

**BOARD OF TRUSTEES  
CARSON CITY SCHOOL DISTRICT**

**REGULATION No. 1050  
ALL STAFF**

**WORKERS COMPENSATION/OCCUPATIONAL INJURY OR DISEASE**

In accordance with employer obligations outlined in Chapter 616 of the Nevada Revised Statutes (“NRS 616”), the District maintains a program of self-insurance for purposes of workers compensation. The primary objective of the program is to return the injured employee to gainful employment as quickly as possible. This regulation directs the administration of the program in accordance with governing law.

**I. Notice of Injury or Occupational Disease**

If an injury or occupational disease arises out of and in the course of employment, the injured employee must provide written notice to his or her supervising administrator by completing a Form C-1 as soon as practicable, but no later than 7 days after the accident or occupational disease exposure. C-1 forms are available on the District website and at District worksites.

The C-1 form must be fully completed by the injured employee, including a signature and a date as required by the form. Upon receipt of the injured employee’s fully completed C-1 form, the site administrator or immediate supervisor is mandated by law to sign and date it. The signature of the supervisor is an acknowledgment of the receipt of the C-1 form and is not deemed to be admission of liability on the part of the District, site administrator, or immediate supervisor. The signed C-1 form is submitted to the Risk Manager as soon as practicable, but no later than 7 days after the accident or occupational disease exposure. If an injury is such as to prevent the employee from reporting it, or requires urgent medical care, the site administrator or immediate supervisor shall report it to the Risk Manager or Human Resources immediately.

**II. Placement: Employees With Occupational Injury Or Disease**

- A. In accordance with employer obligations outlined in NRS 616, 616A through 616D, 617, and the Americans with Disabilities Act, the District may assign an otherwise eligible and qualified occupationally injured employee to temporary modified duty, permanent modified duty (under the Americans with Disabilities Act), or refer the employee to vocational rehabilitation.
- B. A medical examination may be required before considering an employee's return-to-work assignment. If, to a reasonable degree of medical probability, examination precludes an employee from performing the essential tasks of a position, the District reserves the right to determine whether placement of the employee is in the best interest of the District.

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- C. The Risk Manager or Human Resources may assign, change or suspend the modified work assignment given to an occupationally injured employee when such action is believed to be in the best interest of the District.
- D. An occupationally injured employee who has been placed in a temporary work assignment or provided light duty remains subject to performance evaluation within those work restrictions, as well as disciplinary action in accordance with District policy and regulation, and any applicable collective bargaining agreement.
- E. Solely for purposes of seniority and pay increments, an occupationally injured employee on temporary modified duty or a medical (workers compensation) leave of absence shall retain his or her original/adjusted hire date.
- F. The assignment or transfer of any eligible employee who has an occupational injury or disease between sites and departments must be approved by the appropriate administrator, Human Resources, or Risk Manager, in consultation with the employee's potential new supervisor(s).
- G. Temporary Modified Duty (TMD) - The return of an employee to the work force prior to the employee's full duty release, and in a job that is within the employee's physical limitations as prescribed by his/her treating physician or medical practitioner licensed by the state of Nevada, shall be accomplished as soon as it is medically determined to be appropriate and in the best interest of the District. If the employee is unable to perform the essential tasks of the pre-injury position, the employee may, at the discretion of the District, be assigned to TMD until the employee receives a full duty release, but not for more than one-hundred twenty (120) calendar days. An employee who is placed on TMD will be paid at the rate established by law.
- H. Return-To-Work - If an employee's final work release is not to full duty and the employee cannot return to the pre-injury position, an alternative assignment/position for which the employee is eligible and qualified may be identified for the employee if such opportunity/position is available. The reassignment may be to any site or department in the District, including the pre-injury site or department. If a position for which the employee is eligible and qualified and which meets the restrictions set by the treating physician or medical practitioner licensed by the state of Nevada is not available within thirty (30) days of an employee's release to return to work, referral for vocational rehabilitation will be initiated and employment with the District will terminate. An employee placed in a District position in accordance with this regulation is subject to the same performance expectations as other employees of the District.
- I. The District may require an employee to submit to a medical examination by a physician or medical practitioner licensed by the state of Nevada to determine his or her fitness for duty.

