

Chapter 13 Employee Health and Safety

13.03 Hazardous Employment Injury

- **Policy**

Wisconsin Statutes (s. 230.36) provide that employees who are injured or contract a disease as a result of certain types of hazardous employment are entitled to continued payment of full base pay without deduction of sick leave or other leave credits while the employee is unable to return to work or until she/he terminates employment. The employee is treated as if she/he is still in pay status. Employees eligible for hazardous employment injury benefits also are eligible for Worker's Compensation for incurred medical expenses.

- **Coverage**

Generally, these employees may be covered:

- Employees involved in supervision and care of patients.
- University police and security officers.
- University lifeguards.
- Employees ordered by a supervisor to perform hazardous duties as a temporary replacement for an employee regularly assigned such duties.
- Employees ordered by the supervisor to accompany an employee during the performance of hazardous duties.

- **Eligibility for Benefits**

Employees are eligible to claim hazardous employment benefits if injured:

- While quelling a riot or disturbance or other act of violence while in work status or on University premises.
- While restraining patients, inmates, probationers or parolees or apprehending runaways and escapees.
- When injury is caused by a patient, inmate, probationer or parolee.
- While making an arrest or investigating a violation or suspected violation of law.
- While going to or returning from a fire, putting out a fire, evacuating patients or inmates because of a fire or participating in fire drills.
- When disease is contracted as a result of exposure to it during patient care.

Eligibility is determined by Employee Compensation & Benefits Services.

- **Procedure for Claiming Benefits**

Unless the employing unit has special procedures for claiming hazardous employment injury benefits, it should follow the general procedures below.

A. Employee's Responsibility

1. Complete a Request for Leave of Absence with Pay Due to Injury (Form DER-DCC-22, Appendix 13-A) or assign a representative to do so.
2. Submit it to the employing unit personnel representative or Dean/Director's office within 30 calendar days from the date of injury for non-represented employees, **OR** as specified in the applicable union contract for represented employees.

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B. Supervisor's Responsibility

1. Insure that the Employee Occupational Accident and Illness Report (UW 1064, Appendix 13-B) has been completed.
2. Check periodically to determine when the employee will be able to return to work and ensure that an injured employee's absence is covered by an appropriate leave. Whenever there is a question about the employee's ability to resume duties, the supervisor should require the employee to submit a current physician's report.

- **Further Procedures**

The Dean/Director's office reviews hazardous duty claims, obtains a medical report from the employee's physician as to the nature and duration of any disability resulting from the injury, and submits a recommendation to Employee Compensation & Benefits Services.