

## Worker's Compensation

An employee is eligible for workers' compensation leave from the district during the period of time the employee is temporarily disabled as the result of any injury arising out of and in the course of employment which qualifies for an indemnity payment from the workers' compensation division of the Colorado Department of Labor and Employment.

Workers' compensation leave shall be available only to those persons who sustain a temporary total disability and are unable to perform services for the district while disabled.

The primary source of compensation for an employee on worker's compensation leave shall be the indemnity payment from the workers' compensation section of the division of worker's compensation of the Colorado Department of Labor and Employment or insurance carrier as determined by state law. The employee may use accrued school district sick leave and vacation times to supplement the workers' compensation payment.

Under no circumstances shall an employee be allowed to receive more than an amount equal to the weekly wage or equivalent when combining the indemnity payment from workers' compensation and school district benefits. The employee shall provide any requested documentation to the school district to evidence amounts paid by workers' compensation before benefit payments are allowed by the school district.

The administration is directed to establish necessary procedures to implement this policy.

*NOTE: The district is not required by state workers' compensation law to continue insurance coverage at the district's expense but may be required to do so for a specific time period under the federal Affordable Care Act (ACA). If coverage is not continued at district expense, the employee must be given the option of paying for continuing coverage. If, however, the injury or disability qualifies for leave under the Family and Medical Leave Act (FMLA), insurance coverage cannot be discontinued during such FMLA leave, but may be at the employee's expense unless the district is required to pay its costs under the ACA.*

ADOPTED 2005

Revised: June 2022

LEGAL REF.: 29 U.S.C. 2601 et seq. (Family and Medical Leave Act of 1993)  
P.L. 111-148 (Patient Protection and Affordable Care Act)  
C.R.S. 8-40-101 et seq. (Workers' Compensation Act of Colorado)

CROSS REFS.: GBGG, Staff Sick Leave  
GCD, Professional Staff Vacations and Holidays  
GDD, Support Staff Vacations and Holidays