



CITY OF WINCHESTER, VIRGINIA

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TO: CONSTITUTIONAL OFFICERS
CITY MANAGER
DEPARTMENT HEADS

FROM: STEVEN CORBIT, PURCHASING/RISK MANAGER

DATE: October 19, 2010

SUBJECT: WORKERS' COMPENSATION WAGE BENEFIT & TIME OFF POLICY

EFFECTIVE FOR ALL COMPENSABLE WORKERS' COMPENSATION CLAIMS ONLY, the following City policy complies with the Virginia Workers' Compensation law and Virginia Tax Code law:

CITY OF WINCHESTER POLICY

- **PHYSICIAN AND PHYSICAL THERAPY VISITS** – Employees are requested to schedule physician, physical therapy and other related medical visits during off-duty time, if at all possible. If an appointment cannot be made after work hours, then discuss with your supervisor a convenient time to schedule during work hours and code your time sheet as “01 Regular” time.
- **LOST TIME INJURY** – Lost time are calendar days and Employees out of work due to a compensable on-the-job injury or illness may use sick leave, annual leave, other leave available, or leave without pay for the first 7 days of lost time during any scheduled work day providing it does not result in overtime. A scheduled work day may be a light duty or full duty day. The City's FMLA policy will run concurrent with all compensable workers' compensation claims. All lost time is required to be communicated in writing, i.e. physician report, to the Risk Manager.
- **WAGES** - Employees will keep VML workers' compensation checks and no longer forward them to Human Resources. *The workers' compensation checks from VML are non-taxed making the wage benefit approximately equal to an employee's average weekly net pay.* These wages will be the only source of income for the employee while engaged in a compensable workers' compensation claim.
- **LIGHT DUTY** – The City is aggressive in providing light duty and all light duty work hours are coded on the employee's time sheet as “01 Regular” time. All light duty restrictions and subsequent release to full duty forms are to be communicated in writing, i.e. physician report, to the Risk Manager.

CALENDAR OF WAGE BENEFITS DURING LOST TIME INJURY OR ILLNESS

DAY 1 – DAY 7 OF LOST TIME

- Employee can use sick leave, annual leave, other leave available, or leave without pay.
- Supervisor to code the time sheet accordingly.
- City will pay the employee based on time sheet designation and FMLA starts after Day 3.

DAY 8 – DAY 21 OF LOST TIME

- Supervisor must code the employee's time sheet as ‘WC.’
- VML will send the employee a workers' compensation wage benefit check based on 66 ²/₃ % of their average weekly wages. This check is not subject to taxes and will be approximately equal to an employee's average weekly net pay. Employee shall sign and cash the VML check as your wage benefit.

DAY 22+ OF LOST TIME

- Supervisor must code the employee's time sheet as ‘WC.’
- VML will send the employee a workers' compensation wage benefit check based on 66 ²/₃% of their average weekly wages. This check is not subject to taxes and will be approximately equal to an employee's average weekly net pay. Employee shall sign and cash the VML check as your wage benefit
- In addition, the first VML check beginning on Day 22 of lost time will include a reimbursement to the employee for the first 7 days of lost time. Employee shall sign and cash the VML check as your wage.