

## WORKERS' COMPENSATION

**Third Party Administrator (TPA):**  
**OCTAGON Risk Services**  
"CSU Claims Unit"  
2101 Webster St., Suite 900  
Oakland, CA 94612  
**Telephone: (888) 777-0012**

### PROCESS WHEN INJURED

1. **Notify your supervisor *immediately*.**
2. You are authorized to seek immediate medical treatment at San Jose' State University Student Health Center for first aid or minor injuries. If additional treatment is needed beyond the first visit, Student Health Center has been instructed to refer employees to an appropriate specialist or facility.
3. Complete the top of the Employee's Claim for Workers' Compensation Benefits form (**DWC-1**) that was provided by the Workers' Compensation Specialist and return it as soon as possible.
4. In the event the doctor determines that you have temporary work restrictions or are unable to return to your usual and customary job duties, bring the **physician's** note releasing you to modified work outlining your restrictions to the Workers' Compensation Specialist.

### LOST TIME WAGE COMPENSATION

If your physician takes you off work for a period of more than three (3) calendar days ("wait" period), you may be eligible for either **Industrial Disability Leave (IDL)** or **Workers' Compensation Temporary Disability (TD)** wage compensation benefits.

For the first three (3) calendar days of disability you must use your own accrued sick leave credits. If you are hospitalized or unable to work for more than 14 calendar days, the three (3) day "wait" period will be waived and disability benefits begin with the first day of lost time.

**PLEASE NOTE: A physician must sign all disability notes taking you off work OR releasing you to return to work. Notes signed by Physician's Assistants, Nurse Practitioners or Nurses are not accepted.**

### Which benefit do I qualify for?

State employees who are active members of PERS or STRS may elect to receive IDL in lieu of Temporary Disability.

**IDL** pays your full salary for the first 22 working days of disability and 2/3 of your gross salary for the next 11 months of disability providing the absences occur within two (2) years of the first date of lost time. Certain classes of employees may be entitled to Enhanced IDL (EIDL) that provides full salary for the entire 12 months of disability.

**TD** is paid directly by the TPA every two weeks. The TPA will mail your check directly to your home or mailing address. TD provides a benefit of 2/3 your average weekly wage from a minimum of \$126/week up to a maximum amount determined by law.

### Supplementation with leave credits

You may elect to supplement your 2/3-IDL benefit with your sick leave credits.

If you are receiving **TD**, you must supplement this benefit with all your combined leave credits (sick, vacation, CTO) in order to maintain your health, vision and dental benefits and PERS retirement contribution during your period of disability.

### Is there a difference between IDL, TD and NDI?

Both **IDL** and **TD** are wage compensation programs for **work-related** illnesses or injuries. **NDI** is a wage compensation program for **non-industrial** injuries or illnesses.

In the event that your claim is not immediately accepted during the 90-day period allowed for the employer to fully investigate a claim AND you are unable to work, you may apply for NDI benefits *pending a workers' compensation decision*. Contact the Workers' Compensation Specialist for more information.

## MEDICAL TREATMENT

Your employer has the right to determine medical treatment for the first 30 days following an injury. San José State University employees have been pre-authorized to go to the **Student Health Center for immediate medical treatment and San Jose Medical Center Emergency Room** (after business hours) for treatment. If additional treatment is needed beyond the first visit, those facilities have been instructed to refer employees to an appropriate specialist or facility.

If you wish to go to your personal physician for treatment, you are required to have a completed Designation of Personal Physician Form on file in Human Resources **prior to an injury**. This form can be obtained from the Workers' Compensation Specialist.

### Do I have to use my own health insurance?

Your personal health care benefit is separate from Workers' Compensation. The TPA pays all approved medical treatment for an accepted work-related injury.

Please be aware that the TPA has the right to declare treatment that has not been pre-authorized as self-procured and will not pay for it.

### Change in Treating Physician

You are allowed one change in treating physician per injury. If you wish to change your doctor after the first 30 days:

1. Contact the Workers' Compensation Specialist **or** the claims adjuster for the TPA and notify them that you wish to change your treating physician and why.
2. You will be supplied with a list of available doctors in the appropriate specialty.
3. Once you have made your selection, notify either the Workers' Compensation Specialist or the claims adjuster at Octagon Risk Services.

## RETURN-TO-WORK

San Jose' State University is committed to providing **temporary transitional work** whenever possible. If you are released to return to work with temporary restrictions, you **must** do the following:

1. Bring the **physician's** note releasing you to modified work outlining your restrictions to the Workers' Compensation Specialist.
2. The Workers' Compensation Specialist will contact your supervisor and determine if there is temporary modified work available.

In many instances, temporary transitional work may be available the day of your release and you can return to work immediately. If, however, no work is available OR has not been previously arranged, you will remain off work and receive either IDL or TD until you are notified of a return date.

## VOCATIONAL REHABILITATION

In the event the doctor determines that you have permanent restrictions or are unable to return to your usual and customary job duties, you may qualify for Vocational Rehabilitation (VR) benefits. Your plan may be as simple as permanently modifying your present position, or placing you in an alternate position, or may involve training for a new job.

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### Glossary

<b>CTO</b>	Comp Time Off
<b>EIDL</b>	Enhanced Industrial Disability Leave
<b>IDL</b>	Industrial Disability Leave
<b>NDI</b>	Non-occupational Disability Indemnity
<b>PERS</b>	Public Employee's Retirement System
<b>STRS</b>	State Teachers Retirement System
<b>TD</b>	Temporary Disability
<b>TPA</b>	Third Party Administrator

For more information or questions contact:  
**WORKERS' COMPENSATION SPECIALIST**

**Rick Casillo**  
Human Resources Services Group  
924-2149

Or

**State Workers' Compensation Appeals Board**  
**INFORMATION & ASSISTANCE OFFICER**  
1-408-277-1293

### **WORKERS' COMPENSATION FRAUD IS A FELONY**

Anyone who knowingly files or assists in the filing of a false workers' compensation claim may be fined up to \$50,000 and sent to prison for up to five years (Insurance Code section 1871.4)



**San José State**  
UNIVERSITY

## **YOUR WORKERS' COMPENSATION BENEFITS**

This pamphlet provides an overview of Workers' Compensation Benefits.

For a more comprehensive explanation of your rights and benefits, please contact the Workers' Compensation Specialist in the Human Resources Service Group.

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Prepared by Safety & Risk Services  
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