



# WORKERS' COMPENSATION HR/PAYROLL ACTIONS AND REASONS SUMMARY CHART

PER

JOB AID PER-50

The purpose of this job aid is to explain the actions, reasons, and benefits for each type of workers' compensation situation.

Fact Situations for Workers' Compensation LEAVE OF ABSENCE (LOA) Actions	Code Number & Name	Reason Code Number & Name	Applicable Worker's Compensation Benefit
<p>First seven (7) days injured employee is on workers' compensation leave as authorized treating physician has removed employee from work, or injury related work restrictions cannot be accommodated by employer. Employee can utilize sick/vacation/bonus leave or go on leave without pay during these seven days.</p> <ul style="list-style-type: none"> <li>• <b>This action is optional; recording of seven days waiting period is <u>NOT REQUIRED</u>. Can track seven days offline and record dates in notes on day LOA begins.</b></li> <li>• If employee is out of work more than 21 days, employee gets workers' compensation benefits for first seven days; thus, employee may receive double pay if elected vacation/sick leave during first seven days out of work.</li> <li>• May be recorded in one day increments.</li> </ul>	<p>Can be paid (<b>9000</b>, <b>9200</b>) or unpaid leave (<b>9400</b>)</p>	<p><b>12</b> <b>WC 7 day waiting period</b> (Optional)</p>	<p>None, unless employee is out of work more than 21 days, then TTD is paid for first seven days out of work</p>
<p>On eighth (8th) day injured employee is on workers' compensation leave as authorized treating physician has removed employee from work, or injury related work restrictions cannot be accommodated by employer <b>AND</b> employee opts to exhaust a certain amount of sick/vacation/bonus leave per week in accordance with OSHR schedule to supplement WC benefits.</p> <ul style="list-style-type: none"> <li>• <b><u>MUST BE</u></b> out 40 hours per week.</li> </ul>	<p>No time entry is entered for an LOA-WC Action. Supplement is added in on IT2001 Infotype.</p>	<p><b>13</b> WC Leave of Absence with supplement</p>	<p>TTD</p>

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Fact Situations for Workers’ Compensation LEAVE OF ABSENCE (LOA) Actions	Code Number & Name	Reason Code Number & Name	Applicable Worker’s Compensation Benefit
<p>On eighth (8th) day injured employee is on workers’ compensation leave as authorized treating physician has removed employee from work or injury related work restrictions cannot be accommodated by employer. Employee is <u>not</u> using supplemental leave.</p> <ul style="list-style-type: none"> <li>• <b>MUST BE</b> out 40 hours per week.</li> </ul>	No time entry is entered for an LOA-WC Action.	<p align="center"><b>14</b></p> <p>WC Leave of Absence</p>	TTD
<p>Employee listed in NCGS §143-166.13 placed on Workers’ Compensation leave with Continuation Pay due to injury resulting from or arising out of an episode of violence, resistance, or due to other special hazards that occur while the eligible person is performing official duties for <u>up to two (2) years</u> from date employee is unable to work either a partial or full day. Authorized treating physician has removed employee from work or injury related work restrictions cannot be accommodated by employer. (See NCGS §143-166.14)</p>	<p align="center"><b>9685</b></p> <p>Injury Leave</p>	<p align="center"><b>15</b></p> <p>WC Salary Continuation Pay</p>	Up to 2 years Salary Continuation in lieu of TTD or TPD
<p>Employee works in any educational institution supported by and under control of State placed on Workers’ Compensation leave due to episode of violence receives full salary during shortest of these periods: one year, the continuation of disability, or time during which unable to engage in employment due to injury. Authorized treating physician has removed employee from work or injury related work restrictions cannot be accommodated by employer. (See NCGS §115C-338)</p>	<p align="center"><b>9685</b></p> <p>Injury Leave</p>	<p align="center"><b>17</b></p> <p>WC Continuation Pay-Teachers Only</p>	Up to 1 year Salary Continuation in lieu of TTD or TPD

