



ON-THE-JOB INJURY/ ACCRUED LEAVE BENEFITS

PM-46-08

Section: 46-00, LEAVE WITH PAY

PURPOSE AND SCOPE

This Policy sets forth the conditions under which the City grants to its regular, full-time employees, including those in their initial probationary period, certain benefits during a period of injury that is job related. The provisions of this policy do not apply unless and until the Director of Finance & Administration and the Risk Manager have certified that the employee has been placed on the City of Memphis On-The-Job Injury Program.

POLICY

The On-The-Job Injury Program for City of Memphis employees is conducted through the OJI Section, Risk Management, Division of Finance & Administration. All other policy and procedure questions concerning on-the-job injury must be directed to OJI/Risk Management, Division of Finance & Administration.

It is the policy of City of Memphis to ensure that all employees of City Government are treated fairly within the guidelines of PM-46-08, ON-THE-JOB INJURY/ACCRUED LEAVE BENEFITS.

No employee may be off a City job longer than 12 consecutive months from the date the employee is unable to work due to disability from illness and/or injury that is job-related. Included in the 12-month period of time for disability due to illness and/or injury is any combination of paid and/or unpaid leaves of absence.

Time off as OJI leave with pay and OJI leave without pay shall concurrently be counted as part of an employee's entitlement to leave under the provisions of the FAMILY AND MEDICAL LEAVE ACT (FMLA) in accordance with PM-66-06.

PROCEDURE

OJI LEAVE WITH PAY

When a regular, full-time employee is placed under the provisions of the City's On-The-Job Injury Program, the employee:

- Shall continue to receive OJI leave with pay for up to 6 months.
- Shall continue to accrue seniority, vacation, sick leave, bonus day, and holiday benefits on the exact same schedule that applied when the employee was physically at the work site.



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Shall not have their date of employment adjusted for the period of time they are on OJI leave with pay.

At the conclusion of 6 months of OJI leave with pay, if the employee is determined to be medically unable to perform the full scope of their job assignment and cannot return to work, one of the following options must be exercised:

- Request of unused accrued leave benefits and/or leave of absence without pay. The total period of time shall not exceed 6 months (180 calendar days). Leave of absence without pay shall be granted only after all accumulated vacation, bonus days, sick leave, and any other paid time off due the employee have been exhausted.
- Apply for Long Term Disability Income Plan Benefits and/or social security disability benefits if eligible. At the time an employee receives such benefits, the employee shall be removed from the City's payroll.
- Apply for line-of-duty disability retirement.

OJI LEAVE WITHOUT PAY

- Leave benefits will not accrue while employees are on leave of absence without pay. Time credited toward the 3-month period for earning a bonus day shall be frozen on the employee's last day on payroll. Accrual of all leave benefits will resume on the first full day the employee is at work after the leave.
- When an employee is on leave of absence without pay, he/she may elect to continue to pay health and life insurance premiums. Employees who wish to continue health benefit coverage or life insurance coverage while on leave must contact the City's Insurance Office, Benefits Service Center, Division of Human Resources, to make necessary financial arrangements in accordance with the rules and regulations of the appropriate City of Memphis insurance program. These arrangements must be completed before the end of the first pay period that the employee is on leave. If insurance premiums are not timely received by the IBenefits Service Center, Division of Human Resources, insurance coverage will be canceled.



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In the year following the employee's leave of absence without pay, the employee's vacation will be prorated in accordance with PM-46-02, VACATION LEAVE.

When an employee returns from leave of absence without pay that exceeded 30 calendar days, the employee's current date of employment will be adjusted to exclude the total period of time the employee was on leave of absence without pay. The adjusted date of employment shall then govern seniority and the rate of accrual of vacation and sick leave time, reference PM-66-01, SENIORITY RIGHTS/ADJUSTED DATE OF EMPLOYMENT.

RESPONSIBILITY

It is incumbent upon management to monitor and track the employee's 6 months of OJI pay so that at the conclusion of that time, management can render appropriate, timely assistance relevant to the employee's decision regarding the available options.

Should a conflict arise between the employee and the supervisor regarding the employee's ability to return to work, the matter will be resolved by the employee's Division Director and the Director of Human Resources. The City, if it deems necessary, may require the employee to be examined by a physician selected and paid for by the City.

MISCELLANEOUS INFORMATION

All matters of pension shall be governed by the rules and regulations of the City of Memphis Retirement System.

REFERENCE CORRESPONDING POLICIES

- PM-42-05 LONG TERM DISABILITY INCOME PLAN
- PM-46-02 VACATION LEAVE
- PM-54-02 ORDINARY AND LINE-OF-DUTY DISABILITY RETIREMENT
- PM-66-01 SENIORITY RIGHTS/ADJUSTED DATE OF EMPLOYMENT
- PM-66-06 FAMILY AND MEDICAL LEAVE ACT POLICY
- PM-74-02 ON-THE-JOB INJURY POLICY AND ADMINISTRATIVE PROCEDURES