## IN THE SUPERIOR COURT OF THE STATE OF ARIZONAL

IN AND FOR THE COUNTY OF MOHAVE

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IN THE MATTER OF:	)	SUPERIOR COLAT CLER
REVISIONS TO SUPERIOR COURT POLICIES AND PROCEDURE AND JUDICIAL MERIT RULE	)	ADMINISTRATIVE ORDER 2019-0038

WHEREAS, on September 16, 2019, the Mohave County Board of Supervisors approved revisions to the Educational Assistance Policy, the Leave of Absence Without Pay Policy and deactivated 3.200 Unpaid Leave Policy and on October 7, 2019, the Mohave County Board of Supervisors approved revisions to 2.6 Holidays, 2.35 Compensation for Overtime, 2.7 Workers' Compensation Policy;

WHEREAS, it is necessary to revise Superior Court Policy and Procedure 8.5 Leave of Absence Without Pay, Superior Judicial Merit Rule 509B, Required Education Credits, 7.6 Holidays, 7.35 Compensation for Overtime, 7.7 Workers' Compensation, and deactivate Superior Court Policy and Procedure 8.200 Unpaid Furlough Leave;

IT IS ORDERED, the attached revisions to the above noted Superior Court Personnel Policies and Procedures, and Judicial Merit System Rule 509 be adopted effective this date.

IT IS FURTHER ORDERED, that Superior Court Personnel Policies and Procedure 8.200 Unpaid Furlough Leave be deactivated effective this date.

**DATED** 21st day of October, 2019.

Charles W. Gurtler, Jr., Presiding Judge

Mohave County Superior Court

Original filed with the Clerk of the Superior Court in Mohave County

TITLE: 8.5 LEAVE OF ABSENCE WITHOUT PAY

EFFECTIVE DATE: 02/09/2017 REVISED DATE:

A leave of absence without pay is intended to provide employees with the time and flexibility to address important personal situations. It also allows the Superior Court to meet its long-term needs by retaining valued employees. Employees shall submit a request to their Department Head in writing if they anticipate needing to take a leave of absence without pay.

- A. The Department Head may approve an employee's leave of absence without pay for a maximum of eighty (80) hours per calendar year when it is in the best interest of the Superior Court to do so.
- B. A request in writing for additional leave without pay beyond eighty (80) hours may be considered and approved by the Department Head and with the approval of the Presiding Judge when it is in the best interest of the Superior Court. An employee requesting a leave of absence without pay shall expend all compensatory time, EIB, and PTO leave accruals before leave without pay is granted.
  - 1. An employee shall submit his/her request for leave of absence without pay at least two (2) weeks in advance of such leave unless advance time is reduced or waived by the Department Head. The employee must also complete a leave of absence agreement.
  - 2. An employee who goes beyond a pay period without pay must contact Mohave County Human Resources to verify their continuation of Health Benefits.
- 8.51 The Presiding Judge may implement a mandatory leave of absence without pay to reduce payroll costs and departmental expenditures during challenging budget shortfalls while maintaining critical Superior Court operations and services.
- 8.52 This leave time must be reported on the employee's timesheet as "Other: Unpaid Leave."

### 8.53 Continuation of Health Benefits (COBRA)

The continuation of Health Benefits shall require the employee to pay up to 102% of coverage (both employer/administrative and employee-paid portions) during the leave period in accordance with the Consolidated Omnibus Budget Reconciliation Act (COBRA) and the Plan Document/Summary Plan Description of the Mohave County Employee Benefit Trust.

A. EDUCATION AND STAFF TRAINING: The Superior Court encourages employees to grow professionally through continuing education and training. Division Heads will identify education needs and provide opportunities for employees to enroll in courses or seminars which increase their ability to contribute to Superior Court or division goals. To the extent possible, training opportunities will be offered in an equitable and non-discriminatory manner and must be job-related. Sufficient funds must be available in the Superior Court budget to cover training costs.

### B. REQUIRED EDUCATION CREDITS:

- 1. Arizona Supreme Court Code of Judicial Administration §1-302 Education and Training requires that full-time regular employees complete a minimum of sixteen (16) hours of approved coursework each year including ethics training, computer security/network security training and six hours of live training. Part-time court personnel starting employment after January 1, as well as court personnel with a regular part-time schedule shall complete the training requirements on a prorated schedule as outlined in ACJA § 1-302H2, Education and Training.
- 2. Employees should obtain and maintain professional competence through courtrelated education programs and report compliance with these standards by
  completing required reports. Compliance forms should be filed with the employee's
  designated training coordinator. Employees who fail to comply with this policy may
  be subject to disciplinary action up to and including termination of employment.
- 3. Only accredited programs meet the requirements of these standards. Programs are accredited pursuant to guidelines approved by the Arizona Supreme Court Council on Judicial Education and Training (COJET).

