All employees of New Mexico Junior College shall be covered by the Workers’ Compensation Act.

I. Reporting Accidents

A. All accidents and injuries, no matter how minor the injury may appear, sustained by an employee in the course of his/her employment, shall be immediately reported to his/her supervisor. It shall be the immediate supervisor’s responsibility to notify the Director of Administrative Services of the accident within twenty-four (24) hours of the accident/injury. Failure to do so shall result in disciplinary action up to and including dismissal against the supervisor and/or employee. The Safety Committee reviews every reported employee injury. Human Resources shall assist in preparing and processing all paperwork.

II. Compensation

A. The New Mexico Workers’ Compensation Act, 1991, provides: Wage disability benefits shall not be paid for an injury that results in a disability that lasts for seven (7) days or less. If the injury results in a disability that lasts for more than seven (7) days, benefits shall be paid at sixty-six and two thirds (66-2/3) percent of the average weekly wage, subject to a maximum established by the New Mexico Department of Labor.

B. College Compensation Provisions: All absences due to a job-related injury shall be reported by the employee and signed by the appropriate director/supervisor on an NMJC leave form. Wages for the first seven (7) calendar days shall be paid by the College (provided the employee has enough sick leave accrued) and workers’ compensation shall begin benefits to the employee on day eight (8) resulting in no further reduction of sick leave. If the worker is covered by workers’ compensation beyond four weeks, (28) days, the first seven (7) days of compensation by the College shall be reimbursed and the employee’s sick leave shall be reinstated. Sick leave and vacation shall not accrue while receiving workers’ compensation only if employee is not eligible for FMLA leave. If the employee is unable to return to work for a period of time not to exceed one (1) year,
the employee may elect to retain medical and any other insurance coverage in effect at the time of the accident, but shall pay the employee’s share as due. Failure to do so shall result in the cancellation of any insurance coverage for which the employee’s share has not been paid in a timely manner. If the employee is not released to work after one (1) year, it shall be the employee’s responsibility to apply for COBRA (Policy No. 315) in order to keep his/her insurance coverage in force. Injuries requiring leave that qualifies for FMLA leave shall be charged concurrently after the employee is provided with proper notice.

C. Return to Work: It shall be the responsibility of the supervisor to inform the Human Resources Office of the dates the employee is off from work and when he/she is scheduled to return. When an injury involves days away from work, a medical release from the attending physician shall be required before the employee may return to work. If the individual is to return to work with restricted work activities, the return shall have the approval of the director/supervisor in consultation with the supervisor. An injured employee shall see his/her treating physician on a regular basis while on workers’ compensation. Once the employee’s treating physician releases the employee to work, the employee shall report to work the following day according to the doctor’s release. If he/she does not do so, he/she shall forfeit any expectations he/she may have for reinstatement, further insurance coverage and other benefits of NMJC employment.

D. Annual Fee: A quarterly deduction of $2.00 shall be charged to the employee for the Workers’ Compensation Act.