agency's leave policies for other medical/sick absences related to personal injuries or illnesses.

Note: Whenever it is necessary to unapprove past timesheets in People First (i.e., clear out), which have leave without pay on them, retroactive payments may be triggered and agencies must take appropriate measures to ensure the accuracy of those payments. Additionally, if the employee has low leave balances, clearing out past timesheets, but leaving later timesheets approved could impact available leave balances for the remaining approved timesheets. The resulting impacts that may occur include negative leave balances (due to the removed leave accruals) or insufficient leave balance messages when the employee attempts to reenter the cleared out timesheets.

APPLICABLE STATUTORY AND RULE CITATIONS:

29 C.F.R. Part 785.43, Medical Attention

Time spent by an employee in waiting for and receiving medical attention on the premises or at the direction of the employer during the employee's normal working hours on days when he is working constitutes hours worked.

Section 284.44, F.S., Salary indemnification costs of state agencies

(3) For the purposes of this section, "salary indemnification costs" means the payments made to employees for temporary total disability benefits. After an employee has been eligible for disability benefits for 10 weeks, salary indemnification costs shall be funded from the State Risk Management Trust Fund in accordance with the provisions of this part for those agencies insured by the fund.

(4) For the purpose of administering this section, the Division of Risk Management of the Department of Financial Services shall continue to pay all claims, but shall be periodically reimbursed from funds of state agencies for initial salary indemnification costs for which they are responsible.

Section 440.15, F.S., Compensation for disability

(11) Full-Pay Status for Certain Law Enforcement Officers-Any law enforcement officer as defined in s. 943.10(1), (2), or (3) who, while acting within the course of employment as provided by s. 440.091, is maliciously or intentionally injured and who thereby sustains a job-connected disability compensable under this chapter shall be carried in full-pay status rather than being required to use sick, annual, or other leave. Full-pay status shall be granted only after submission to the employing agency's head of a medical report which gives a current diagnosis of the employee's recovery and ability to return to work. In no case shall the employee's salary and workers' compensation benefits exceed the amount of the employee's regular salary requirements.

Rule 60L-34.0061, F.A.C., Disability Leave

(1) The following provisions govern job-connected disability leave with pay:

(a) An employee who sustains a job-connected disability that is compensable under Chapter 440, Florida Statutes, shall be carried in full-pay status for up to forty work hours without being required to use accrued leave, beginning immediately following the onset of the injury. This leave may be used intermittently to cover appointments to health care providers, physical therapy, and similar activities provided that these activities are directly related to the employee's Workers' Compensation injury. An employee who returns to work and has exhausted the forty hours of disability leave will, upon presentation of written confirmation from the authorized physician, be granted additional disability leave not to exceed forty-eight hours for follow-up examinations or treatment required by the authorized treating physician for a particular injury.

(b) If, as a result of the job-connected injury, the employee is unable to resume work at the end of the forty-hour period provided in paragraph (a), the employee may continue on full-pay status while covered by Workers' Compensation as follows. Continuing on full-pay status means receiving the salary being received before the disability. In no case shall the employee's salary and Workers' Compensation benefits exceed the amount of the employee's regular salary payments:

1. The employee may elect to use accrued sick, compensatory, or annual leave in an amount necessary to achieve full-pay status. The employee's annual hourly rate (annual salary/2080) shall be used to determine the number of leave hours needed to supplement the Workers' Compensation payments.

2. If the employee elects not to use accrued leave, or after the employee has exhausted all earned leave in accordance with subparagraph 1. above, the employee shall be placed on leave without pay and shall revert to normal Workers' Compensation benefits; provided, however, that the agency may petition the Department to continue the employee on full-pay status as follows:

a. The petition shall include a medical report that gives a current diagnosis of the employee's physical condition and a prognosis regarding recovery and ability to return to work.

b. The petition shall describe (i) the type and extent of the injury, (ii) the circumstances of the injury, and (iii) the nature of the employee's duties. The petition shall explain why, in light of the foregoing, it is in the best interest of the state to continue the employee at full-pay status.