TITLE: 7.6 HOLIDAYS

EFFECTIVE DATE: 02/09/2017

REVISED DATE:

A. Superior Court offices shall be closed on each of the ten (10) holidays listed below:

HOLIDAY	DATE	
New Year's Day	January 1st  3rd Monday in January  3rd Monday in February  4th/Last Monday in May  July 4th  1st Monday in September  2nd Monday in October  November 11th  4th Thursday in November  December 25th	
Martin Luther King, Jr./Civil Rights Day		
Presidents' Day		
Memorial Day		
Independence Day		
Labor Day		
Columbus Day		
Veterans Day		
Thanksgiving Day		
Christmas Day		

- B. <u>Floating holiday</u>. Employees shall receive one (1) 'floating' holiday from the list below:
  - 1. The day after Thanksgiving (the fourth Friday in November) or;
  - 2. Christmas Eve, which is recognized as the day preceding the Christmas Day holiday (if Christmas Day falls on a Saturday, Sunday or Monday, the holiday shall be recognized on the preceding Friday) or;
  - 3. New Year's Eve, which is recognized as the day preceding the New Year's holiday (if New Year's Day falls on a Saturday, Sunday or Monday, the holiday shall be recognized on the preceding Friday).
- C. When a holiday falls on Saturday, the preceding Friday shall be observed. When a holiday falls on a Sunday, the following Monday shall be observed. A.R.S. §1-301. It shall be noted that public safety and other essential service employees may be required to be on duty during holidays. Unless the department employees are normally scheduled to work the holiday, the actual holiday is to be observed by all employees.

TITLE: 7.6 HOLIDAYS

- D. Non-exempt employees, juvenile detention officers, probation officers and surveillance officers, are automatically paid overtime for holiday hours worked. If it is not possible for an eligible employee to be given time off on a holiday and the employee is required to work, the employee shall be paid as follows:
  - 1. Premium holiday wages, at a rate of one and one-half (1.5) times the employee's regular hourly rate, for each hour actually worked on the holiday.
  - 2. All hours paid at the premium holiday rate will be subtracted from the total hours actually worked during the regularly scheduled work week to determine overtime.
  - 3. Following the subtraction of all hours paid at the premium holiday rate, overtime shall be determined in accordance with these procedures.
- E. A non-exempt employee, that is not a juvenile detention officer, probation officer or surveillance officer, called in to perform work during a recognized holiday shall receive their regular rate of pay for the holiday plus time and a half (1.5) for all hours worked on that holiday regardless of the total hours worked in that workweek.
- F. Employees mandated to work ten (10) hour shifts shall have their schedules adjusted to an eight (8) hour shift for the week that includes a holiday, not to exceed 40 hours within the work week.
- G. In order to avoid disparity among employees, a day of holiday leave shall be interpreted to mean an eight-hour work day for full time employees. Part-time (at least 20 hours per week) employees shall receive four (4) hours of holiday leave.
- H. Temporary workers are not eligible for paid holidays.
- I. In order to receive pay for an observed holiday:
  - 1. Must have other hours paid (actual work hours, PTO, compensatory time, EIB) during the pay period in which the holiday is included.
  - 2. An employee shall not have been on unauthorized absence the workday before or after the holiday.

TITLE: 7.3 OVERTIME (OT)

EFFECTIVE DATE: 02/09/2017

REVISED DATE:

This policy is designed to be consistent with the Fair Labor Standards Act ("FLSA"). Only non-exempt FLSA covered employees are eligible for overtime compensation. Overtime work is time actually worked in excess of 40 hours in any single workweek excluding any paid leave.

#### 7.31 Prior Authorization of Overtime

A. Employees shall get prior authorization from their Department Head before working in excess of their scheduled workday/workweek.

- B. Employees who work overtime without prior authorization shall be compensated for the time worked; however, they may be disciplined for failing to obtain prior authorization.
- C. Employees are prohibited from performing any "off-the-clock" work. "Off-the-clock" work means work you perform for the Superior Court but fail to report on your time sheet. Any employee who fails to report or inaccurately reports any time spent working will be subject to disciplinary action, up to and including dismissal.

