CBA LANGUAGE –

INJURY LEAVE

- **Section 24.1. Report of Injury.**
- All employees shall immediately report each injury believed to be service-connected to his/her immediate or acting supervisor. The employee shall complete and submit the City's accident report to the Division's Human Resources representative **within forty-eight (48) hours.** If the employee is physically unable to comply with the forty-eight (48) hour deadline, the employee's immediate or acting supervisor will complete the accident report on the employee's behalf, and forward the report to the Division's Human Resource representative and the Division Safety Officer. Failure to follow the reporting procedure may result in discipline. The City will confirm receipt of the accident report by email to the injured employee and the Union within forty-eight (48) hours of receipt. The employee's obligation to report his/her injury under this Section is not a condition precedent to being eligible for or receiving injury leave.
- Whenever an employee is required to stop working because of an injury or other service-connected disability, he/she shall be paid for the remaining hours of that day, or shift, at his/her regular rate and such time shall not be charged to leave of any kind.

Section 24.2. Requirements for Receiving Injury Leave.

(A) Requirements for Receiving Injury Leave. All employees shall be allowed Injury Leave with pay not to exceed one hundred eighty (180) days upon verification of the following:

1) An order of the BWC, Industrial Commission or court allowing the workers' compensation claim for the conditions disabling the employee per MEDCO 14 or equivalent presented by the approved medical provider and the City has not appealed the claim allowance; and

2) A BWC approved medical provider of the employee's choosing determines that the employee is temporary and totally disabled; and

3) The employee submits a MEDCO 14 or equivalent issued by the employee's BWC approved medical provider of record to the Division's Human Resources representative. **Injury leave will continue to be paid as long as supported by MEDCO 14 or equivalent from the employee's BWC approved medical provider.**

(B) Return to Work. No employee on injury leave shall be returned to work without the written approval of the employee's BWC approved medical provider.

Claims for certain occupational disease:

(1) Injury leave for occupational disease claims as set forth below shall be granted beginning when the employee submits his/her claim to the BWC.

(2) These disease claims are comprised of cardiovascular, respiratory, and pulmonary conditions; and, cancers associated with the group 1 or 2A carcinogens as classified by the international agency for research on cancer or its successor organization.

(3) These disease claims shall be presumed to have been contracted in the course of and arising out of employment provided such claims meet the requirements of Chapter 4123 of the Ohio Revised Code.

(4) The City may rebut such presumption as provided under Chapter 4123 of the Ohio Revised Code and applicable law. If the employee's workers' compensation claim is not allowed after the expiration of all appeals, injury leave will be denied and the employee's time on injury leave will be deducted from his/her sick leave bank.

- The 180 days of injury leave will be paid through the end of the fifth calendar year following the original date of injury or diagnosis as determined by the BWC.

Section 24.4. Time off for Examinations.
Pursuant to rules established by the Director of Human Resources, time off for the purpose of medical examinations including examinations by the Bureau of Workers' Compensation, for the purpose of medical treatment or allowance, and/or treatments resulting from injury on the job, shall be charged to injury leave. Injury leave shall be allowed for actual time spent (including travel time) for scheduled physician appointments, actual time spent in Industrial Relations Board hearings, and/or treatment resulting from an on-the-job injury.

INJURED ON DUTY – TIME LOST