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Domestic Workers' Compensation Procedure RSK.002		

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1.0 Purpose

The purpose of this procedure is to establish the requirements regarding work-related injuries, including procedures for proper claim reporting, direction of medical care, and use of the Return-To-Work program. This procedure applies to all U.S.-based contracts for Constellis Holdings, LLC and its subsidiaries and affiliates, including but not limited to Triple Canopy, Inc., ACADEMI, LLC, Centerra Group, LLC, American K-9 Detection Services, LLC and OMNIPLEX. This procedure is to be used in conjunction with any program-specific procedures and policies.

2.0 Scope

The scope of this procedure is limited to U.S.-based work locations.

3.0 Definitions & Acronyms

- “Company” and “Corporation” refers to Constellis Holdings, LLC and its subsidiaries.
- Constellis Claims Portal refers to the Constellis Claims Reporting Portal located at <http://cgpriskmanagement.force.com/?portalGroup=IntakePortal>
- Human Resources refers to the Constellis Human Resources Department.
- Legal Department refers to the Constellis Legal Department.
- Risk Management refers to the Constellis Risk Management Department.
- WORCATS refers to the Safety OSHA Reporting Portal, available through Constellis’ internal [PowerApps site](#).
- Safety Department refers to the Constellis Safety Department

4.0 Roles and Responsibilities

All site/project managers and field supervisors are responsible for following these procedures and for the timely reporting of all workers' compensation claims.

Constellis Risk Management is responsible for overseeing the workers' compensation program.

Constellis Human Resources oversees the Return-to-Work program.

5.0 Summary

Workers' compensation insurance provides medical and indemnity (wage continuation) benefits to workers who sustain an injury or illness in the course and scope of employment. Subject to the applicable legal requirements of each state, workers' compensation insurance provides indemnity benefits subsequent to a state-mandated waiting period. An employee who sustains any work-related injury or illness should inform his/her supervisor as soon as possible. Supervisors should report all claims to the site/project manager within 24 hours of receiving notice of the injury, or as soon as possible upon notification. Claims must be reported to the Constellis Claims Portal. Constellis Risk Management will file the claim with the third-party administrator. All claims will be further investigated by the third-party administrator for compensability purposes. The insurance carrier and the third-party administrator have the right to deny claims in accordance with the workers' compensation laws of the applicable state. Constellis's goal is to ensure the availability of proper medical treatment for injured employees to facilitate their return to their full-duty jobs as quickly as possible. As such, the direction of medical care to network providers and the use of the Return-to-Work Program by all locations is strongly encouraged.

6.0 Workers' Compensation Claim Reporting

The timely reporting of workers' compensation claims is especially crucial because an employee could be denied access to all the benefits due him/her without proper reporting of the claim. Also, failure to comply with these procedures could subject Constellis to fines and penalties levied by the respective state Workers' Compensation Commission/Board. In addition, studies correlate late reporting with higher claims costs and inefficiencies in providing benefits. As such, the following procedures must be followed when reporting workers' compensation claims:

1. Regardless of severity, the injured employee should report any work injury immediately to his/her direct supervisor (best practice to report within 24 hours). An employee's failure to report an incident on a timely basis to the appropriate personnel may jeopardize his/her entitlement to benefits.
2. Using the Constellis Claims Portal, the site/project manager should report the claim immediately. The site/project manager is responsible for reporting all required information accurately into the Constellis Claims Portal. Failure to do so will result in a delay of reporting to the third-party administrator. Any questions related to workers' compensation or injuries should be directed to Constellis Risk Management (rm@constellis.com).
3. In addition to reporting workers' compensation claims in the Constellis Claims Portal, all injuries and illnesses must also be reported to the Safety Department in the WORCATS Portal. Any questions related to WORCATS reporting should be directed to Constellis Safety (safety@constellis.com).


7.0 Medical Treatment for Work-Related Injuries

- Employees requiring EMERGENCY medical attention should be taken to the nearest hospital for treatment immediately.
- For non-emergency medical treatment, the injured worker should be directed to seek treatment from a doctor or medical facility within Constellis's Managed Care Network, if applicable by state law. Refer to the guidelines listed below concerning managed care networks.
- Medical treatment, other than the initial visit, should never be authorized by anyone at the facility. The third-party administrator provides all authorizations for follow-up medical treatment.

1. USING MANAGED CARE NETWORKS:

The laws in some states provide regulations for the use of Managed Care Networks for medical treatment. Depending on the state, use of Managed Care Networks will be under one of the following classifications:

- a) Mandatory – all injured employees must be treated within the Corporation's network of providers at all times.
- b) Employer Directed – the Corporation may direct medical care to its network within limited periods of time.
- c) Employee Directed – injured employees may select their own doctors for care.

