

## **ARTICLE 19 - DISABILITY**

(A) The City and the Association agree that all eligible members shall be covered by provisions of an appropriate Workers' Compensation Insurance Program, that may be self-insured or State Insured.

(B) Should an employee suffer a service-incurred accident or illness and the benefits paid to such employee under the provisions of the Workers' Compensation Program shall not equal the employee's present gross salary, then, in that event, the employer shall pay to the employee an amount equal to the difference between the compensation received under the Workers' Compensation Program and the employee's then present gross salary, excluding overtime, for a period of two hundred eighty (280) hours from the first day of absence due to illness or injury. In the event there exists a reason to believe an employee is abusing his/her rights under this provision, the employer may disallow the "equal payment" benefit during the first two hundred eighty (280) hours. In addition to the foregoing, the City may continue this maintenance of income at full or partial pay periods of thirty (30) days up to a maximum time limit of twelve (12) months, including the mandatory first two hundred eighty (280) hours).

(C) Before the City grants these benefits, the employee shall comply with reasonable administrative procedures established by the City. The City may also request, at its option and expense, that the employee be examined by a physician appointed by the City. The examining physician shall provide to the City and the employee a copy of his medical findings and his opinion as to whether or not the employee is able to perform his normal work duties and/or whatever, if any, work

duties the employee is able to perform or unable to perform. The City may further require that such injured employee make himself available for light duty work as soon as possible after release by a qualified physician who may be either City or employee appointed.

(D) An employee whose full salary is being maintained under the provisions of this Article shall not be charged with the use of sick leave as established under Article 11 for the period of full income maintenance.

(E) An employee who is temporarily disabled because of a non-work related accident or illness may be granted an alternate duty assignment, if such assignment is available and after being released for such work by a qualified physician. "Alternate duty" means work that may be similar to or totally different than the normal work that the employee performs and is based on the release given by the qualified physician and the skills of the employee.