WORKERS’ COMPENSATION POLICY & PROCEDURE

Purpose

In accordance with applicable law, New York University (“NYU” or “the University”) pays for and maintains workers’ compensation insurance for work-related injuries and illnesses. The Purpose of this Policy is to outline the process and procedure for: (i) reporting work-related injuries/illnesses and seeking the appropriate medical attention for such injuries/illnesses; (ii) investigating and recording incidents of work-related injuries/illnesses; (iii) seeking and receiving workers’ compensation benefits; and (iv) returning to work from a work-related injury/illness.

Who Needs to Know

This Policy applies to all NYU employees (including Administrators and Professionals, Professional Research Staff, Bargaining Unit Employees, Faculty, and Student Employees).

Process and Procedure

1. Reporting. An employee must report a work-related injury or illness to his or her supervisor or the appropriate Human Resource Officer/Business Partner (“HRO”) as soon as practicable (such as the same or next business day when possible).

2. Medical Care. For work-related injuries or illnesses that threaten the life and limb of the employee, or that otherwise render the employee non-ambulatory, the employee’s supervisor or the appropriate HRO must call 911 immediately. For other work-related injuries, the employee can choose to seek treatment at the Student Health Center or another health facility. Please take note that, in order to be eligible for workers’ compensation benefits, an employee must receive medical care for his or her work-related illness or injury. Please also take note that employees may apply for reimbursement for any “out-of-pocket” medical and medical-related expenses resulting from a work-related illness or injury (such as medical supply or mileage/transit costs to and from doctors’ appointments), and should submit records of such expenses to the University’s third-party administrator, Liberty Mutual, as necessary and appropriate.

3. Investigation. The employee’s supervisor or the appropriate HRO must investigate an employee’s claim of a work-related injury or illness, and complete the NYU Work Related Notice of Incident/Injury Form, with the assistance of the employee (where possible), as soon as practicable (such as within twenty four (24) hours of receiving notice of a work-related illness or injury). The supervisor or the appropriate HRO must complete the form whenever the employee suffers a work-related injury or illness, even if the employee did not lose time from work on account of the injury or illness, and even if the employee does not intend to pursue a workers’ compensation claim.
4. **Workers’ Compensation Benefits.** If and when an employee starts receiving workers’ compensation benefits, and how much he or she will receive in benefits, depends on applicable law and the duration, nature, and extent of the injury/illness. Upon reporting a work-related injury/illness and filing a claim for workers’ compensation, the employee will receive additional documentation from the University and/or Liberty Mutual on his or her eligibility for and receipt of workers’ compensation benefits, as applicable.

5. **Return to Work.** If an employee seeks to return to work from a work-related injury, he or she will be required to provide the University’s Office of Equal Opportunity (“OEO”) or the appropriate HRO with written confirmation from his or her medical provider of his or her ability to return to work, with or without restrictions. Such documentation shall consist of the medical provider completing either NYU’s “Work Related Injury / Illness – Physician’s Status Report,” or an equivalent form that at a minimum identifies any restrictions of the employee (including the basis for and duration of such restrictions). Insurance and Enterprise Risk Management will consult with OEO and the employee’s department to address the prescribed restrictions, in accordance with applicable law and University procedure.

**Recordkeeping Requirements**

Workers’ compensation records must be kept for at least eighteen (18) years from the date of the incident or accident report. Such records must be kept confidential and maintained separate and apart from the employee’s personnel records. Insurance and Enterprise Risk Management will serve as the official repository for workers’ compensation records.

**Anti-Retaliation**

All University employees have the right to report work-related injuries and illnesses. The University shall not discharge, or otherwise discriminate or retaliate against any employee for raising a safety or health concern, for reporting work-related injuries or illnesses, or for filing a workers’ compensation claim.

**Other University Policies and Posters**

For more on the procedures and responsibilities for reporting work-related injuries and illnesses (both under applicable workers’ compensation law and the Occupational Safety and Health Act (OSHA)), please consult NYU’s Safety Policy Manual entitled “Employee Occupational Injury and Illness Reporting Policy.”

For applicable workers’ compensation posters, please visit NYU’s [Workers’ Compensation webpage](#).