

Workers Compensation for Work Experience Participants **Injury Procedures**

Background

- The JOBS program provides workers compensation coverage to all participants enrolled in Work Experience (WE), Sheltered Work (SW), or Community Services Program (CP) when funded.
- This coverage is provided under a separate policy with SAIF and is intended to provide a level of protection for worksite employers.
- Enrollment in a WE, SW, or CP activity automatically triggers coverage. Workers' compensation policy enrollment is determined through TRACS.
- At times, staff will ask about insurance coverage if a WE client damages employer property or causes accident – usually called tort liability coverage. The State does not carry any type of coverage because WE clients are under the direct supervision and control of the employer, not the State.
- The policy does not cover participants enrolled in JOBS activities other than WE, SW, or CP. Participants enrolled in JOBS Plus (PL) or On-the-Job Training (JT) activities are considered employees of the worksite and are covered under that employer's workers' compensation policy.

How to File a Workers' Compensation Claim

- If a WE, SW, or CP participant has **an injury that does not require** medical treatment, complete and file an incident form. You can use a local form or the one provided by SAIF (SAIF S-767) available on-line at www.saif.com. Do not send these to SAIF or the Central Office. A copy could be kept in the case file or a process for handling these could be developed locally.
- **If medical treatment is obtained**, the work experience employer should complete a SAIF 801. The 801 form is available at www.saif.com. Once the client signs this form, it becomes a claim.
- The bottom section of the 801 should be completed with information about the work site employer (not DHS). Leave the insurance policy number and the class code blank. Please include a contact name and number.

- SAIF will need follow-up on any cases where you mark unknown or no in the box that asks “Did injury occur during course and scope of the job.” If the injury happened on the job mark yes. If the client wasn’t injured on the job then mark no. (i.e. came to work with injury) If you mark “unknown” SAIF will flag the case as questionable.
- The work experience employer should forward the completed 801 to DHS or the local JOBS contractor.
 - DHS staff person or local JOBS contractor should scan and email to GREGORY.E.IVERS@dhsosha.state.or.us or fax it to DHS Central Office Attn: Greg Ivers at (503) 373-7032.
- This form should be faxed within 24 hours of knowledge of the injury. Fatal accidents should be reported immediately. Please submit 801 even after the preferred reporting time to ensure accurate processing of any medical claims (the workman’s compensation coverage may be accessed up to one year after injury).
- Upon receipt at Central Office, we make sure the form is completed, write our insurance policy on the form, enter the class code (as entered on TRACS activity “office occupation – yes/no” and sign and date the bottom of the form.
- Central office will fax the 801 to SAIF who will handle the workers’ compensation claim.
- At times, work experience employers refuse to complete an 801. If such is the case, the local DHS or JOBS contractor staff can complete an 801.
- By statute, work experience participants covered by this policy are NOT entitled to time loss benefits.

Contact:

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