KANSAS CITY MISSOURI POLICE DEPARTMENT **PERSONNEL POLICY**	DATE OF ISSUE 9-11-12	EFFECTIVE DATE 9-11-12	NO. 1005-1
SUBJECT Policy Series 1000: Benefits 1005 - Missouri Workers' Compensation Law		AMENDS	
REFERENCE Missouri Revised Statutes, Chapter 287 PPBM: Duty-Related Injuries	RESCINDS PPBM: 1005		

*I. INTRODUCTION

The Missouri Workers' Compensation Law is a no-fault insurance plan paid for by employers and supervised by the State Division of Workers' Compensation. The law is designed to ensure prompt and adequate medical treatment and to supplement lost wages at the employer's expense for injuries sustained as the result of an accident or occupational disease. Benefits are determined by the workers' compensation statutes in effect at the time of the injury to include medical expenses, a portion of wages while an employee is unable to work, and a lump sum if there is a permanent disability or disfigurement.

The complete terms and provisions of the Missouri Workers' Compensation Law are described in Chapter 287 of the Revised Statutes of Missouri. The law and its interpretation will be the basis for deciding questions concerning application of benefits to a particular injury or occupational disease.

II. POLICY

It is the policy of the Board of Police Commissioners and the Kansas City Missouri Police Department to follow the Missouri Workers' Compensation Law as set forth in Chapter 287 of the Revised Statutes of Missouri and as interpreted by the courts of the State of Missouri. Except as supplemented herein, benefits to members of the Board of Police Commissioners and the Kansas City Missouri Police Department, including reserve officers and auxiliary service volunteers, will be governed by applicable law.

III. NOTICE REQUIREMENT

The Missouri Workers' Compensation Law requires that the employer must receive written or actual notice from any member who sustains injuries as the result of an accident or occupational disease. This notice requirement is in effect for all members of the Board of Police Commissioners and the Kansas City Missouri Police Department. Section 287.420 of the Revised Statutes of Missouri requires this notice to be in writing setting forth the time and place of the injury and the nature of the injury. The statute requires the written notice to give the name and address of the person injured. This notice must be given as soon as practicable after the occurrence of the event but not later than 30 days after the accident. Failure to give notice can, under certain circumstances, invalidate the claim.

*IV. REDUCTION OF BENEFITS

A department member's benefits allowable under the Missouri Workers' Compensation Law may be reduced at least 25%, but not more than 50%, where a duty-related injury is caused by failure of the department member to use safety devices provided by the department or from the department member's failure to obey any reasonable rule adopted by the department for the safety of department members.

V. PAYMENTS FOR LOST TIME FROM WORK AND SUPPLEMENTAL PAYMENTS

A. Compensation for time lost from work as a result of compensable injuries is designated as "temporary total disability," which will be made as long as the department-authorized physician certifies that the member is unable to return to either limited or full-duty.

B. State law provides that compensation for temporary total disability will be an amount equal to two-thirds of the member's average weekly wage, not to exceed a maximum provided by state law. Workers' compensation law does not provide for the payment benefits for the initial three days off work unless the disability is of two weeks' duration or more. The Board of Police Commissioners offers to exceed the temporary total disability payment provision of the law by paying the member, at the member's election, supplemental payments up to the amount of full salary while the member is unable to return to duty as a result of a compensable injury. Such supplemental payment will be treated as an advance payment of any other entitlement the member may have under the law and will be deducted from any payment the member might receive for permanent disability.

C. All members will be provided a Workers' Compensation Agreement, Form 5710 P.D., for making the election to receive payments up to the amount of full salary during periods of time when they are unable to return to duty. The form must be signed by the member and filed with the Employee Benefits Unit Commander. If the form is not signed and filed with the Employee Benefits Unit Commander, the member will receive only the payment benefit provided by the Missouri Workers' Compensation Law.

D. If a member elects to receive payments up to the amount of full salary during periods of time when unable to return to duty, and is either not entitled to or does not seek additional compensation for permanent disability, the member will not be required to refund any supplemental pay to the department.

VI. MEDICAL TREATMENT

State law provides that the employer will provide medical treatment, including hospital and surgical treatment and medications, as may be

reasonably required to cure and relieve the effects of the injury. The choice of medical care provider will be made by the employer. If the employee desires, they will have the right to select a personal physician, surgeon, or medical care provider, but it will at the member's own expense.

VII. MISCELLANEOUS

A. Workers' compensation payments are nontaxable and therefore not subject to payroll deductions for local, state, or federal income taxes or social security. Department W-2 Forms will reflect the amount of the member's salary paid as workers' compensation benefits.

B. If the injury or disease is of a serious nature that forces a member to remain absent for a year or more, additional benefits may be available for eligible members from Social Security. For information concerning these benefits, contact a local office of the Social Security Administration.

C. A member who is unable to resolve a question or problem concerning workers' compensation should contact the Employee Benefits Section for assistance.

Darryl Forté
Chief of Police

Adopted by the Board of Police Commissioners this ___ day of _____, 2012.

Lisa Pelofsky
Board President

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