

**CHANCELLOR'S PROCEDURE FOR POLICY**  
**610.02: PAID ABSENCES DUE TO ON-THE-JOB INJURIES**

I. Definitions

- A. Employee - Anyone employed by the respective System entity to perform regular services, full-time or part-time. External contractors, consultants, work-study students, and interns are not employees for the purposes of these procedures.
- B. Entity – Any Alabama Community College System community or technical college and the Alabama Technology Network.
- C. Work Day - A day which the employee worked or would have worked except for a disability caused by or resulting from an on-the-job injury.
- D. Regular Daily Salary - An amount calculated on the basis of an employee's current salary or wages for a designated period of time divided by the number of duty days, including official holidays for non-instructional employees, within that designated time period.
- E. Temporary Disability - A physical injury or malady necessitating absence from regular duties but allowing for a reasonable expectation that the employee will return to duty.
- F. Permanent Disability - An injury or malady of such severity that there is no reasonable expectation that the employee will return to duty.

II. General Provisions

- A. Employees are not precluded from using accrued leave for an absence or absences resulting from an on-the-job injury, if they elect.
- B. Continuation of an employee's salary or wages paid under these guidelines shall be computed based on a daily rate. The amount authorized for each work day lost due to the temporary disability shall be the full regular daily salary or wage the employee would have earned if the employee had worked as normally scheduled.
- C. Incidents that occur during rest breaks or lunch periods, accidents resulting from carelessness or violation of published safety rules, and injuries caused by the behavior of fellow employees are subject to the judgment of the President as to whether they are on-the-job injuries.
- D. There must be clear and convincing evidence that the injury was job-related, was not a result of intentional harm, carelessness, intoxication, provocation, or other inappropriate behavior of the injured employee and was not the result of a pre-existing condition for the President to determine an employee had an on-the-job injury.

- E. The following requirements shall apply to approval of salary continuation due to on-the-job injury:
1. The employee must provide notification of the on-the-job injury to the President or designee within twenty-four (24) hours of the occurrence of the injury. If the employee is not clinically able to submit notification, such notification may be made by an individual representing the employee or on behalf of the employee. Such individual must be reasonably knowledgeable concerning the injury and the condition of the employee.
  2. The college or entity must receive within 72 hours after the notification of the on-the-job injury satisfactory evidence that the injury was on-the-job in the form of a statement from one or more witnesses who saw the incident causing the injury, or a signed, notarized statement from the injured employee if there were no witnesses. (In the event of an alleged stress-related injury, a sworn statement from the employee and a supporting statement from the employee's licensed healthcare provider shall be required.)
  3. In the event the employee incurs the third absence related to the on-the-job injury, the college or entity must receive certification from a licensed healthcare provider, obtained at the employee's expense, as to the injury's severity and prognosis. The college or entity must receive the certification within three (3) work days from the third absence.
- F. The employee must provide to the college or entity notification from the licensed healthcare provider that the employee is released to return to regular duty. The college must receive the notification immediately upon release by the licensed healthcare provider.
- G. Upon the President's receipt of a licensed healthcare provider's certification that an on-the-job injury is the cause of partial or total permanent disability, the employee shall be informed promptly about his or her right to bring a claim before the Alabama State Board of Adjustment.
- H. Acceptance by an employee of salary and benefits continuation payments for a perceived temporary disability due to an on-the-job injury shall be upon the condition that the employee agrees to the deduction of the amount paid for temporary disability from any subsequent award by the Alabama State Board of Adjustment in the event the disability is subsequently determined to be permanent.