#### 7.32 Official Records

The Mohave County Payroll records shall be the official recognized records of time and overtime worked. It is the responsibility of the employee and their supervisor to ensure the time sheet submitted to payroll is accurate and reflects actual hours worked each day. If an employee believes that there is an error in the amount of pay on a paycheck, the employee shall promptly notify their Department Head so that corrections can be made. Any corrections shall be reported to payroll as soon as possible. Employees shall be notified of any corrections to their timesheet before being submitted to Payroll.

#### 7.33 Distribution of Overtime

Overtime work shall be allocated as evenly as possible among all qualified employees and at the discretion of the Department Head. Preference may be given to those employees volunteering to work overtime, however, all employees are required to work overtime when requested.

### 7.34 Straight Time Off During Same Workweek

- A. A non-exempt employee who works more hours in a day than their scheduled workday may receive time off during the same 40-hour workweek in order to avoid the payment of overtime. If the employee does not take the time off and works more than 40 hours, the overtime provisions shall apply.
- B. Time off during the same workweek shall be granted on a straight hour-for-hour basis. For example, an employee who works 10 hours on Monday might work only six (6) hours on

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Tuesday (or only seven (7) hours on Wednesday and Thursday) to offset the two extra hours worked on Monday.

#### 7.35 Compensation for Overtime

Non-exempt employees who work overtime shall be compensated by one of the following methods:

A. <u>Direct Payment</u>. Overtime is paid at the rate of 1.5 times the employee's regular hourly rate for each hour worked over 40 hours within the scheduled workweek.

- 1. If an employee has less than 40 hours of actual work in the workweek, regardless of the hours worked during one single day the employee is not eligible for overtime and all hours worked shall be paid at the regular hourly rate.
- 2. Overtime is only paid for "actual hours worked." Paid time off (PTO), holiday leave, bereavement leave, employee illness bank (EIB), etc., are not counted toward "actual hours worked" during a workweek.

#### B. Compensatory ("comp") Time.

- 1. Compensatory time is paid time off at the rate of one and one-half (1.5) hours of compensatory time for each hour worked over 40 hours within the scheduled workweek. If an employee has less than 40 hours of actual work in the workweek, the employee is not eligible for compensatory time.
- 2. A maximum of 60 hours of compensatory time may be accrued ("banked"). After an employee has accrued 60 hours of compensatory time, all subsequent overtime hours worked shall be paid at the rate of 1.5 times the employee's regular hourly rate. Accurate record-keeping of overtime hours worked and compensatory time credited on the employee's time sheets is mandatory.
- 3. Accrued compensatory time shall be used within a reasonable time frame. Should the employee fail to use the compensatory time, the Department Head, at their sole discretion, may direct the employee in writing which days they shall be taking off for compensatory time purposes.
- 4. Accrued compensatory time shall be exhausted before accrued PTO or EIB may be used.
- 5. Upon termination of employment, retirement, or change of status from non-exempt to exempt, an employee's accrued compensatory time shall be cashed out at the employee's current rate of pay.

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#### 7.36 Hours of Work

A. The normal workweek for full-time employees is forty (40) hours. The normal workweek begins on Saturday morning at 12:01 a.m. and ends at 12:00 midnight the following Friday.

- B. At the sole discretion of the Department Head, employees may be required to work a modified schedule.
- C. At the sole discretion of the Department Head, work schedules (to include shift rotations: day shift, swing shift, grave shift), may be changed at any time for the purposes of business necessity and without requiring the agreement of the employee.

TITLE: 7.7 WORKERS' COMPENSATION (WC)

EFFECTIVE DATE: 02/09/2017

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The County is committed to providing appropriate workers' compensation benefits as required by state law. Workers' compensation benefits are provided to employees for injury, illness or death arising out of employment and occurring in the course and scope of employment.

