

NEW MEXICO SCHOOL FOR THE ARTS
HIGH SCHOOL

WORKERS' COMPENSATION POLICY

WORKERS' COMPENSATION BENEFITS

In accordance with applicable workers' compensation statutes, all employees of New Mexico School for the Arts who have a work-related injury are eligible for coverage.

REPORTING ACCIDENTS

All work-related accidents or injuries must be reported immediately to the injured employee's supervisor by completing and submitting the Notice of Accident form (NOA), whether or not medical care is needed. The employee's supervisor must complete the Supervisor's Accident Investigation Report form. Both documents are submitted within twenty-four (24) hours from the time the supervisor was informed of the accident to the employer's designated workers' compensation administrator. The workers' compensation administrator will then complete the Employers' First Report of Accident form. All three forms are then forwarded to the employer's insurance carrier or third party administrator within seventy-two (72) hours from the employer's first knowledge of the accident.

MEDICAL TREATMENT

Emergency Medical Treatment: When an injury or illness is life threatening in nature, the injured worker shall seek emergency treatment at the nearest emergency facility or by calling 911. After the emergency has abated, the injured worker will notify the employer in writing of the work related injury and present any disability or return to work notices. Upon such notice, the employer shall notify the employee in writing at that time whether the employer has elected to direct subsequent medical care to a selected health care provider or permit the employee to initially select the subsequent health care provider.

Initial Selection of Health Care Provider: The New Mexico Workers' Compensation Statute allows New Mexico School for the Arts to either select the initial health care provider or to permit the worker to initially select the health care provider. The party who did not select the initial health care provider has the right to change to a different health care provider sixty (60) days thereafter.

New Mexico School for the Arts shall determine as a matter of policy whether it elects to initially select the health care provider or permit an injured employee to make this initial selection. New Mexico School for the Arts shall also provide at the time of hiring or during employee orientation the following information in writing:

New Mexico School for the Arts elects to have injured workers treated at:
Concentra, 720 Saint Michael's Drive Suite C, Santa Fe, NM 87505

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Medical Benefits: These benefits include all medical, surgical, and drug expenses that are reasonable, necessary and related to the work injury.

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Lost Wage Benefits (indemnity payments): When an employee has been removed from work by an authorized health care provider and cannot earn wages, workers' compensation provides payments based on a portion of his or her average weekly wage up to a maximum limit set by the New Mexico Workers' Compensation Statute. The first seven (7) days (consecutive or non-consecutive) of disability is considered to be the waiting period and no indemnity benefits are due. Indemnity payments will be calculated and issued in accordance with applicable statutes and laws.

USE OF SICK LEAVE FOR WORK RELATED INJURY:

When an absence is due to a work-related occurrence, the initial seven (7) days are the statutory waiting period in which no indemnity benefits are paid under the workers' compensation claim. The seven (7) day period can be consecutive or non-consecutive days and must be charged to Paid Time Off (PTO) leave.

If the employee continues to be disabled after the seven (7) day waiting period, the employee will be entitled to workers' compensation indemnity benefits at an amount equal to 66 2/3% of the worker's average weekly wage or up to the statutory maximum allowed at the time of the injury. The worker will **not** be permitted to use PTO leave.

If the employee's disability extends past 28 days, the worker will then be paid workers' compensation indemnity benefits for the initial seven (7) days of absence. If this occurs, then the worker is required to reimburse their PTO bank.

PAYMENT OF INSURANCE PREMIUMS WHILE DISABLED FROM WORK

When an absence is due to a work-related occurrence, the employee will not receive wages from the employer. At the time of a qualifying disability, it will be necessary for the employee to pay their portion of any insurance premiums directly to the employer.

New Mexico School for the Arts will continue payment of its matching portion of the insurance premium until the employee returns to work from the qualifying disability or through the end of the current fiscal year (June 30th), or for as long as the worker pays their portion of the premium – whichever occurs first.

FAMILY MEDICAL LEAVE ACT (FMLA): FMLA benefits will run concurrently with the employee's time off for a work related injury.

RETURNING TO WORK: Employees returning to work from a Workers' Compensation related accident shall:

1. Submit a written medical statement from the treating physician to the workers' compensation administrator that they are physically able to return to perform the essential job functions of the original position; and
2. If physically unable to return to performance of the essential job functions of the original position, the employee shall submit a written medical statement from the treating physician for review by the supervisor, human resources and workers' compensation administrator detailing what specific functions of the original position that they are

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physically able to perform and what they cannot. Such written medical statement shall specify the employee's physical capacity in the terms outlined by §52-1-26.4, NMSA 1978. Within five(5) days of receiving this written notification, the employer shall advise the employee in writing of the availability of accommodating work and the start date on which the employee is expected to fill the accommodating position; and

3. If physically unable to perform even marginal job duties, employee will submit a written medical statement from the treating physician to the workers' compensation administrator to that effect for review by the supervisor, human resources and workers' compensation administrator, and
4. Present themselves for work within one (1) working day after being released to return to work by his or her treating physician, or being notified of accommodating work by New Mexico School for the Arts.

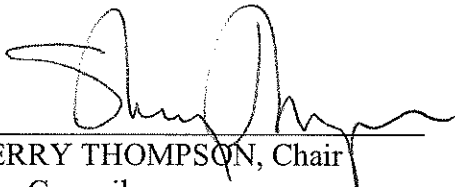
Workers' Compensation Assessment Fee

Employers covered by the New Mexico Workers' Compensation law are required to pay a quarterly fee, similar to a tax. Currently, the workers' compensation fee is \$4.30 per employee per calendar quarter. The employee contribution is \$2.00 and is taken as a quarterly payroll deduction.

The Worker's Comp Policy was adopted by the Governing Council of the New Mexico School for the Arts High School effective February 3, 2015.

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ATTEST;



SHERRY THOMPSON, Chair
of the Council



PAULA TACKETT, Secretary
of the Council