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<i>Reinstatement Actions</i>			
<p>Employee <b>has reached maximum medical improvement (MMI)</b>. Employee released by treating physician to return to permanent work in same position or one of seniority, status and pay held prior to WC leave.</p> <ul style="list-style-type: none"> <li>• <b>MUST</b> return to pre-injury work schedule.</li> </ul>	<b>9500</b>	<b>13</b>	None
<p>Employee <b>has not reached maximum medical improvement (MMI)</b>. Employee released by treating physician to return to modified duty assignment with work schedule of 20 or more hours per week.</p> <ul style="list-style-type: none"> <li>• May be less than forty (40) hours per week.</li> <li>• Record hours actually worked.</li> <li>• Create Appointment Change Action; Reason 05 FT to PT and pro-rate annual salary if reinstated less than (40) hours per week.</li> </ul>	<p><b>Appointment Change Action must be entered. 9500</b></p> <p>Hours Worked</p>	<b>12</b>	If less than 40 hours, may be eligible for TPD
<p>Employee <b>has reached maximum medical improvement (MMI)</b> and released to return to work but has a disability which prohibits employment in the same capacity that existed prior to WC leave.</p> <ul style="list-style-type: none"> <li>• May be less than forty (40) hours per week.</li> <li>• Record hours actually worked.</li> <li>• Create Appointment Change Action; Reason 05 FT to PT and pro-rate annual salary if reinstated less than (40) hours per week.</li> </ul>	<p><b>Appointment Change Action must be entered. 9500</b></p> <p>Hours Worked</p> <p>Holidays <b>9300</b> coded as they occur</p>	<b>22</b>	TTD or TPD
<p>Employee <b>has not reached maximum medical improvement (MMI)</b> and released to return to limited duty with a work schedule of less than 20 hours a week.</p> <ul style="list-style-type: none"> <li>• Must be less than twenty (20) hours per week.</li> <li>• Record hours actually worked.</li> <li>• Create Appointment Change Action; Reason 05 FT to PT and pro-rate annual salary if reinstated less than (40) hours per week.</li> </ul>	<p><b>Appointment Change Action must be entered. 9500</b></p> <p>Hours Worked</p> <p>Holidays <b>9300</b> coded as they occur</p>	<b>23</b>	TPD

<i>Reinstatement Actions</i>			
<p>Employee listed in NCGS §143-166.13 or NCGS §115C-338 entitled to salary continuation benefits <b><u>has not reached maximum medical improvement (MMI)</u></b>. Employee released by treating physician to return to modified duty assignment with work schedule of 20 or more hours per week.</p> <ul style="list-style-type: none"> <li>• May be less than forty (40) hours per week.</li> <li>• Record hours actually worked.</li> </ul>	<p align="center"><b>9685</b></p> <p>Injury Leave &amp; <b>9500</b> Hours Worked</p>	<p align="center"><b>12</b></p> <p>Return from Workers’ Comp w/Physician Restrictions of Modified Duty  20-40 hours</p>	<p>If less than 40 hours, may be eligible for TPD</p>
<p>Employee listed in NCGS §143-166.13 or NCGS §115C-338 entitled to salary continuation benefits <b><u>has reached maximum medical improvement (MMI)</u></b> and released to return to work but has a disability which prohibits employment in the same capacity that existed prior to WC leave.</p> <ul style="list-style-type: none"> <li>• May be less than forty (40) hours per week.</li> <li>• Record hours actually worked.</li> </ul>	<p align="center"><b>9685</b></p> <p>Injury Leave &amp; <b>9500</b> Hours Worked</p>	<p align="center"><b>22</b></p> <p>Return from Workers’ Comp with MMI Disability</p>	<p align="center">TTD or TPD</p>
<p>Employee listed in NCGS §143-166.13 or NCGS §115C-338 entitled to salary continuation benefits <b><u>has not reached maximum medical improvement (MMI)</u></b> and released to return to limited duty with a work schedule of less than 20 hours a week.</p> <ul style="list-style-type: none"> <li>• Must be less than twenty (20) hours per week.</li> <li>• Record hours actually worked.</li> </ul>	<p align="center"><b>9685</b></p> <p>Injury Leave &amp; <b>9500</b> Hours Worked</p>	<p align="center"><b>23</b></p> <p>Return from Workers’ Comp w/Physician Restrictions that state a Modified Duty less than 20 hrs</p>	<p align="center">TPD</p>

