

CITY OF WACO

I. POLICY

- A. The City provides Workers' Compensation insurance or equivalent benefits to employees and volunteers for job related injuries and occupational illnesses.
- B. While on Workers' Compensation, the City pays that portion of the employee's average weekly salary which is not paid by Workers' Compensation for a period of up to 180 cumulative calendar days. Employees receiving Workers' Compensation benefits continue to accrue sick and vacation leave.

II. JOB RELATED INJURIES

- A. An injury sustained by an employee or volunteer while the employee or volunteer is performing within the course and scope of job duties shall be considered to be a job related injury.
- B. The following shall NOT be considered job related injuries:
 - 1. Injuries occurring while the employee or volunteer was in a state of intoxication.
 - 2. Injuries caused by the employee's or volunteer's willful intention to attempt personal injury or to unlawfully injure another person.
 - 3. Injuries sustained when the employee's or volunteer's horseplay was a producing cause of the injury.
 - 4. Injuries arising out of an act of a third person intended to injure the employee or volunteer because of personal or job related reasons.
 - 5. Injuries arising out of voluntary participation in an off duty recreational, social or athletic activity not constituting part of the employee's work related duties, except where these activities are a reasonable expectancy of or are expressly or impliedly required by the employment.
 - 6. Injuries arising out of an act of nature, unless the employment exposes the employee or volunteer to a greater risk of injury from an act of nature than ordinarily applies to the general public.

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III. OCCUPATIONAL ILLNESS

- A. A disease arising out of and in the course of employment that causes damage or harm to the physical structure of the body shall be considered an occupational illness.
- B. The term "occupational illness" includes other diseases or infections that naturally result from the work related disease.
- C. The term "occupational illness" includes repetitive trauma injuries.
- D. The term "occupational illness" does not include an ordinary disease of life to which the general public is exposed outside of employment, unless that disease is an incident to a compensable injury or occupational disease.

IV. WORKERS' COMPENSATION SALARY SUPPLEMENT BENEFITS

- A. If an employee is unable to work because of a job related injury or occupational illness and otherwise qualifies for Workers' Compensation benefits, the City shall pay that portion of the employee's average weekly salary not paid in accordance with the Workers' Compensation Act.
- B. Average weekly salary shall be computed based upon the average salary earned by the employee for the thirteen weeks preceding the date of injury. Such supplement to Workers' Compensation benefits shall remain in effect for a cumulative period of 180 calendar days, unless otherwise prescribed by civil service regulations or state law.
- C. During such time as an employee is entitled to Workers' Compensation salary supplement benefits, the employee shall be entitled to accrue sick leave and vacation at the same rate as otherwise entitled to; and shall be eligible for blanket raises and for merit raises at the discretion of the employee's supervisor or Department Director.
- D. This policy shall not be construed or interpreted in any manner that would prohibit or in any way restrict the City's right to evaluate and determine whether any employee is sufficiently physically and/or mentally fit to perform the essential functions of their assigned job.



Larry D. Groth, P.E., City Manager
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