

SECTION 12

Worker's Compensation

The North Carolina Workers' Compensation Act provides medical expenses related to the occupational injury or disease and wage compensation after an initial waiting period of seven days. If an employee is unable to return to work after the seven day waiting period, they will receive weekly compensation of 66 2/3 percent of their average weekly wage for the past twelve months but not to exceed the maximum established by the State law. If the disability exceeds 21 days, compensation at the rate of 66 2/3 per cent of the average weekly wage for the first seven days is paid retroactively. To protect the income of the employee, the County will compensate the employee for an initial time loss up to seven days at the employee's regular rate of pay. If the disability exceeds 21 days, the Workers' Compensation Provider will be notified to reimburse the County for the first seven days at the rate of 66 2/3 per cent of the average weekly wage of the employee.

For the purposes of benefits accrual, the employee is considered to be on a leave without pay status. The leave without pay status continues until the employee successfully returns to work. Medical insurance benefits will continue for the employee as set out below. Contribution for dependents remains the responsibility of the employee.

To qualify, an employee must immediately report any job-related injury or disease to their supervisor/manager. Medical services for work related injuries or diseases must be obtained from the County's designated and authorized medical provider unless the injury is an emergency and requires immediate attention and a designated provider is not immediately available. In the event the employee is instructed by the supervisor/manager to report for treatment and the injury or disease is later determined by the Workers' Compensation carrier to not be job-related, the employee should file the expenses for care with their personal medical insurance provider and forward to Human Resources bills reflecting co-pays or deductibles that apply to care given up to the point of notice of denial from the Workers' Compensation carrier.

If an employee is able to work, they may seek necessary follow-up medical care during their scheduled work time. The employee will notify department supervisor on a timely basis of scheduled medical treatment visits. The employee will not have sick or vacation leave deducted for this time away from work. Hospitalization and health insurance will not be provided at employer expense after three months of workers compensation leave status; however, the employee may enroll in COBRA at that time.

It is the intent of the County of Wayne to provide as safe work environment as possible. Employees are required to attend safety training applicable to their position and report unsafe conditions to their supervisors. Working safely is a condition of employment. Failure to do so will be considered poor work performance and subject to Article VIII.

SECTION 13

Worker's Compensation – Temporary Light Work Assignments

An employee who is temporarily disabled from their regular job as a result of an on-the-job injury may be able to be productive and return to a light work assignment during the temporary disability period.

Each Department shall attempt to locate and assign productive, light work for employees who are temporarily disabled for their regular job from an on-the-job injury. All such light work assignments will be within the physical limitations described by a physician.

The treating physician under the County's Workers' Compensation program shall be encouraged to release temporarily disabled employees to a light work status and describe the employee's physical limitations in sufficient detail to enable the County to determine a suitable work or task assignment.

The employee's regular work unit shall attempt to locate or design a work assignment within the physical limitations described. If the usual work unit is unable to assign suitable work, the Human Resources Office will

be contacted to determine if there are suitable work assignments in other work units. If so, the employee may be temporarily assigned to the other work unit. The employee's time sheet will be maintained by his/her regular work unit and coded "MDWC" (Medical Disability Worker's Compensation) and his/her paycheck will continue to be distributed to his/her regular work unit.

The employee continues on his/her regular pay status during the light duty period.

Upon release to regular work without restrictions, the employee will be returned to his/her work unit and his/her regular job.

Use of temporary light work assignments is not intended to include other sickness or injury experienced away from work by the employee.

Each Department Head shall be responsible for the review, coordination/implementation of temporary light work assignments.

SECTION 14

Non-FMLA Leave Without Pay

Leave without pay is an administrative decision and may be granted for up to, but not to exceed three months, by the County Manager, upon recommendation of the department head and agreement of the Human Resources Director. The needs of the department are paramount in granting leave without pay.

Upon returning from leave without pay, the employee shall not be guaranteed a position of the same classification, seniority and pay.

Failure to report for duty at the expiration of a leave of absence, unless an extension has been requested and granted, shall be considered a resignation.

All vacation and sick leave, if applicable, must be used prior to requesting leave without pay. Vacation and sick leave credits will not be accrued during leave without pay. Hospitalization and health insurance, provided for the employee by the employer during regular pay status, will not be provided at employer expense benefits during leave without pay, unless the employee is on pay status a minimum of half the working days during the calendar month. The employee may enroll in COBRA during this time.

SECTION 15

Military Leave

The County Manager, upon the recommendation of the supervising department head, may grant up to eighty (80) working hours military leave with pay in any fiscal year to any full time county employee who attends and participates in a military training period or other required reserve activity. In such instance, a copy of the employee's orders will be provided to the office of the County Manager upon request for such military leave. Military leave shall not be charged against the annual leave or sick leave to which the employee may be eligible.

If such military duty is required beyond this eighty (80) hour period, the employee shall be eligible to take accumulated vacation leave or be placed on leave without pay status.

This section DOES NOT apply to reserves called to active duty.

While taking military leave, if the employee becomes ill or disabled, and is under orders and compensated for by the Federal Government, he/she is not eligible for paid sick leave from the County during that period.

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