

Frequently-Asked Questions

Is an employee compensated for wages lost while missing work because of a work-related injury or illness?

Workers' compensation benefits paid to replace wages lost because of a work-related injury or illness are called "indemnity benefits." These benefits are paid beginning the eighth calendar day of disability. This means that there is a seven-day waiting period for benefits to begin.

Does the employee lose wages during the seven-day waiting period?

The Lafayette Parish School System permits members of the teaching staff to use any accumulated sick leave days to cover the work days in the waiting period in order to avoid being docked wages. However, the employee must sign a selector form indicating that he has chosen to use his sick leave; we will not automatically use an employee's sick leave without his written permission.

All other employees are docked for the waiting period. If the employee is disabled for two weeks, he will receive indemnity benefits for the waiting period.

How much is an employee paid for indemnity benefits?

The workers' compensation administrator follows the formula in the workers' compensation statute for determining how much indemnity benefit is owed an employee. In general, we calculate the total pay earned by the employee in the 52 weeks prior to the injury and that amount is divided by 52 in order to get the employee's average weekly wage. Then, the average weekly wage is multiplied by 66 2/3 per cent to determine the compensation rate. There is both a minimum and a maximum weekly benefit established by the Office of Workers' Compensation.

Note that Act 548 of the 1982 Louisiana legislative session prohibits a school district employee from drawing more than his regular salary while missing work because of a work injury or illness.

What happens to the employee's regular payroll deductions while he is out on workers' compensation?

If the employee is receiving only indemnity benefits from the workers' compensation administrator, he will not receive a payroll check. The selector form allows the employee to choose whether or not he wants to pay his retirement contributions based on his regular salary or based on his workers' compensation indemnity benefits. He can also decide not to pay retirement contributions at all. If he chooses not to pay retirement, he may find that he is "short" years when he approaches retirement age. An employee should contact

the Payroll Department to make arrangements to continue his retirement contributions while he is out on workers' compensation leave. *The school district does not continue retirement contributions for an employee unless the employee continues his own contribution.*

The Insurance Department bills the employee monthly for any insurance deductions which are normally deducted from the employee's check. The employee must make arrangements to continue payments for any other deductions, such as dues in professional organizations, garnishments, payments to the credit union, etc.

Why is the employee's paycheck sometimes less when he returns to work than it was before the work injury?

Every employee is assigned a specific number of days to work in a fiscal year to fulfill his work year. (For purposes of this discussion, we shall call the required number of days the "contract term.") For example, a teacher's work year is typically 182 days; a custodian's work year is 244 days. The employee's annual salary is his daily rate of pay multiplied by the number of days in his contract term. If an employee works fewer than the number of days in his original contract term and the absences are not paid via sick leave or annual leave, then the employee's salary must be re-calculated: his daily rate of pay is multiplied by the number of days he actually worked. If his contract term is shortened because a work-related injury caused him to be absent, then his annual salary will be less, and the paychecks for the remainder of that fiscal year will be affected. Once the employee returns to work, when the new fiscal year begins, his salary will return to the full amount. This salary adjustment is a function of pay calculation and is *not* a result of the work-related claim. This is the same procedure for adjusting employee pay, no matter the reason for the lost days without pay. Keep in mind, however, that the employee is receiving indemnity benefits during the time of his absence. Therefore, some of the wages lost are paid via workers' compensation.

Is there a time limit for an employee to report an injury?

An employee must report an injury to his supervisor within 30 days of the injury's occurrence. The report may be verbal. As soon as the supervisor has been notified, he should complete the online accident report form so that we can set up the claim file to process the claim.

For more information, see the school districts Policy EGAA—Workers' Compensation.