

Workers' Compensation

An employee is eligible for workers' compensation leave from the district during the period of time the employee is temporarily disabled as the result of any injury arising out of and in the course of employment which qualifies for an indemnity payment from the workers' compensation division of the Colorado Department of Labor and Employment.

Workers' compensation leave shall be available only to those persons who sustain a temporary total disability and are unable to perform services for the district while disabled.

Option 1: (allows employee to supplement indemnity payments with accrued leave):

The primary source of compensation for an employee on workers' compensation leave shall be the indemnity payment from the workers' compensation section of the division of worker's compensation of the Colorado Department of Labor and Employment or insurance carrier as determined by state law. The employee may use accrued school district sick leave and vacation time to supplement the workers' compensation payment.

Under no circumstances shall an employee be allowed to receive more than an amount equal to the weekly wage or equivalent when combining the indemnity payment from workers' compensation and school district benefits. The employee shall provide any requested documentation to the school district to evidence amounts paid by workers' compensation before benefit payments are allowed by the school district.

The administration is directed to establish necessary procedures to implement this policy.

Adopted: 12-18-2019

LEGAL REFS.: 29 U.S.C. 2601 et seq. (Family and Medical Leave Act of 1993)

P.L. 111-148 (Patient Protection and Affordable Care Act)

C.R.S. [8-40-101](#) et seq. (Workers' Compensation Act of Colorado)

CROSS REFS.: [GBGG](#), Staff Sick Leave

[GCD](#), Professional Staff Vacations and Holidays

[GDD](#), Support Staff Vacations and Holidays

Lone Star School District 101, Otis, Colorado