



Office of the State Comptroller
PAYROLL BULLETIN

Subject New Workers' Compensation Program for Management Confidential Employees (NU's 06, 18, 46 and 66) Effective September 1, 1994	Bulletin No. P-842
	Date December 1, 1994

A new Workers' Compensation Program is now in effect for employees designated Managerial/Confidential who are subject to attendance rules (negotiating units 06, 18, 46 and 66) and sustain job-related injuries on or after September 1, 1994.

Under this program, an eligible employee may use leave credits and sick leave with half-pay, or Income Protection Plan benefits for those eligible, for all compensable absences. After exhaustion of credits and sick leave at half-pay eligibility, the employee is entitled to leave without pay. IPP enrollees, after exhaustion of sick leave credits or 14 calendar days of absence, whichever is greater, are eligible for short-term disability and/or long-term disability as appropriate.

Please refer to the New York State Department of Civil Service Attendance and Leave Manual, Policy Bulletin 94-02, for additional information on employee benefits under this program.

STATUS OF EMPLOYEES COVERED UNDER NEW M/C WORKERS' COMPENSATION PROGRAM

For the first cumulative year of absence due to a work-related injury, an eligible M/C employee will be treated as though in full pay status for the purposes of accruing leave credits, continuous service, retirement service credit, performance advance credit, and health insurance benefits. In order to assure that eligible employees receive these benefits correctly, there is special PR-75 reporting required as described below.

PR-75 REPORTING

REPORTING GROUP 2 LEAVE TRANSACTIONS

The agency is required to submit PR-75's placing eligible employees on Sick Leave (with half-pay), Short Term Disability Leave (STD), Long Term Disability Leave (LTD), and/or Workers' Compensation Disability Leave Without Pay (WC DIS LV) using one of the following transaction codes:

SICK LV ... sick leave of absence with half-pay.

To place an eligible employee on Sick Leave (with half-pay), use the transaction code Sick LV in Block 07, the appropriate % in Block 25, and SPECIAL in Block 45. In the Remarks Block enter the following statement:

"WC DIS LV while on Sick Leave (with half-pay), to be reported to the employee's history record by OSC".

Refer to the Agency Payroll Manual for additional block requirements.

WC DIS LV ... workers' compensation disability leave without pay.

After exhaustion of sick leave with half-pay eligibility, use the transaction code WC DIS LV in Block 07 to place an eligible employee on Workers' Compensation Disability Leave without pay. Refer to P-Bulletin 768 for additional block requirements.

SHRT T DIS ... short term disability leave of absence without pay.

To place an eligible IPP enrollee on short term disability leave without pay, use the transaction code SHRT T DIS in Block 07 and Special in Block 45. In the Remarks Block enter the following statement:

"WC DIS LV while on SHRT T DIS, to be reported to the employee's history record by OSC".

Refer to the Agency Payroll Manual for additional block requirements.

NOTE: STD benefits are subject to a 14 calendar day waiting period. If an employee's leave credits exhaust before he/she becomes eligible to receive STD benefits, use the transaction code WC DIS LV to remove the employee from the payroll until the short term disability leave becomes effective.

LONG T DIS ... long term disability leave of absence without pay.

To place an eligible IPP enrollee on long term disability leave, use the transaction code LONG T DIS in Block 07 and SPECIAL in Block 45. In the Remarks Block enter the following statement:

"WC DIS LV while on LONG T DIS, to be reported to the employee's history record by OSC".

Refer to the Agency Payroll Manual for additional block requirements.

REPORTING GROUP 1 TRANSACTIONSAPT DIS LV

Use the transaction code APT DIS LV in Block 07 when an appointment code and the WC DIS LV transaction code must be reported on the same PR-75. Refer to P-Bulletin 768 for block requirements.

REI DIS LV

Use the transaction code REI DIS LV in Block 07 to reinstate an employee from a Workers' Compensation Disability Leave (WC DIS LV) without pay. Refer to P-Bulletin 768 for block requirements.

REIN LV

Use the transaction code REIN LV in Block 07 to reinstate an employee from SICK LV (with half-pay), SHRT T DIS or LONG T DIS. Refer to the Agency Payroll Manual for block requirements.

REPORTING AFTER ONE CUMULATIVE YEAR OF ABSENCE

The benefits provided by the new M/C Workers' Compensation Program (continuous service credit, retirement service credit, health insurance benefits, etc.) have a one cumulative year maximum. After one cumulative year of absence due to the same occupational injury, the agency must submit a PR-75 to remove the employee from Workers' Compensation Leave status using one of the following transaction codes:

OCC DIS TM ... termination for occupational disability.

Use the transaction code OCC DIS TM in Block 07 to report a termination under Section 71 of the Civil Service Law. This code is a separation transaction; the block requirements are on page 70, Chapter C of the Agency Payroll Manual.

SICK LV ... sick leave of absence without pay.

Use the transaction code SICK LV in Block 07 to remove an employee from WC DIS LV and place on ordinary sick leave without pay.

CS INFO ... information for the Department of Civil Service.

Use the transaction code CS INFO in Block 07 and SPECIAL in Block 45 for an employee who is on SICK LV (with half-pay) or LONG T DIS due to Workers' Compensation. In the Remarks Block enter the following statement:

"Remove from WC DIS LV status effective (date), to be reported to the employee's history record by OSC."

NOTE: There is no PR-75 required for an employee who, at the discretion of the appointing authority, is allowed to continue to charge leave credits beyond the maximum cumulative year of mandatory leave.

CONTROVERTED OR CONTESTED CLAIMS

If the State Insurance Fund controverts a claim because it is alleged that the injury or disease is not job-related, the absence must be treated as ordinary disability. The agency is required to submit a PR-75 reporting the appropriate ordinary disability leave transaction code(s).

If the State Insurance Fund contests the claim on the basis that the employee is not disabled and the employee fails to return to work, the employee must be placed on leave without pay. The agency is required to submit a PR-75 to change the employee's payroll status using the transaction code LV OUT in Block 07.

If the Workers' Compensation Board subsequently resolves the controversion or contest in the employee's favor, the employee is entitled to retroactive Workers' Compensation Benefits. The agency must then submit a PR-75 to report the appropriate Workers' Compensation transaction code(s) as previously described.

HAZARD DUTY PAY

M/C employees who are absent due to a job/related injury are not entitled to Hazard Duty Pay under this program.

RETIREMENT

M/C employees covered under this program are entitled to full retirement service and salary credit for up to twelve months of cumulative absence. In addition to employees who remain on the payroll charging leave credits, OSC will notify ERS when employees are reported with the transaction codes WC DIS LV or APT DIS LV in Block 07 on a PR-75.

The agency will be required to submit to ERS, adjustments to salary and service credit when certain conditions exist. Information regarding these conditions and payment of employee contributions (arrears) will be addressed in a forthcoming bulletin from the Employees' Retirement System.

HEALTH INSURANCE AND RELATED BENEFITS

Under this program, affected employees remain covered by State Health Insurance and are eligible for Dental and Vision Benefits for up to twelve cumulative months of absence. Please refer to memorandum #NY-94-21 from the Employee Benefits Division of the Department of Civil Service.

NEED HELP?

Questions regarding this bulletin should be directed to the Workers' Compensation Unit at (518) 474-6004.

Questions regarding employees covered under this new program should be directed to the Employee Relations Section of the Department of Civil Service at (518) 457-5167.