

**Village of Bloomingdale
Workers' Compensation Disability Benefit Guidelines**

I. Disability From Injuries In The Line of Duty

Employees may be entitled to receive workers' compensation disability benefits when they lose time from work as a result of a work related injury or disease (an injury) in accordance with the Illinois Workers' Compensation and Workers' Occupational Diseases Act (820 ILCS 305), or the Public Employee Disability Act (5 ILCS 345), as applicable and with the understanding that not all injuries are compensable under said Acts. Established herein are the general guidelines to be used to administer workers' compensation disability benefits.

II. Reporting

- A. Employees are required to promptly report any accident, injury or disease that is incurred or contracted at work to their immediate supervisor; preferably the day the injury is incurred or the disease is contracted, in writing using an Employee's Statement of Injury form (Employee Statement). This must be done regardless of whether the injury results in lost work time or requires medical attention. Failure to promptly report can result in a delay or denial of benefits.
- B. Upon receipt of the Employee Statement, the supervisor shall conduct a thorough investigation and complete and forward a Supervisor's Investigation Report (Supervisor's Report) and Village's First Report of Injury or Illness (Form 45) to the Assistant Village Administrator within three (3) working days of the injury.
- C. Upon identifying that an employee will lose three (3) scheduled work days, the Assistant Village Administrator shall initiate a Workers' Compensation Wage Statement (Wage Statement) and forward it to Finance (payroll) for completion of the compensation section. Upon completion, Finance shall return the Wage Statement to the Assistant Village Administrator for review.
- D. The Assistant Village Administrator will forward the Wage Statement to the Intergovernmental Risk Management Agency (IRMA) for calculation of the hourly temporary total disability (TTD) benefit amount.

III. Benefits

A. Regular Full-Time Law Enforcement Officers

- 1. The Public Employee Disability Act provides that regular full time law enforcement officers who suffer an injury in the line of duty continue to be compensated at one hundred percent (100%) of their regular rate of pay for up to one (1) year due to a compensable work related injury. This compensation is subject to Police Pension contributions.
- 2. Compensation after one (1) year is in accordance with the Workers' Compensation Act, as provided for all other employees.

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3. During the first twelve (12) months after a full time law enforcement officer suffers an injury in the line of duty, and is compensated at one hundred percent (100%) of his/her regular rate of pay, the employee will receive one hundred percent (100%) holiday pay. Sick leave and vacation leave will continue to accrue during the first twelve (12) months while on a duty related disability leave.
4. After twelve (12) months, if the employee does not supplement his/her pay, when a holiday occurs the employee will receive workers compensation payments. These payments will have the effect of paying the employee for two-third (2/3) of any holiday that occurs during the pay period. Further, by virtue of supplementing, the employee will receive the other one-third (1/3) pay for any holiday that occurs during that pay period.

B. All Other Employees

1. The Workers Compensation Act provides that employees with a compensable work related injury continue to be compensated at a rate of pay equal to sixty-six and two-third percent (66-2/3%) of their gross average weekly wage based on wages during the year before the injury. Said compensation is paid only after the loss of three (3) scheduled work days resulting from a work related injury.
2. The Workers' Compensation Act does not require the Village to pay TTD benefits for the first three (3) scheduled work days lost (need not be consecutive days) due to a work related injury unless the work related injury continues for fourteen (14) or more calendar days.
3. The Village will provide workers compensation disability benefits in excess of that required by the Workers Compensation Act and will compensate employees with a work related injury for lost scheduled work days that occur within the thirty (30) calendar days immediately following the date of injury at one hundred percent (100%) of the employee's current regular rate of pay. The employee is required to sign over TTD benefit checks to the Village issued by the Village's workers compensation insurance carrier.
4. After thirty (30) calendar days, the employee will be compensated pursuant to the Workers Compensation Act (see a) above).
 - a. If an employee elects not to use accumulated leave to supplement his/her reduced wages, he/she will receive compensation directly from the Village's workers compensation insurance carrier. This compensation is not considered Illinois Municipal Retirement Fund (IMRF) earnings.

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- b. If an employee elects to use accumulated sick leave, personal leave, and vacation leave, (in that order), to supplement the thirty-three and one-third percent (33-1/3%) compensation reduction, compensation will continue to be processed through the Village's payroll. In this event, the leave compensation and the compensation paid pursuant to the Act are considered IMRF earnings. To elect to supplement compensation with accumulated leave, the employee must have elected this option on their Employee Statement form. If this election was not made on the Employee Statement form, supplementing compensation is at the discretion of the Village. The employee is required to sign over TTD benefit checks to the Village issued by the Village's workers' compensation insurance carrier.
- 5. TTD benefits end pursuant to the Workers' Compensation Act.
 - 6. If a holiday occurs during the first thirty (30) days immediately following a compensable workplace illness or injury, the employee will receive one hundred percent (100%) holiday pay. After the first thirty (30) day period, the employee will only receive workers' compensation payment, unless the employee supplements the other one-third (1/3) pay as specified above. Sick leave and vacation leave will continue to accrue during the first three (3) months while on a duty related disability leave. Employees covered by a collective bargaining agreement should check their applicable provisions regarding holiday pay and sick and vacation leave accumulation during workers' compensation.

IV. Employee Responsibilities

- A. To promptly report any accident, injury or disease that is incurred or contracted at work to their immediate supervisor; preferably on the day the injury is incurred or the disease is contracted and in writing using an Employee Statement.
- B. To promptly elect whether or not to use accumulated leave to supplement any compensation paid under the Act on their initial Employee Statement. Failure to promptly make this election may cause accumulated leave not to be paid.
- C. Maintain weekly verbal contact with the Assistant Village Administrator while on work related injury status, and following every medical exam for a status update.
- D. Arrive promptly for all scheduled exam/therapy sessions, and to schedule all subsequent medical visits so as not to cause any unnecessary delay in the medical treatment/progress.
- E. Provide the Assistant Village Administrator with a phone number where he/she can be reached during business hours and to promptly return calls.
- F. Report to the Assistant Village Administrator's office to endorse workers' compensation checks over to the Village when requested to do so.

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- G.** As it relates to employees participating in IMRF, apply for IMRF disability benefits if the injury/disease is expected to cause the loss of more than thirty (30) days of work by completing IMRF Forms 5.40 and 5.42 and submitting them to IMRF. To avoid unnecessary delays in receiving IMRF disability benefits, the employee is encouraged to notify the Human Resources Director when the aforementioned forms are submitted to IMRF.
- H.** As it relates to employees participating in the Police Pension Fund, apply for disability benefits if and when applicable. To avoid unnecessary delays in receiving Police Pension disability benefits, the employee is encouraged to contact the Human Resources Director and the Police Pension Board Clerk.