

Idaho Division of Human Resources
Executive Branch Statewide Policy
Section 13: Workers' Compensation

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13A. General Information

The State of Idaho strives to provide a safe and healthy working environment for its employees. The purpose of this policy is to outline expectations for reporting workplace accidents, injuries, illnesses, and/or occupational exposures.

Workers' compensation benefits are available to all eligible employees who experience work related accidents, injuries, illnesses, and/or occupational exposures¹. An employee may not waive their rights to workers' compensation benefits.

13B. Definitions

Near Miss: A potential hazard or incident where a personal injury was not sustained but given a slight change in time or position, a personal injury could have easily occurred. Also known as close calls, near accidents, or injury-free events.

First Aid: Medical attention administered immediately after the injury occurs and at the location where it occurred. Typically, a one-time, short-term treatment that requires little to no technology or training to administer.

Medical Treatment: Examination or treatment by a qualified physician or medical provider as defined in Title 72, Idaho Code.

13C. Reporting Requirements

An employee who sustains a work-related accident, injury, illness, or occupational exposure must notify their supervisor or Human Resources department as soon as possible. Reporting

¹ Benefits may include, but are not limited to, medical, income, and disability benefits.

is required regardless of severity of injury or if any medical intervention is required².

Once completed, the applicable forms should be submitted to the Human Resources department. The Human Resources department will place the forms in the employee's medical file.

13D. Forms

1. [Supervisor Incident Report](#): All reports of accidents, injuries, illnesses, and occupational exposures must be reported using this form.
2. [Injury/Incident Witness Statement](#): If there were witnesses to the accident, injury, illness or occupational exposure, statements must be gathered and reported using this form.
3. [First Report of Injury or Illness](#) (FROI): A FROI must be completed if an employee requests or seeks medical treatment. The Human Resources department shall complete the form and then send to the State Insurance Fund (SIF) for further reporting. The form may be completed and submitted electronically or in paper form.

13E. Preferred/Designated Medical Providers

When medical attention is requested or required, an employee shall seek treatment with a medical provider listed on the preferred/designated [medical provider list](#). A copy of the preferred medical providers list is available to State of Idaho employees on the [Division of Human Resources website](#) or by contacting the Human Resources department. If an employee needs medical care outside of the preferred providers' business hours or needs emergency care, the employee should seek treatment with the nearest emergency room or urgent care. After receiving emergency care, the employee should seek any follow up treatment with a preferred/designated medical provider from the preferred medical providers list.

If an employee chooses not to seek treatment with a preferred/designated medical provider, then the employee may be responsible for any/all expenses associated with their medical treatment.

13F. Lost Time from Work

If an employee is unable to return to work, in any capacity, due to a work-related accident, injury, illness or occupational exposure, the employee must provide a copy of a written doctor's note to the Human Resources department. If an employee is receiving temporary total disability benefits, or temporary partial disability benefits from the State Insurance Fund

² Including near misses and incidents requiring first aid.

(SIF), the employee may use their accrued sick leave and/or their other accrued paid leave or may choose to take a leave of absence without pay.

The employee is not required to use their sick, vacation, or other accrued leave in lieu of workers' compensation benefits.

An employee who is receiving workers' compensation benefits may also be eligible for other leaves including Family and Medical Leave (FMLA), an accommodation under the Americans with Disabilities Act (ADA), and/or short-term disability.

13G. Timesheet Coding

Typically, there is a five (5) calendar day waiting period for workers' compensation benefits in which the first five (5) calendar days of income benefits are not paid by State Insurance Fund. During this waiting period, an employee may use their accrued leave or may choose to take leave without pay. If an employee chooses to take their accrued leave during the waiting period and later receives income benefits from the State Insurance Fund, the time cannot be reinstated. An employee cannot utilize their accrued leave if it will result in pay in excess of the employee's normally scheduled workweek.

If an employee chooses to use their accrued leave during the five (5) day waiting period, or while receiving workers' compensation income benefits, they should code their timesheet with the applicable workers' compensation codes.

The employee can use accrued sick leave, including any donated leave, or other accrued paid leave as long as the amount of accrued leave utilized does not result in pay in excess of the employee's normally scheduled workweek. If the employee is choosing to take a leave of absence without pay while receiving income benefits from workers' compensation, they should code their time using the appropriate leave without pay code.

Appropriate workers' compensation codes can be found on the State Controller's website [here](#).

13H. Return to Work

If an employee is absent from their regular job duties due to a work-related accident, injury, illness, or occupational exposure, they must provide a written medical provider's note to their Human Resources department prior to returning to work. The release may be a full release or may include restrictions. If the note includes restrictions, the Human Resources department will work with the employee's supervisor to determine if work is available within the restrictions. If work is available, the supervisor or Human Resources department will prepare a written light duty job offer form. This will be signed by the employee indicating if they are accepting the light duty job offer or declining the light duty job offer. If work is not available within the employee's work unit, then the Human Resources department will determine if work is available within another work unit within the employee's agency or within another state agency. If an employee declines a light duty job offer, the employee may not be eligible for lost time benefits.

13I. Peace Officer and Detention Officer Temporary Disability Act

Applies only to Idaho State Police and Idaho Department of Fish and Game.

Peace Officer employees who are injured on the job may qualify for benefits under one (1) of the following statutes, but in no situation shall they qualify for both simultaneously:

PERSONNEL SYSTEM – Idaho Code §67-5340

1. Must be a Peace Officer as defined in Idaho Code [§59-1303](#);
2. Must be employed by the State of Idaho when the injury occurred;
3. Must be deemed physically disabled as a result of a serious work injury;
 - a. Renders the peace officer incapable of performing the assigned duties of their permanent position.
4. Injury must have been induced by a second party;
 - a. Negligent, malicious, or intentional acts or omissions of another person during a chargeable misdemeanor or felony.

PROCESS

1. For the first 52 weeks, the employer is required to pay the employee's full base salary plus all benefits.
2. After 52 weeks, the employer is only obligated to pay the employee's full base salary.

WORKERS' COMPENSATION – Idaho Code [§72-1104](#)³

1. Peace Officer, as defined as an employee of a state agency who has the duty to arrest, including prevention and detection of crime and enforcement of penal/traffic laws;
2. Must be injured while performing job duties, including;
 - a. Responding to an emergency
 - b. In pursuit of a suspect
 - c. Caused by the actions of another
3. Is deemed temporarily incapacitated from performing their duties; and
4. Qualifies for Workers' Compensation wage loss benefits.

PROCESS

1. During the period of disability, the employer is required to pay the employee's full base salary.

13J. Record Retention

Any medical records or forms received pertaining to a work related accident, injury illness and/or occupational exposure will be kept in the employee's medical file in accordance with the State of Idaho's general records retention schedule found [here](#).