

# Worker Compensation Quick Reference Guide

## For Administrative Services Employees

This quick reference guide outlines the BASICS for employees who have been injured at work or have questions about Worker's Compensation. This guide is not all inclusive, so if you have further questions please contact Nathan Brock, DAS-HR Services Manager at 402-471-4162 or [nathan.brock@nebraska.gov](mailto:nathan.brock@nebraska.gov).

Workers' compensation in Nebraska is designed to provide certain benefits to employees who are injured by accident or occupational disease arising out of and in the course of their employment.

An injured employee who is covered by the Nebraska Workers' Compensation Act may obtain benefits if:

- The injury was caused by an accident or disease that arose out of and in the course of his or her employment;
- The employee was not willfully negligent at the time of the injury;
- The employment was in the usual course of the trade, business, profession, or occupation of the employer; and
- The injury occurred in Nebraska.

The employee has the benefit of:

- Injury Leave
  - Not to exceed five of the employee's normal working shifts for any particular injury. Gallagher Bassett (the State's third party administrator) must determine the claim to be compensable.
- Sick Leave, Vacation, LWOP and Comp Time should be used in the employee's timesheet until approval has been received from Gallagher Bassett.

The employee is required to:

- Submit a First Report of Injury form, Witness Statements (if applicable), and the Choice or Change of Doctor form to either HR or direct supervisor within 24 hours of the injury.
- Provide a return/release to work form that has been completed by the employee's doctor (or medical provider who examined the employee after the injury) to HR or direct supervisor before returning to work after the injury.

A Modified Work Duty plan may be implemented after the employee returns to work in order to comply with any duty limitations as recommended by a doctor. The direct supervisor and HR will work together to determine any duty changes and provide a memo to the employee outlining temporary changes to the employee's work duties or schedule.

The employee must provide documentation for each doctor's appointment that follows the employee's return to work. This medical information is confidential and will not be shared.

Worker Compensation claims are not a part of an employee's personnel file and cannot be a factor in assessing performance or suitability for promotion.

