

FILE: EGAA

Cf: [GAMEA](#), [GAMEB](#), [GBRIB](#)

## WORKERS' COMPENSATION

The Jefferson Davis Parish School Board shall authorize and direct the Superintendent to ensure workers' compensation coverage for its employees. Employees injured while acting in their official capacity shall be entitled to appropriate workers' compensation benefits prescribed under state statutes for the period of time while injured. Any employee reporting an injury or incapacitation due to a work-related accident shall be required to submit proper certification of the injury and/or incapacitation from a licensed physician.

At the time of employment, all employees shall be required to complete a questionnaire about their health and any previous accidents, injuries, or workers' compensation claims submitted, which shall be maintained in the employee's personnel file.

## REPORTING OF ACCIDENTS

Should an accident occur to an employee while in the course of his/her duties, the employee shall immediately notify his/her supervisor. Once reported, a detailed report shall be submitted by the employee's supervisor to the Superintendent or designee within five (5) days of the accident. Additional written commentary about the accident may also be required from the employee's supervisor. Periodic medical exams and subsequent reports verifying prolonged disability may be required as needed.

Immediately following any accident, whether or not injury occurs, the administrator of the school or facility shall file an *Investigation of Accident Report* with the Superintendent or designee. If an injury occurs, an [LWC-WC IA-1 \(Louisiana Workforce Commission, Workers' Compensation - Employers First Report of Injury or Illness\)](#) must also be completed.

## BENEFITS

Employees injured while on official school business are entitled to applicable workers' compensation benefits in accordance with state law. Workers' compensation benefits are generally paid in accordance with the following:

1. Weekly workers' compensation wage benefits do not begin until an employee has been disabled for more than one week (7 calendar days). If the employee is absent for two (2) weeks or longer, he/she is entitled to receive wage

benefits for the first week of that disability.

2. As a general rule, an employee's weekly wage benefits under workers' compensation can be calculated by dividing his/her annual salary by 52 weeks and multiplying by 66 $\frac{2}{3}$ %, up to the maximum average weekly wage (AWW) calculated by the State each year.
3. Sick leave benefits may be used to supplement workers' compensation benefits but only up to 100% of the *teacher's* salary at the time of injury. If a *teacher* chooses to utilize current and accumulated sick leave benefits, his/her balance of current and accumulated sick leave days will be reduced by the corresponding percentage of the teacher's salary paid for with sick leave benefits.

If an employee who has chosen to simultaneously receive both workers' compensation wage benefits and current and accumulated sick leave benefits exhausts all sick leave days, he/she shall thereafter receive only workers' compensation wage benefits.

## ALCOHOL AND DRUG USE

No workers' compensation benefits shall be allowed for an injury caused by the injured employee's intoxication at the time of injury.

In order to support a finding of intoxication due to alcohol or drug use, the School Board shall have the right to administer drug and alcohol testing or demand that the employee submit to drug and alcohol testing immediately after the alleged job accident. If the results of the drug test are positive, or the alcohol tests show blood alcohol equal to or greater than the limits outlined in state law, the employee shall be considered intoxicated, in which case the employee shall not be entitled to any workers' compensation benefits.

If the employee refuses to submit to drug and alcohol testing immediately after the accident, then it shall be presumed that the employee was intoxicated at the time of the accident, in which case the employee shall not be entitled to any workers' compensation benefits.

All drug and alcohol testing shall be in accordance with state law and School Board policy (see policies [GAMEA, Alcohol and Drug Abuse and Testing – General Employees](#), and [GAMEB, Substance Abuse Testing – Holders of Commercial Drivers' Licenses](#)).

## LOSS CONTROL

The School Board, recognizing the potential severity of on-the-job injuries and its costs to the school system and employees, shall require the Superintendent to maintain an aggressive loss control program aimed at reducing and controlling risks of personal injury to employees and property damage to School Board facilities. The loss control

program shall assure compliance with all safety and health laws, ordinances, and regulations that apply to the work place.

## SETTLEMENT OF CLAIMS

The Superintendent shall be authorized to settle workers' compensation claims after consultation with School Board counsel and the third-party claims administrator.

New policy: June 20, 2013

Revised: October 16, 2014

Revised: July 19, 2018

Ref: La. Rev. Stat. Ann. §§[17:1201](#), [23:1021](#), [23:1031](#), [23:1034](#), [23:1081](#), [23:1121](#), [23:1124](#), [23:1201](#), [23:1208.1](#), [23:1224](#)

[Israel v. Gray Ins. Co.](#), 720 So2d 803 (98-525 La. App.3 Cir. 10/28/98)

Board minutes, [6-20-13](#), [10-16-14](#), [7-19-18](#)

Jefferson Davis Parish School Board