### 7.71 Injury Reporting Requirements

Every injury or illness sustained on-the-job, no matter how trivial, shall be reported as soon as practicable, on same or next business day when possible, to the employee's supervisor; it is not necessary to report the injury or illness to the supervisor in person. In this way, prompt first aid treatment can be provided, and immediate medical attention secured if necessary. Reporting the date and time of injury and names of witnesses is important when establishing a workers' compensation claim. Once an employee has reported an on-the-job injury or illness to their supervisor, the supervisor shall do the following:

- A. If the injury requires medical attention, the employee may be directed to report to a County-specified medical facility or physician at the County's expense. However, the County may allow the employee to seek treatment from their own healthcare provider. Should an employee be directed to a County specified facility or physician for the first visit, the employee may elect to continue treatment with the healthcare provider of their choice for subsequent medical treatment. Once an employee sees a healthcare provider the employee shall be required to continue all treatments with that provider for the duration of the claim unless the employee requests a change of physician through the Industrial Commission.
- B. If the injury is severe or one that requires immediate aid, arrange for transportation to the nearest emergency treatment center.
- C. Complete a "Supervisor's Report of Injury" and immediately fax to the Mohave County Risk Management Division. Retain a copy for the supervisor.

### 7.72 Use of Paid Time Off (PTO)

- A. PTO leave may be used to supplement Workers' Compensation (WC) payments up to 100% of an employee's regular bi-weekly base salary.
- B. Under no circumstances shall an employee be allowed to receive any combination of workers' compensation and PTO leave in an amount that is greater than their regular net salary.

### 7.73 Employee's Return to Work

After an absence due to an accepted industrial injury or illness, an employee shall return to their regularly assigned duties with a written release by the Workers' Compensation physician. The County may require the injured worker to see an independent physician for a determination of the employee's ability to return to date of injury work. Notification of an employee's intent to return

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to work shall be provided as soon as possible to the Department Head, Mohave County Risk Management Division, and Superior Court Human Resources Department.

A. Return to Work Program. The return to work program is provided to allow employees who are not yet able to perform their regular assignments to be assigned modified duty, when it is possible for the County to do so, for a specified period of time.

### B. Assignment to Modified Duty

- 1. When an employee is determined to be able to perform modified duty by the Workers' Compensation physician, the employee shall notify Superior Court Human Resources and the Risk Management in writing and provide a copy of the physician's authorization.
- 2. Upon approval by the Workers' Compensation physician for specific types of modified duty, the Department Head shall determine what modified duty assignments, if any, exist, and notify Superior Court Human Resources and the Risk Management.
  - a. If there is a need for temporary services within the employee's work unit or another department work unit, the employee shall report daily to their assigned supervisor for such modified duty. Modified duty generally shall not exceed ninety (90) days.
  - b. If there are no modified duty assignments available in the employee's department, the supervisor shall work with Risk Management and Superior Court Human Resources to attempt to identify a temporary modified duty assignment in another department.
  - c. Grant funded employees shall only be assigned to a modified duty assignment that is supported by the grant from which they are paid.
- 3. Mohave County Risk Management shall notify the workers' compensation insurer of the employee's work status.
  - a. Employees assigned to a department other than their own on a temporary modified duty assignment shall be paid by the department in which they are regularly employed.
  - b. Employees who are on modified duty assignments shall be paid at the regular rate of pay for the classification to which assigned.

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- C. <u>Medical Examination Requirement</u>. While on workers' compensation, medical examinations of the employee may be required periodically by the County, at the County's expense, to determine the medical status of the employee.
- D. <u>Return to Regular Duty From Modified Duty Assignment</u>. Upon full duty release from the Workers' Compensation physician, the employee shall return to their department for regular duty assignment.
- E. <u>Discontinuance of Modified Duty Assignment</u>. If, at any time during a modified duty assignment, it is found not to be in the best interest of the County to continue modified duty, the employee may be laid-off unless on FMLA leave status.
- F. <u>Inability to Return to Regular Duty</u>. If an employee is no longer on FMLA leave status and is unable to perform regular duties on or before the completion of the modified duty assignment, the Department Head and Risk Management shall consider temporary or complete reassignment to another County position in or out of the employee's current field. Such position, if available, may involve a change in job classification and pay. If no position is available for which the employee is qualified, the County shall separate the employee from County service through layoff.

### 7.74 Public Safety Supplemental Benefits (PSSB) Plan

The purpose of the Supplemental Benefits Plan is to describe benefits afforded to the Public Safety (PS) Employees under the Public Safety Officer; Duty-Related Injury; Supplemental Benefits Plan (ARS § 38-961).

