

III. EMPLOYEE'S RESPONSIBILITIES

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An injured employee has definite legal responsibilities in order to establish a claim for compensation. These include:

- A. Notifying supervisory or management personnel immediately about an on-the-job injury or occupational disease, especially if medical attention or lost time is a possibility. Notification must be made no later than the 30th day after the injury occurs, or if the injury is an occupational disease, not later than the 30th day after the employee knew (or should have known) that the disease might be related to the employment. No benefits can be paid until a first report of injury is received and processed by the State Office of Risk Management.

The employee is the key to ensuring his/her claim is processed properly through prompt and accurate notification to the supervisor. Submitting notice is solely the responsibility of the employee and neither the University of Houston nor SORM, has any legal responsibility in the matter.

- B. If medical attention is necessary, the employee should request that his/her doctor file a medical report of the injury or illness promptly with SORM. The doctor's bills may not be paid until a report of the employee's condition is filed with SORM.
- C. Employees who are losing time must contact their immediate supervisor and the Claims Coordinator on a weekly basis. However, they must also send in their doctor's work-status excuse/slip/release to cover each day off work. **This contact is mandatory, failure to maintain contact with the immediate supervisor and the Claims Coordinator regarding work status could result in employment action up to and including termination.**

- A. Filing a claim for compensation with the Texas Workers' Compensation Commission, not later than one year after the date of injury. If the injury is an occupational disease, filing must take place not later than one year after the employee knew (or should have known) that the disease was related to the employment.

- B. For the purposes of qualifying for workers' compensation benefits, the law requires that an employee who claims work-related exposure to HIV infection must provide a written statement of the date and circumstances of the exposure. According to 25 Texas Administrative Code 97.17 (b), by reference to 25 Texas Administrative Code 97.10 (a) (2), the following conditions constitute a possible exposure to HIV: needle stick or other penetrating puncture of the skin with a used needle or other contaminated item; or either a platter of aerosol into the eye, nose, or mouth or any significant contaminated item; or either a platter of aerosol into the body or body fluids. The law also requires the employee to document that, within 10 days after the

exposure, the employee had a test result that indicated an absence of HIV infection (Section 85.116(c) Health and Safety Code).

- F. Family and Medical Leave is an additional option available to eligible employees for continuing insurance benefits (except disability insurance plans) and receiving the premium sharing from the state or the university toward the cost of health insurance. Employees should contact the Benefits Office of the Human Resources Department to determine eligibility and obtain more details on this leave. Employees should also advise their supervisor of their intent to use Family and Medical Leave.