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- J. The District may require an employee to submit to a medical examination by a physician or medical practitioner licensed by the state of Nevada to determine his or her fitness for duty.
- K. An employee's return to work, either full duty, permanent modified duty (under the Americans with Disabilities Act), or temporary modified duty will include the following conditions:
  - 1. The employee's assignment to a full-duty position or a permanent modified-duty position (under the Americans with Disabilities Act) must include verification from a physician or medical practitioner licensed by the state of Nevada that the employee is able to perform the essential tasks of the position in a manner consistent with any associated physical limitations.
  - 2. When the District offers a permanent modified-duty position to an employee, the starting date and location of the assignment will be provided in writing to the employee, the appropriate administrative supervisor, and Human Resources.
  - 3. Should an employee who has been assigned to a temporary modified-duty position, a permanent modified-duty position, or a full-duty position, refuse to accept said position, the refusal will be deemed as the employee's resignation from the District. Failure to appear for work on the date specified in the assignment will constitute a refusal to accept the position.
- L. In accordance with NRS 616A to 616D and 617, an employee's failure to comply with return-to-work regulations may result in suspension or termination of statutory benefits for the employee and will result in termination of further attempts at job placement by the District.

### **III. Occupational Injury or Disease Benefits and Workers Compensation Leave of Absence**

- A. The District will facilitate processing of Workers Compensation employee claims in the course of return-to-work as follows:
  - 1. In accordance with NRS 281.390, an employee who is eligible for temporary total disability will be informed of options to: (1) elect only tax-free statutory benefits (approximately 66 2/3% of pre-injury average monthly wage subject to state maximum), or (2) draw down available sick leave balance as taxable income continuation supplemental payments until such leave is exhausted.
  - 2. Supervisors will assist in the enforcement of return-to work restrictions.

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- B. The determination to fill a position left vacant as the result of an employee's occupational injury or disease will be made in consultation with the employee's department administrator, the site administrator, Human Resources, and the Risk Manager.
- C. As the result of an occupational injury or disease, an eligible employee may draw down the available sick leave balance (as taxable income continuation supplement) until such leave is exhausted.
  - 1. The total daily benefit may not exceed the employee's daily rate of pay. Daily benefits are exclusive of reimbursement for payment of medical or hospital expenses received from the employee's compensation claim.
  - 2. While receiving occupational injury or disease benefits, an employee may decline to use any part of available sick leave benefits. When an employee declines to use earned sick leave benefits, the employee shall be considered on a workers' compensation medical leave of absence without pay.
- D. An employee who is required to, who is placed on, or who elects to take a workers compensation medical leave of absence may continue to participate in the group health and medical insurance plans offered by the District so long as the employee pays (by check, cash, or money order) the full premium for such coverage on or before the due date.
- E. When an employee is on a workers compensation medical leave of absence, disposition of the pre-injury position will be in accordance with the needs of the District. Return to work will be contingent upon the employee's work release set by the treating physician or medical practitioner licensed by the state of Nevada and the ability to perform the essential tasks of the job assignment for which the employee is eligible and qualified.
- F. An employee on a workers compensation medical leave of absence may return to work when a physician or medical practitioner licensed by the state of Nevada has released the employee to full duty, permanent modified duty (under the Americans with Disabilities Act), or temporary modified duty work.
- G. An employee on a workers compensation medical leave of absence may remain on leave of absence (without pay) for up to one (1) year until a full- duty, permanent modified duty (under the Americans with Disabilities Act), or temporary modified duty release is obtained, until the District has offered a vocational rehabilitation program, or until the District has fulfilled its statutory obligation to the employee.

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If the employee is not released to return to work or offered vocational rehabilitation by the District by the end of the one (1) year workers' compensation leave of absence, the employee may request an extension of the original leave, not to exceed twelve (12) additional months. However, the District is not obligated to grant such a request.

- H. The employee's acceptance of an assignment to a vocational rehabilitation program outside of the District as provided by law will constitute a resignation from employment with the District, effective the date of acceptance of the assignment to a vocational rehabilitation program.
- I. An employee on an approved workers compensation leave of absence who fails to return to an assigned position following expiration of the leave of absence may be terminated at the conclusion of the leave since failure of an employee to report for duty is cause for dismissal.

Legal Reference: NRS 281.390, NRS 616A to 616D, 617, and the Americans with Disabilities Act; 42 USC §12101

Adopted: July 9, 2019  
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