

## ADDENDUM #2

On January 24, 2018, the Vigo County Commissioners made the following addendum to the Vigo County Personnel Policies Handbook dated September 12, 2017:

**#1. Under 4.2 Personal Leave** - Disregard the statement

*“Personal leave may not be used to supplement or add to vacation leave, but vacation leave may be used to supplement or add to personal leave.”*

**#2. Under 4.3 Holidays** – Change

Any holiday that occurs during an FMLA leave shall be paid *if the employee is in pay status*.

**#3. Under 4.7.6 FMLA, Calculation of FMLA Leave** – Change

An employee *shall* use any accrued paid leave (such as sick leave, compensatory time, personal leave, and vacation leave) for any part of the twelve (12) week period of such leave under the County’s FMLA policy. Any holiday that occurs during an FMLA leave shall be paid *if the employee remains in pay status*.

Accruals for benefit calculations, such as vacation, sick leave, personal days, or holiday benefits, shall not be affected by taking FMLA leave *if the employee remains in paid status*.

**#4. Under 4.10 Workers’ Compensation** – Change

Vigo County provides a comprehensive workers’ compensation insurance program at no cost for all employees. This program covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. Subject to applicable legal requirements, Workers’ Compensation insurance provides benefits after a short waiting period. Employee income received while on leave under this policy shall not exceed wages the employee would have normally received pre-major illness in-line-of-duty leave.

Claims will be reviewed by the insurance carrier and the Board of Commissioners. All accidents or injuries on the job no matter how small must be reported immediately to the employee’s Elected Official and/or Department Head. The Elected Official and/or Department Head is responsible for completing the Incident Report within twenty-four (24) hours and submitting it to the Human Resources Department. Any employee required to visit a doctor due to the reported accident or injury will be subjected to a mandatory drug screen. No employee, after seeing a doctor, will be allowed to return to work without first securing that doctor’s release. The County will do everything possible to provide for light duty so the employee may return to work as soon as possible.

**Employees should contact their Elected Official/Department Head to obtain information and forms regarding filing workers’ compensation claims.** Initial reports are to be filed with the Human Resources Department. Medical certifications are required. Once completed, all such forms are to be filed directly with the insurance carrier.

As specified by Indiana workers’ compensation statutes, when a compensable injury renders an employee unable to work, compensation for lost wages is paid starting on the eighth (8<sup>th</sup>) day.

However, on the twenty-second (22<sup>nd</sup>) day of disability, the employee will receive compensation for the first seven (7) days.

The first weekly installment of compensation is due fourteen (14) days after the disability begins. Not later than fifteen (15) days from the date that the first installment is due, the employer/carrier must tender to the employee an Agreement of Compensation, along with compensation due.

If, however, the employer/carrier denies liability, a written notice of denial must be mailed within twenty-nine (29) days after the employer's knowledge of the alleged injury. The employer may obtain an additional thirty (30) day period if it establishes that the delay is due to an inability to obtain the medical information necessary to make a determination as to liability.

Certain injuries are excluded from Workers' Compensation coverage, including but not limited to employee intoxication, self-inflicted injuries, failing to use safety appliances, committing a violation of work rules, failing to obey a reasonable written or printed safety rule, and knowingly failing to perform a statutory duty.

Neither the County nor the insurance carrier will be liable for the payment of workers' compensation benefits for off-duty injuries or illnesses that occur during an employee's voluntary participation in any off-duty recreational, social, or athletic activity sponsored by the County.

While an employee is on workers' compensation leave, he/she shall not be engaged in outside employment.

**During workers' compensation leave, employees may be required to submit periodic medical certifications on their serious health condition.**

Before returning to work, the employee shall provide medical certification from a health care provider verifying that he/she may safely return to work.

For eligible employees, workers' compensation leave may be considered Family and Medical Leave Act (FMLA) leave beginning with the first day of leave depending on the circumstances of the incident which caused the leave. All Vigo County employees will be permitted to participate in whichever program entitles them to the most benefits depending on the circumstances of the leave. Nothing in this section entitles an employee to any leave unless they meet all the eligibility requirements required for the respective leave.

#### **#5. Under 7 Problem Resolutions - Change**

Employees and Elected Official/Department Heads will benefit from a process that allows for the free discussion of matters of mutual concern and effectively addresses complaints on specific issues. Employees who act in good faith by reporting real or implied problems or behavior violations of this policy need not fear retaliation.