- A. ARS § 38-961 describes, "Public Safety Employee" as an individual who is a member of the Public Safety Personnel Retirement System, the Corrections Officer Retirement Plan or a Probation Officer, a Surveillance Officer or a Juvenile Detention Officer employed by the state or political subdivision of the state.
- B. Supplemental Policy.
  - 1. PS Employees shall apply for the PSSB Plan and the County shall determine the PS employees' eligibility into the Plan. To be eligible for the PSSB Plan, the PS employee must meet the conditions set forth in the statute including:
    - a. The PS employee must be employed full-time. Volunteers or those employed part-time by the County or Superior Court, such as, search and rescue employees, posse employees, boating employees, and similar volunteers and part-time employees shall not be provided for by this PSSB Plan.

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- b. The PS employee must be on an off work status and receiving workers' compensation benefits for the industrial injury prior to applying for acceptance into the PSSB Plan.
- c. The PS employee has been on an off-work status for a minimum of thirty (30) calendar days. On the thirtieth (30<sup>th</sup>) day the PSSB Plan begins and is retroactive to the first day the PS employee was placed on off-work status by a health care professional as a result of a work related injury.
- d. The PS employee must remain on active employment status with the County or Superior Court. If the PS employee fails to remain on said active employment status this Plan is not applicable to their case.
- e. The PS employee's injury must not be the result of a pre-existing physical or medical condition.
- f. The PS employee's injury must not be the result of an unlawful act, a County or Superior Court policy violation, misconduct or self-exposure.
- g. The PS employee's injury must be the direct and proximate result of acting in the line of duty, such as keeping the peace, law enforcement, protection of people and property and investigation of crimes; (Training and similar activities shall not be considered to be in the line of duty.)
- h. The PS employee shall comply with all Mohave County Risk Management requirements including but not limited to evaluation for light or modified duty and rehabilitation programs, provide the Mohave County Risk Management Division with qualifying medical documentation of the injury for supplemental benefits and medical status of employee's ability to perform functions of their position throughout the recovery process. The goal is to assure the employee makes as quick a recovery as possible and returns to light duty or full duty as quickly as possible.
- 2. Provided PS employee is accepted into the Supplemental Benefits Plan and is receiving benefits under the Plan said benefits will terminate immediately upon PS employee failing to comply with Risk Management decisions, PS employee returns to or refuses to return to available light duty or returns to full work status.
- 3. Provided the PS employee is accepted into the Supplemental Benefits Plan, the following shall occur:
  - a. The County shall continue to pay the PS employee's regular salary through the means by which it is regularly funded with no reduction except for other benefits being paid by the workers' compensation fund and the

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amount of taxes the PS employee was paying prior to the work-related injury. This includes continuation of the following:

- i. The PS employer's portion of enrolled health care benefits.
- ii. The PS employee's and employer's contributions to the retirement system or Corrections Officer Retirement Plan, as applicable.
- b. The PS employee shall accrue credit for service for the time enrolled in the Plan. Employee's PTO shall not be reduced while on an off-work status for the term of the PSSB Plan.

### 4. The PS employee shall:

- a. Be responsible to pay for the portion of their health care benefit costs they were paying at the time of the injury, health related optional costs and/or optional life insurance costs.
- b. Continue to accrue credited service in the applicable retirement system during the period of time enrolled in the PSSB Plan.
- c. Not accrue any additional PTO leave while the employee is participating in the PSSB Plan.
- d. Comply with all Mohave County Risk Management requirements including but not limited to, evaluation for light duty and rehabilitation programs, provide the Mohave County Risk Management Division with qualifying medical documentation of the injury for supplemental benefits and medical status of the PS employee's ability to perform functions of their position and medically directed rehabilitation throughout participation in the PSSB Plan.
- 5. The PSSB Plan is offered to the PS employee for an initial period of 180 calendar days, provided the PS employee is accepted into the plan. This section also provides that the County may determine if the PSSB Plan shall be extended an additional six (6) months (180 calendar days). Total calendar days for receiving benefits under this plan shall not exceed one (1) year or three hundred and sixty five (365) calendar days.
- 6. Supplemental plan benefits may cease for reasons including but not limited to the following:
  - a. The PS employee is released to regular duty or light duty (a temporary modified position) where the employee is making their regular pay.