(c) An employee covered by Workers' Compensation shall continue to earn and accrue full

leave credits.

Rule 60L-34.0032(1), F.A.C., Holidays

(1) All employees are entitled to observe the holidays identified in Section 110.117 of the F.S.; provided, that to be eligible for holiday pay, an employee must be in pay status (actual work or paid leave) for at least a portion of the workday before the holiday. If an excluded employee in a senior management service position or a selected exempt service position is unable to observe a holiday, the employee may take an alternate day off during the work period; provided, that if the employee is unable to observe the holiday, the employee is not eligible for special compensatory leave as described below.

Rule 60P-2.006, F.A.C., Contributions, Underpayments of Contributions, and Overpayments of Contributions

(4) State Contribution. Any state officer, full-time employee or part-time employee participating in the Health Program shall be entitled to the state contribution or prorated state contribution if any of the following conditions exist:

(c) The employee is on Workers' Compensation disability leave.

Rule 60P-3.009, F.A.C., Contributions, Underpayments, and Overpayments

(4) State Contributions. Any state officer, full-time employee, or part-time employee participating in the Plan shall receive the state contribution or prorated state contribution if any of the following conditions exist:

(c) The employee is on Workers' Compensation disability leave.

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APPENDIX A

Example One: Included Employee on a Regular Schedule (8 hours a day/5 days a week):

Week One	FRI	SAT	SUN	MON	TUE	WED	THUR – DOA*	Week One Total
Regular Work (Code 1000, WORK-REGULAR)	8			8	8	8	7 (actual work) 4 (waiting for or receiving medical care)	
Annual Leave (Code 0051, LEAVE-ANNUAL)								
	8			8	8	8	11	40 + 3 (OT) = 43
Week Two	FRI	SAT	SUN	MON	TUE	WED	THUR	Week Two Total
Paid WC Disability (Code 0065, ADMIN-WORKERS' COMP)	8			8	8	8	8	
	8			8	8	8	8	40
Week Three	FRI	SAT	SUN	MON	TUE	WED	THUR	Week Three Total
Sick Leave (Code 0052, LEAVE-SICK)**	2.75			2.75	2.75	2.75	2.75	
Unpaid WC Disability (Code 0060, LWOP-WORKERS' COMP)	5.25			5.25	5.25	5.25	5.25	
	8			8	8	8	8	40
Week Four	FRI	SAT	SUN	MON	TUE	WED	THUR	Week Four Total
Sick Leave (Code 0052, LEAVE-SICK)	2.75			2.75	2.75	2.75	2.75	
Unpaid WC Disability (Code 0060, LWOP-WORKERS' COMP)	5.25			5.25	5.25	5.25	5.25	
	8			8	8	8	8	40

Example Two: Included Employee on Flex Schedule (10 hours a day/4 days a week/Off Mondays):

Week One	FRI - DOA	SAT	SUN	MON	TUE	WED	THUR	Week One Total
Regular Work (Code 1000, WORK-REGULAR)	9 (actual work) 2 (waiting for or receiving medical care)				10	10	9	
Annual Leave (Code 0051, LEAVE-ANNUAL)							4 0	
Paid WC Disability (Code 0065, ADMIN-WORKERS' COMP)								
	11				10	10	9	40

Week Two	FRI	SAT	SUN	MON	TUE	WED	THUR	Week Two Total
Sick Leave (Code 0052, LEAVE-SICK)								
Paid WC Disability (Code 65, ADMIN-WORKERS' COMP)	10				10	10	10	
Unpaid WC Disability (Code 0060, LWOP-WORKERS' COMP)								
	10				10	10	10	40
Week Three	FRI	SAT	SUN	MON	TUE	WED	THUR	Week Three Total
Sick Leave (Code 0052, LEAVE-SICK)	3.25				3.25	3.25	3.25	
Unpaid WC Disability (Code 0060, LWOP-WORKERS' COMP)	6.75				6.75	6.75	6.75	
	10				10	10	10	40
Week Four	FRI	SAT	SUN	MON	TUE	WED	THUR	Week Four Total
Sick Leave (Code 0052, LEAVE-SICK)	3.25				3.25	3.25	3.25	
Unpaid WC Disability (Code 0060, LWOP-WORKERS' COMP)	6.75				6.75	6.75	6.75	
	10				10	10	10	40

