

Town of Acton
WORKERS' COMPENSATION POLICY

The Town of Acton provides workers' compensation coverage to its employees in accordance with the State of Maine laws.

If the employee is in need of immediate medical attention, the employee will be transported to the nearest clinic or hospital emergency room as applicable depending on the severity of the injury/illness.

All staff injuries must be reported, regardless of how minor, to the supervisor as soon as possible and no more than 24 hours from the time of the injury.

A Town Internal Report of Injury form will be completed by the injured employee and signed by the employee's supervisor. Names of employees that witnessed the incident must also be included on the report. The completed report shall be forwarded to the Treasurer/CFO within 48 hours of the incident. Failure to give timely notification of an injury may jeopardize a valid claim.

Each visit to a physician/medical facility will require the employee to submit, to their supervisor, an M-1 Report completed by the health care physician.

- FMLA. If eligible, workers' compensation absences will run concurrently with FMLA.
- Benefit Premiums. An employee shall be entitled to maintain group health insurance coverage on the same basis as if he/she had continued to work at the Town. To maintain uninterrupted coverage, the employee will be required to continue paying his/her share of insurance premium payments.

If the employee informs the Town that he/she does not intend to return to work at the end of the leave period, the Town's obligation to provide health benefits ends. If the employee chooses not to return to work for reasons other than a continued serious health condition, the Town will require the employee to reimburse the Town the amount the Town contributed towards the employee's health insurance during the leave period.

- Waiting Period. Under Maine Workers' Compensation, the waiting period is seven(7) days from the date of incapacity. The Town will typically compensate the employee for the first week of absence (waiting period) due to an injury/accident.
- Wages. An employee shall be paid full salary, while on leave. The Town will continue to issue weekly pay, less any deductions due for Maine PERS, health insurance contributions, and any other obligatory deductions. Payments received for wages while on leave from the workers compensation insurance company (Maine Municipal Association) must be turned over to the Town when received as reimbursement for the advanced wages. In no case will an employee receive double compensation for lost time due to a workers' compensation illness/injury.
- Accrual of PTO and Holidays. PTO and holidays will not accrue during the leave period, consistent with the Town's leave policies. However, the use of family or medical leave will not be considered a break in service when vesting or eligibility to participate in benefit programs is being determined.
- Participation in the Maine Public Employees Retirement System (MainePERS). While receiving

workers' compensation benefits, those employees who participate in Maine PERS are required to pay their Maine PERS contributions based on the wages portion of the benefits received.

- Return to Work. When possible and appropriate for the Town's staffing needs, modified, short-term, or early return-to-work assignments ("Modified-Duty") will be made available to an employee as a positive means of rehabilitation following a workers' compensation illness or injury. Any candidate for Modified-Duty must be approved by a medical provider.

As soon as Modified-Duty is requested or appropriate, the Town Administrator and the employee's supervisor will evaluate any work restrictions and search for suitable Modified-Duty work within the employee's department. If none exists within the employee's department, then the Town Administrator and supervisor may deem it appropriate to look elsewhere within the Town for such work assignments consistent with the abilities of the employee. If there is no Modified-Duty available, the employee will be instructed to return to work on a date when such work exists, restrictions change, or when full-duty is possible, whichever comes first. The Town Administrator (or designee) will notify an employee as to the availability of suitable work.

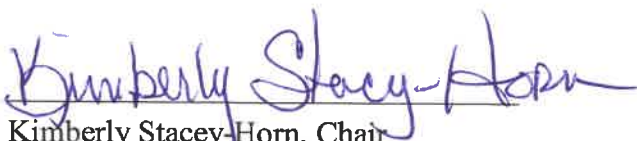
The duration of Modified-Duty is limited to thirty (30) working days but may be extended at the discretion of the Town Administrator. Extensions may be considered based upon medical evidence and employee rehabilitative progress. Any extension will be re-evaluated by the Town Administrator on a weekly basis.


All employees returning to full-duty (regular duty) work must present the supervisor with the appropriate medical documentation, clearly indicating any remaining restrictions or limitations or the lack thereof.

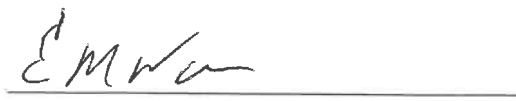
An employee injured at work who fails to promptly report back to work as soon as reasonably possible (in accordance with the work schedule in effect at that time) upon a "fit for duty" medical diagnosis or an employee found to be violating work restrictions of a doctor while employed by someone other than the Town while on a Workers' Compensation leave may be disciplined, up to and including discharge.

Adopted 12/30/2020

Town of Acton Board of Selectmen


Kimberly Stacey-Horn, Chair


David Winchell Jr.


Edward Walsh