

GEORGIA DEPARTMENT OF JUVENILE JUSTICE	Transmittal # 14-10	Policy # 3.28
Applicability: {x} All DJJ Staff {x} Administration {x} Community Services {x} Secure Facilities (RYDCs and YDCs)	Related Standards & References: O.C.G.A. §45-7-9 Rules Of the State Personnel Board 478-1-16 DJJ 3.27, 8.5	
Chapter 3: PERSONNEL	Effective Date: 11/12/14 Scheduled Review Date: 11/12/15	
Subject: INJURY IN THE LINE OF DUTY	Replaces: 3/15/12 Division of Training and Personnel Services	
Attachments: A - Workers' Compensation Payment Selection/Leave form.	APPROVED:  _____ Avery D. Niles, Commissioner	

I. POLICY:

Any full-time employee who becomes physically disabled because of a physical injury incurred in the line of duty and caused by a willful act of violence committed by a person other than a fellow employee shall be entitled to receive compensation as provided for under state law.

II. DEFINITIONS:

Injury in the Line of Duty: An injury that arises out of or in the course of employment and caused by a willful (i.e., voluntary) act of violence committed by a person other than a fellow employee. The employee is not required to be the target of the willful act of violence, but will be considered “injured in the line of duty” if the willful act of violence results in a loss of work time. Going to or from work is not in the line of duty.

III. PROCEDURES:

- A. All full-time employees who regularly work 30 or more hours each week will be entitled to regular compensation for the period of time that the employee is physically unable to perform the duties of employment due to an injury in the line of duty. Leave granted under this policy will not exceed 180 working days for any single incident.
- B. An employee who has a work related injury or occupational disease must notify his/her immediate supervisor within 30 days of the injury or discovery of the occupational disease. (See DJJ 3.27, Workers' Compensation)
- C. Special Incident Reporting:
 1. Employees must file a Special Incident Report on all injuries, illnesses, and exposure to disease that occur during work hours, regardless if medical treatment is sought or required. (See DJJ 8.5, Special Incident and Child Abuse Reporting)
 2. After completing the administrative review of Special Incident Reports, the facility/office Director or Assistant Director will file all Special Incident Reports that do not otherwise meet the criteria of a special incident as “in-house.”

Chapter	Subject	Policy #	Page
PERSONNEL	INJURY IN THE LINE OF DUTY	3.28	2 of 3

3. The facility/office Director or Assistant Director will forward a copy of any Special Incident Report (and all attached witness statements) that includes any injury to staff to the staff designated at the local level for reviewing Workers' Compensation claims. The reviewing staff will determine if the injury in the Special Incident Report may fall within the provisions of "injury in the line of duty".
 4. The reviewing staff will forward a copy of the Special Incident Report and all witness statements to Office of Human Resources if the provisions of "injury in the line of duty" may apply.
- D. The Office of Human Resources will review the Special Incident Report to determine the employee's eligibility for injury in the line of duty benefits. The Office of Human Resources will notify the employee and the work unit's workers' compensation designee of the decision.
 - E. If the incident does not qualify as injury in the line of duty:
 - The absence will be processed in accordance with DJJ 3.27, Workers' Compensation; or
 - If Workers' Compensation does not apply, the employee will be directed to apply for the use of paid leave or leave without pay.
 - F. If the incident qualifies as injury in the line of duty, the employee will be paid for up to 180 workdays as determined by appropriate medical documentation. No charges will be made against the employee's available paid leave balances during this period. Any leave charged due to any delay in determining eligibility for injury in the line of duty will be restored.
 - G. The Office of Human Resources will coordinate the employee's compensation benefits with the Department of Administrative Services (DOAS) Workers' Compensation Program (see DJJ 3.27, Workers' Compensation). During the period of absence due to injury in the line of duty, the employee will receive 66.67% of his/her compensation from DOAS and 33.33% of his/her compensation from DJJ.
 - H. The employee's regular salary will include any salary supplement(s) that the employee was receiving at the time the injury occurred except for a supplement paid for assuming additional or replacement duties.
 - I. Under no circumstances will the employee be eligible to receive more total compensation from the Department and DOAS than the employee would have received had the injury not occurred. The Department will adjust the employee's current or future compensation to account for any underpayments/overpayments that might occur during the period of eligibility.
 - J. The employee will continue to have payroll deductions for any retirement, health insurance, flexible benefits and other deductions for which the employee is responsible during the period of leave. If payroll deductions are not possible, the Office of Human

Chapter	Subject	Policy #	Page
PERSONNEL	INJURY IN THE LINE OF DUTY	3.28	3 of 3

Resources will notify the employee that he/she is responsible for making direct payment(s).

- K. The facility/program/office must inform the Office of Human Resources on the first business day following the employee's return to work. The Office of Human Resources will notify the DOAS Workers' Compensation Program of the effective date the employee returned to work.
- L. An employee who remains physically disabled after 180 workdays will no longer be eligible for injury in the line of duty benefits for that incident. Regular workers' compensation benefits will then apply. The employee must submit a request for continued absence to the local human resources representative and submit a Workers' Compensation Payment Selection/Leave Form (Attachment A).

IV. LOCAL OPERATING PROCEDURES REQUIRED: NO