Example Three: Excluded Employee on Flex Schedule (10 hrs. a day/4 days a week/Off Mondays):

Week One	FRI	SAT	SUN	MON	TUE	WED	THUR - DOA	Work Period Total
Regular Work (Code 1000, WORK-REGULAR)	8				10	10	9 (actual work) 2 (waiting for or receiving medical care)	
Annual Leave (Code 0051, LEAVE-ANNUAL)	≥ 1							
Paid WC Disability (Code 0065, ADMIN-WORKERS' COMP)								
	40.9				10	10	11	
Week Two	FRI	SAT	SUN	MON	TUE	WED	THUR	
Sick Leave (Code 0052, LEAVE-SICK)								
Paid WC Disability (Code 65, ADMIN-WORKERS' COMP)	10				10	10	10	
Unpaid WC Disability								

(Code 0060, LWOP-WORKERS' COMP)								
	10				10	10	10	80
Week One	FRI	SAT	SUN	MON	TUE	WED	THUR	Work Period Total
Sick Leave (Code 0052, LEAVE-SICK)	3.25				3.25	3.25	3.25	
Unpaid WC Disability (Code 0060, LWOP-WORKERS' COMP)	6.75				6.75	6.75	6.75	
	10				10	10	10	
Week Two	FRI	SAT	SUN	MON	TUE	WED	THUR	
Sick Leave (Code 0052, LEAVE-SICK)	3.25				3.25	3.25	3.25	
Unpaid WC Disability (Code 0060, LWOP-WORKERS' COMP)	6.75				6.75	6.75	6.75	
	10				10	10	10	80

Example Four: Excluded Employee on a Regular Schedule (8 hours a day/5 days a week):

Week One	FRI	SAT	SUN	MON	TUE	WED	THUR - DOA	Work Period Total
Regular Work (Code 1000, WORK-REGULAR)	8			8	8	8	4 (actual work) 3 (waiting for or receiving medical care)	
Paid Disability Leave (Code 0065, ADMIN-WORKERS' COMP)							1	
	8			8	8	8	8	
Week Two	FRI	SAT	SUN	MON	TUE	WED	THUR	
Sick Leave (Code 0052, LEAVE-SICK)***							1	
Paid WC Disability (Code 0065, ADMIN-WORKERS' COMP)	8			8	8	8	7	
	8			8	8	8	8	80
Week One	FRI	SAT	SUN	MON	TUE	WED	THUR	Work Period Total
Sick Leave (Code 0052, LEAVE-SICK)	2.75			2.75	2.75	2.75	2.75	
Unpaid WC Disability (Code 0060, LWOP-WORKERS' COMP)****	5.25			5.25	5.25	5.25	5.25	
	8			8	8	8	8	
Week Two	FRI	SAT	SUN	MON	TUE	WED	THUR	
Holiday (Code 1005, Holiday-State Paid)	2.75							

Sick Leave (Code 0052, LEAVE-SICK)				2.75	2.75	2.75	2.75	
Unpaid WC Disability (Code 0060, LWOP-WORKERS' COMP)	5.25			5.25	5.25	5.25	5.25	
	8			8	8	8	8	80

*DOA = Date of Accident

** If an employee elects to supplement their Workers' Compensation disability leave payments, they may also use annual leave (Leave Code 0051, LEAVE-ANNUAL), FLSA compensatory leave (Leave Code 0085, LEAVE-FLSA COMP), regular compensatory leave (Leave Code 0054, LEAVE-REGULAR COMP) or the various types of special compensatory leave.

***Once the 40 hours of paid disability leave have been exhausted, the employee may charge any type of available personal leave to account for the remainder of the first seven calendar days of disability. However, if the employee prefers or has no available leave credits, the agency should place the employee on leave without pay (Leave Code 0060, LWOP-WORKERS' COMP).

****Workers' Compensation disability leave payments do not begin until the eighth full day of disability.