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- b. The PS employee refuses to accept a light duty assignment.
- c. The PS employee has received benefits for 180 calendar days from the first day he was placed on an off-work status.
- d. The PS employee is no longer considered a PS employee of the County or Superior Court.
- 7. If the PS employee has been placed on an off-work status for more than 180 calendar days, they may submit a request for an extension of benefits in writing to Mohave County or Superior Court Human Resources and the Mohave County Risk Management Division. It is at the employer's discretion whether or not to extend benefits. If benefits are extended, they cannot exceed a maximum of an additional 180 calendar days.
- 8. The County may at any time require the PS employee to submit to a Fitness for Duty or Independent Medical Exam.
- 9. If the PS employee is not off-work for the entire initial 180 calendar days, any unused portion may be applied to a future off-work period for the same injury, provided the PS employee's workers' compensation claim remains open.
  - a. The unused portion of the initial 180 days shall not be applied if the PS employee's workers' compensation claim is closed and then reopened at a future date.
  - b. The unused portion of benefits extended for an additional 180 days shall not be applied to any future off-work period for the same injury or any reopening at a future date.
- 10. Once the Mohave County Risk Management Division receives information regarding an injury to a PS employee, they will establish a file:
  - a. If the claim is accepted and it is unclear the extent of the off-work status, the PS employee's department or supervisor will notify the Mohave County Risk Management Division when the PS employee has been offwork for more than thirty (30) days. The Mohave County Risk Management Division can then provide a Supplemental Benefits Application to the PS employee.
  - b. The Mohave County Risk Management Division will not accept the PS employee's application for benefits under the plan while the PS employee's workers' compensation claim is under investigation.

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Workers' compensation acceptance of the employee's claim will be sufficient for the Mohave County Risk Management Division to accept PS employee's application for benefits under the subject plan.

- c. All checks from Workers' Compensation for time off-work will be sent to the Mohave County Risk Management Division.
- d. When the PS employee is released to light duty or regular duty the PS employee's department or supervisor will immediately notify the Mohave County Risk Management Division.
- e. The Mohave County Risk Management Division can request a Fitness for Duty or Independent Medical Exam at any time during the period the PS employee is receiving supplemental benefits.
- f. The County may provide rehabilitation or vocational assistance to the PS employee.
- 11. <u>Light duty</u>. The County will make every effort to accommodate the PS employee's needs in returning to light duty, including but not limited to the following:
  - a. Payment of mileage if the light duty assignment is in a location other than the assigned work place.
  - b. Provide transportation via car pool or other means if the PS employee is unable to drive.
  - c. Provide light duty for a different work shift than previously assigned.
  - d. If the PS employee refuses to return to work in a light duty capacity for any reason the PS employee will be terminated from the PSSB Plan.
- 12. Workers' Compensation wage benefits will also be terminated if a PS employee refuses a light (modified) duty assignment that they are qualified for and have been released by a health care professional to perform.

#### C. Procedure.

- 1. PS Employees who are injured while performing required duties shall:
  - a. Immediately notify their supervisor or person in charge if the supervisor is not available, even if medical treatment is not necessary.

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- b. Seek medical attention through a County designated facility or physician arranged to provide medical care. PS Employees will utilize these designated physicians for their initial visit unless the injury is severe (e.g. broken bone, excessive bleeding, unconsciousness, amputation, etc.) at which time 911 should be called.
- c. The PS employee must update Risk Management after each doctor visit who shall notify their Supervisor of the employee's work status, until full duty work status is obtained. The physician's report must include any work restrictions or physical limitations necessary for the PS employee's well-being.
- 2. The PS employee's supervisor or person in charge who is notified of an on-thejob injury shall:
  - a. Notify the Mohave County Risk Management Division immediately and complete a Supervisor's Report of Industrial Injury (SRI) and forward it to the Mohave County Risk Management Division within twenty-four (24) hours and no later than seventy-two (72) hours after the accident. An SRI must be completed even if no medical treatment is needed.
  - b. Forward all physician "work status" reports and releases to the Mohave County Risk Management Division in a timely manner.
  - c. Cooperate with the Mohave County Risk Management Division in identifying light duty work assignments for employees who received an on-the-job injury in order to avoid a time-lost claim against the County/State of Arizona. The employee's original department will be responsible for any wages paid to this PS employee while working a light duty assignment in another department.
    - i. The light duty assignment will be established using a Temp Modified Work Agreement form.
    - ii. The PS employee's pay and classification status will remain the same while on a light duty assignment regardless of the actual duties being performed.
- D. Failure of the PS employee to comply in good faith with all of the aforesaid provisions may exclude the PS employee from coverage under the PSSB Plan.