

## Workers' Compensation

An employee is eligible for workers' compensation leave from the BOCES 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 BOCES while disabled.

*The sole source of compensation for an employee on workers' compensation leave shall be the indemnity payment from the workers' compensation division of the Colorado Department of Labor and Employment or insurance carrier as determined by state law. The employee shall not be permitted to use accrued BOCES sick leave or vacation time to supplement indemnity payments during the employee's workers' compensation leave.*

While on workers' compensation leave under a temporary total disability, employees shall continue to have BOCES health, life and disability insurance coverage, to the same extent the employee had such coverage prior to taking workers' compensation leave, for a period of time not to exceed 12 weeks. At such time, the employee shall be given the option of directly assuming payment of the BOCES's costs for such benefits or discontinuing the coverage until returning to work and again being eligible for benefits, unless the BOCES is otherwise required to continue such coverage under applicable law.

(Adoption Date: September 9, 2015)

LEGAL REFS.: [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 Holiday