Fact Situations for Attending Workers’ Compensation Medical Appointments During Scheduled Work Hours	Code Number & Name	Reason Code Number & Name	Applicable Worker’s Compensation Benefit
Employee <b>has returned to work</b> following injury and attends authorized medical appointments related to ongoing workers’ compensation claim during work hours. <ul style="list-style-type: none"> <li>• Record hours absent from work attending medical appointments.</li> <li>• Record hours actually worked.</li> </ul>	<p align="center"><b>9680</b></p> Injury Absence Workers’ Comp & Hours Worked	Not applicable	None

**MMI:** Maximum Medical Improvement-end of healing period for work-related injury

**TTD:** Temporary Total Disability benefits -66 2/3% of pre-injury average weekly wages. Paid when entirely removed from work.

**TPD:** Temporary Partial Disability benefits-66 2/3% of difference between pre and post injury average weekly wages. Paid when partially removed from work.

**Salary Continuation:** For eligible employees meeting statutory requirements, NCGS §§143-166.13 and 143-166.14, 100% of regular pay.

**§ 143-166.13. Persons entitled to benefits under Article.**

(a) The following persons who are subject to the Criminal Justice Training and Standards Act are entitled to benefits under this Article:

- (1) State Government Security Officers, Department of Administration;
- (2) State Correctional Officers, Division of Adult Correction of the Department of Public Safety;
- (3) State Probation and Parole Officers, Division of Adult Correction of the Department of Public Safety;
- (4) Sworn State Law-Enforcement Officers with the power of arrest, Division of Adult Correction of the Department of Public Safety;
- (5) Sworn Law Enforcement Officers in the Medicaid Fraud Unit of the Department of Justice;
- (6) State Highway Patrol Officers, Department of Public Safety;
- (7) General Assembly Special Police, General Assembly;
- (8) Sworn State Law-Enforcement Officers with the power of arrest, Department of Health and Human Services;
- (9) Juvenile Justice Officers, Division of Juvenile Justice of the Department of Public Safety;
- (10) Insurance Investigators, Department of Insurance;

- (11) State Bureau of Investigation Officers and Alcohol Law Enforcement Agents, Department of Public Safety;
  - (12) Director and Assistant Director, License and Theft Enforcement Section, Division of Motor Vehicles, Department of Transportation;
  - (13) Members of License and Theft Enforcement Section, Division of Motor Vehicles, Department of Transportation, designated by the Commissioner of Motor Vehicles as either "inspectors" or uniformed weigh station personnel;
  - (14) Utilities Commission Transportation Inspectors and Special Investigators;
  - (15) North Carolina Ports Authority Police, Department of Transportation;
  - (16) Sworn State Law-Enforcement Officers with the power of arrest, Department of Environmental Quality;
  - (17) Sworn State Law-Enforcement Officers with the power of arrest, Department of Public Safety.
  - (18) Sworn State Law-Enforcement Officers with the power of arrest, Department of Revenue.
  - (19) Sworn State Law-Enforcement Officers with the power of arrest, University System.
- (b) The following persons are entitled to benefits under this Article regardless of whether they are subject to the Criminal Justice Training and Standards Act:
- (1) Driver License Examiners injured by accident arising out of and in the course of giving a road test, Division of Motor Vehicles, Department of Transportation;
  - (2) Employees of the Division of Adult Correction of the Department of Public Safety injured by a direct and deliberate act of an offender supervised by the Division or while performing supervisory duties over offenders which place the employees at risk of such injury.
- (c) As used in this Article, the term "eligible person" or "person" shall mean any individual listed under subsection (a) or (b) of this section.

