

RESOLUTION 2009-02

**A RESOLUTION TO ADOPT AN INDEMNITY POLICY
FOR WORK RELATED INJURIES**

WHEREAS, the TML Risk Management Pool conducted its biennial Casualty Loss Control Survey for the City of Belle Meade on October 8, 2008; and

WHEREAS, as a result of the Survey, the TML Risk Management Pool recommended the City establish an indemnity policy for work related injuries; now, therefore:

BE IT RESOLVED by the by the Board of Commissioners of the City of Belle Meade, Tennessee as follows:

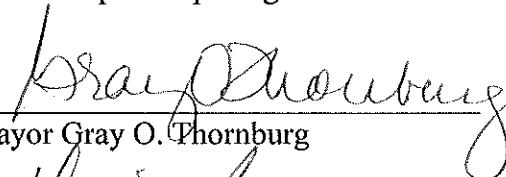
SECTION 1. The attached Indemnity Policy For Work Related Injuries for employees and future employees of the City of Belle Meade is hereby adopted.

SECTION 2. A copy of this Policy shall be provided to each employee and future employee of the City of Belle Meade and such copy will be incorporated into the City Personnel Manual.


SECTION 3. This Resolution shall become effective upon its passage.

Date of Adoption:

January 21, 2009



Mayor Gray O. Thornburg



City Recorder Linda Berner

CITY OF BELLE MEADE
INDEMNITY POLICY FOR WORK RELATED INJURIES

All employees are covered by a Workers' Compensation Insurance policy carried by the City. The City adheres to the provisions and requirements of the Tennessee Worker's Compensation Law.

When an employee is injured while at work for and being compensated by the City and requires medical attention, the employee should seek medical attention from a physician on the panel of physicians approved by the City's insurance carrier. The panel of approved physicians is posted in each department. In an emergency situation, the most convenient medical service or hospital may be used by the injured employee. It is the employee's responsibility to report any such occupational injury or illness to his/her supervisor IMMEDIATELY or as soon as possible if the supervisor is not available. Failure on the part of the employee to report such an injury or illness in a timely manner could result in no workers' compensation benefits being paid. Upon notification, it is then the responsibility of the supervisor to file with the City Recorder a "First Report of Injury" form. Such form shall be filed by 4:00 p.m. on the day of the injury (or day of notification by the employee if later than the day of injury) if the injury occurs and/or is reported before 2:00 p.m. on a normal City business day or otherwise by 9:00 a.m. on the first normal City business day thereafter. In no case shall the "First Report of Injury" form be filed more than 30 days after the accident/incident.

Employees off from work on occupational disability or injury leave shall receive compensation in accordance with the Tennessee Department of Labor regulations. The City official responsible for payroll preparation, under the direction of the insurance carrier or its representatives, shall coordinate all workers' compensation claims. The employee shall be required to communicate with and coordinate all activities (i.e. medical care, restricted duty, return to work, etc.) through the Chief of Police or City Manager. Failure to follow proper procedure may result in disciplinary action.

The City elects to pay employees in full for the day or shift of the work related occupational disability or injury. In addition, weekly temporary total disability benefits are paid if the authorized physician finds that the employee is temporarily totally disabled from working due to the occupational injury or illness. Compensation begins on the eighth (8th) day of disability from work following the injury. The date of injury and the first seven (7) days following are a waiting period and no benefits are payable by the insurance carrier unless the disability period lasts at least fourteen (14) days, in which case weekly temporary total disability benefits shall be calculated beginning the day following the injury. Temporary total disability benefits are based on 66-2/3 per cent of the employee's gross average weekly wage for the last 52 weeks worked prior to the injury, subject to the minimum and maximum benefits as provided by the Workers' Compensation Law.

Employees having such disability claims may choose to supplement their weekly workers' compensation payments by using a pro rata amount of their accrued sick leave for the difference

between: (1) what base pay at straight time the employee would have earned during the comparable portion of the injury leave, and, (2) the actual amount of the workers' compensation paid to the employee, taking into account the tax-free nature of workers' compensation benefits. Such supplements must be requested in writing by the employee and approved by the Chief of Police or City Manager. If the employee has no accumulated sick leave, they are not entitled to any supplement. Employees shall continue to accrue sick and vacation leave at the employee's regular rate while he or she is on occupational disability leave. In no event shall the use of accrued sick leave, when combined with workers' compensation benefits, provide the employee with total pay in excess of the employee's base pay at straight time.