

1. Title

Workers' Compensation Insurance Program

2. Policy

Sec. 1 Eligibility. All employees of The University of Texas System whose names appear on the payroll are eligible for Workers' Compensation Insurance as provided by Chapter 503 of the *Texas Labor Code*.

Sec. 2 Purpose. The purpose of this policy is to provide for the administration of a self-insured Workers' Compensation Insurance Program. The program is administered by the U. T. System Administration's Office of Risk Management.

Sec. 3 Notification of Coverage. U. T. System must give notice to all employees that Workers' Compensation Insurance is provided.

Sec. 4 Medical Benefits. If an employee's injury is found to be compensable under the U. T. System Workers' Compensation Insurance Program, the employee is entitled to all health care that

4.1 cures or relieves the effects naturally resulting from the compensable injury;

4.2 promotes recovery; and/or

4.3 enhances the ability of the employee to return to or retain employment.

Sec. 5 Income Benefits. Temporary income benefits (TIBS) accrue from the eighth day of disability and are paid weekly. "Disability" is defined as the inability to obtain and retain employment at wages equivalent to preinjury wages because of a compensable injury. An employee's inability to work because of a compensable injury should be documented by his or her treating physician.

An employee may elect the following.

5.1 To use paid leave in lieu of receiving TIBS. If this option is chosen, all **sick leave** must be exhausted. Once sick leave has been exhausted, then one or more weeks of **other paid leave** may be used to remain on the employer's payroll.

5.2 To be placed on leave without pay status immediately and begin receiving TIBS. An employee must be advised that there is a seven-day waiting period before TIBS are payable. However, if

disability extends to 14 days after the first day of disability, the Carrier will then issue a TIBS payment for the first seven days (waiting period).

Sec. 6 Death and Survivor Benefits.

- 6.1 If the injury or occupational disease results in the death of the employee, the current statute provides for a lump sum funeral expense benefit. In addition, the surviving spouse is eligible for a weekly benefit payable until the spouse's death or remarriage. In the event of remarriage, a lump sum payment equal in amount to the benefits due for a period of two years will be paid to the surviving spouse. Surviving children may be eligible to share a portion of weekly death benefits.
- 6.2 Any beneficiary claiming entitlement to receive death benefits must first file a "Statement of Beneficiary" form with both the U. T. System Workers' Compensation Insurance office and the Texas Department of Insurance - Division of Workers' Compensation (TDI-DWC). More detailed instructions regarding claims for death benefits may be obtained by calling the U. T. System Workers' Compensation Insurance office.

Sec. 7 Nondiscrimination Against Claims.

- 7.1 The U. T. System shall not discharge or in any other manner discriminate against any employee because the employee has filed a claim; instituted, or cause to be instituted, any proceeding under the Texas Workers' Compensation Act; or has testified or is about to testify in any such proceeding.
- 7.2 An employee discharged in violation of this policy will be entitled to be reinstated to his or her former position, upon appropriate adjudication.
- 7.3 Nothing contained in this policy shall prevent discipline or discharge of any employee for just cause, in accordance with established discipline and discharge policy.
- 7.4 Nothing in this policy is intended to be a waiver of any of the legal rights of the U. T. System.
- 7.5 The U. T. System shall cooperate with TDI-DWC and the Texas Department of Assistive and Rehabilitative Services in seeking to provide rehabilitation to disabled employees.

3. Definitions

See: <http://www.utsystem.edu/orm/wci/wcidef.htm>

4. Relevant Federal and State Statutes

[*Texas Labor Code, Chapter 503*](#)

5. Relevant System Policies, Procedures, and Forms

[*Board of Regents' Rules and Regulations, Rule 30202*](#)

[*INT163, Return to Work after Work-Related Injury or Illness*](#)

[*UTS151, Workers' Compensation Insurance and Unemployment Compensation Insurance Monthly Transfer of Funds*](#)

Employer's First Report of Injury or Illness

<http://www.utsystem.edu/orm/ormforms/wcidwc1.pdf>

6. Who Should Know

All U. T. System employees

7. System Administration Office(s) Responsible for Policy

Office of Risk Management

8. Dates Approved or Amended

February 1, 2001

February 8, 2010

July 28, 2011

9. Contact Information

Questions or comments about this policy should be directed to:

- bor@utsystem.edu