**§ 143-166.14. Payment of salary notwithstanding incapacity; Workers' Compensation Act applicable after two years; duration of payment.**

The salary of any eligible person shall be paid as long as the person's employment in that position continues, notwithstanding the person's total or partial incapacity to perform any duties to which the person may be lawfully assigned, if that incapacity is the result of an injury or injuries resulting from or arising out of an episode of violence, resistance, or due to other special hazards that occur while the eligible person is performing official duties, except if that incapacity continues for more than two years from its inception, the person shall, during the further continuance of that incapacity, be subject to the provisions of Chapter 97 of the General Statutes pertaining to workers' compensation. The time period for which an eligible person receives benefits pursuant to this section shall be deducted from the eligible person's total eligibility for benefits pursuant to G.S. 97-29 and G.S. 97-30. For purposes of this section, the term "salary" shall be defined as the total base pay of the person reflected on the person's salary statement and shall not include overtime pay, shift differential pay, holiday pay, or

other additional earnings to which the person may have been entitled prior to such incapacity. Salary paid to an eligible person pursuant to this Article shall cease upon the resumption of the person's regularly assigned duties, retirement, resignation, or death, whichever first occurs, except that temporary return to duty shall not prohibit payment of salary for a subsequent period of incapacity which can be shown to be directly related to the original injury.

**§ 115C-338. Salaries for employees injured during an episode of violence.**

- (a) For the purpose of this section, "employee" shall mean any teacher, helping teacher, librarian, principal, supervisor, superintendent of public schools or any full-time employee, city or county, superintendent of public instruction, or any full-time employee of Department of Public Instruction, president, dean or teacher, or any full-time employee in any educational institution supported by and under the control of the State: Provided, that the term "teacher" shall not include any part-time, temporary, or substitute teacher or employee, and shall not include those participating in an optional retirement program provided for in G.S. 135-5.1. In all cases of doubt, the Board of Trustees, as defined in G.S. 135-1(7), shall determine whether any person is a teacher as herein defined.
- (b) Any employee who while engaged in the course of his employment or in any activities incidental thereto, suffers any injury or disability resulting from or arising out of any episode of violence by one or more persons shall be entitled to receive his full salary during the shortest of these periods: one year, the continuation of his disability, or the time during which he is unable to engage in his employment because of injury. An episode of violence shall be defined to mean but shall not be limited to any acts of violence directed toward any school building or facility, or to any employee or any student by any person including but not limited to another student. These benefits shall be in lieu of all other income or disability benefits payable under workers' compensation to such employee only during the period prescribed herein. Thereafter, such teacher shall be paid such income or disability payments to which he might be entitled under workers' compensation. If the employment of a substitute is necessitated by the disability of the injured employee, the salary of such substitute shall be paid from the same source of funds from which the employee is paid. This section shall in no way limit the right of the injured employee to receive the benefits of medical, hospital, drug and related expense payments from any source, including workers' compensation: Provided, further, that this section shall not apply to any employee who is injured while he participates in or provokes such episode of violence except as is incident to the maintenance or restoration of order or classroom discipline or to defend himself: Provided, further, that this section shall be given liberal construction and interpretation as to any and all definitions, conditions, and factual circumstances set forth herein.
- (c) Any employee claiming the benefits of this section shall file claim with the board of education employing such employee within one year after the occurrence giving rise to his alleged injury. That board of education shall, within 30 days after receipt of such claim, decide whether and to what extent that employee is entitled to the benefits of this section and shall forthwith transmit its decision in writing to such employee. That employee shall, however, have the right to appeal the decision of that board of education to the North Carolina Industrial Commission by serving that board of education and the North Carolina Industrial Commission with written notice thereof within 30 days after receipt of the board's written decision. In determining all appeals under this section, the North Carolina Industrial Commission shall constitute a court for the purpose of hearing de novo and passing upon all claims thereby presented in accordance with procedures utilized by the Commission in determining claims under the Workers'

Compensation Act. The decision of the Industrial Commission in each instance shall be subject to appeal to the North Carolina Court of Appeals as provided in G.S. 143-293 and 143-294.

<b>Additional Resource</b>
Refer to <b>OSC Training HELP page</b> website for additional Workers’ Compensation support material: <a href="https://www.osc.nc.gov/state-agency-resources/training/training_help_documents">https://www.osc.nc.gov/state-agency-resources/training/training_help_documents</a> .  Select <b>Personnel Administration</b> under Topic.