Employees should consult their supervisor or the site/project manager to determine if they must seek medical treatment within those networks. If the state classification is either mandatory or employer directed, the site/project manager uses the tool located at www.firsthealth.com to generate a list of medical providers within the network. This list is to be posted in a conspicuous location frequented by all employees. If the list of providers cannot be located, please contact Constellis Risk Management (rm@constellis.com). The logon ID to use the website search tool is: GBMCS. If available, it is preferred to select providers with the  symbol next to them from the Coventry network.

If an employee refuses treatment from doctors in the network, the employee may be responsible for payment of the medical bills.

2. MEDICAL PROGRESS & FOLLOW-UP

While on leave because of a work-related injury, the injured employee must:

- Report to Risk Management and Human Resources any change in his/her condition that might affect work status or entitlement to workers' compensation benefits; and
- Contact Risk Management and Human Resources periodically to report on his/her work status.

Failure to provide the required work status reports to Risk Management and Human Resources may jeopardize the continuation of benefits.

The responsibilities of Risk Management include:

- Maintaining contact with the injured employee to follow up on his/her work status.

- Reporting all information to the third-party administrator.

3. COORDINATION WITH ATTENDING PHYSICIAN

The Third Party Administrator is responsible for providing the physician with the following:

- A copy of the employee's full-duty job description;
- A copy of job descriptions for potential transitional-duty assignments; and
- Information explaining Constellis's Return-To-Work Program

4. MEDICAL INFORMATION

All employees' medical information is held in strict confidence in accordance with the Americans with Disabilities Act and shall not be used to make employment judgments or decisions. Medical inquiries are limited to those permitted under state statute and applicable federal law. Medical records must be kept in a separate confidential file from personnel records.

8.0 Return-to-Work Program

These guidelines cover employees who are on leave due to a work-related injury or illness. Because employees are the company's most valuable resource, the company attempts to help employees return to work as soon as possible after their physician certifies their ability to do so.

1. RETURN-TO-WORK OPTIONS:

Arrangements to facilitate an employee's early return to work are made in consultation with the employee's attending physician and/or other qualified medical professionals. The following options are explored:

- **Return to Full-Duty Position.** An employee is offered the opportunity to return to his/her prior position if the attending physician certifies the employee can perform the essential functions of the job with or without reasonable accommodations. Human Resources is responsible for working with the employee's supervisor and Risk Management to provide any reasonable accommodations that can be made without undue hardship. If an employee is returned to full duty, Human Resources shall notify Risk Management. Risk Management will notify the third party administrator.
- **Return to Transitional-Duty Position.** If available, an employee unable to return to his/her prior full-duty position is offered (subject to the restrictions set out in Section 4: Limitations Applied to Transitional-Duty Assignments) a temporary transitional-duty assignment approved by the employee's attending physician. Human Resources is responsible for working with the employee's supervisor and Risk Management to develop and implement the transitional-duty assignment.

2. LIMITATIONS APPLIED TO TRANSITIONAL-DUTY ASSIGNMENTS

The following restrictions apply to transitional-duty assignments:

- a) **No guarantee of work.** As previously stated, Human Resources will endeavor to return employees to gainful employment as soon as possible by exploring possible transitional-duty assignments.

However, since circumstances may alter this ability, facilities or management must not guarantee the availability of transitional-duty work to all employees.

- b) Pay rates and workers' compensation benefits. Employees on transitional duty are not guaranteed the rate of pay they received for the position they held at the time they sustained their injury or illness. The pay rate for a transitional-duty assignment is based on the knowledge, skills, and abilities required for the job as well as general market conditions. While on transitional duty, if an employee earns less than his/her pre-injury wage, he/she will be eligible for workers' compensation benefits based on the laws of the applicable state. Employees in transitional-duty positions are not permitted to supplement their workers' compensation benefits by using their accrued vacation, personal, or medical/sick leave.
- c) Transitional-duty jobs are temporary. Employees are encouraged to work transitional-duty jobs until they reach maximum medical improvement. However, if the treating physician indicates that the employees have permanent restrictions that will prevent them from performing their full-duty job, the location has no obligation to keep the employees in the transitional-duty jobs. (See Permanent Disabilities below).

3. EMPLOYEE REFUSAL OF WORK

In the event an employee refuses to return to his/her regular, full-duty position, the employee may be subject to termination and, consequently, his/her position may be filled permanently.

If an employee refuses to return to a transitional-duty position offered, the employee may jeopardize his/her entitlement to receive workers' compensation benefits. Refer to the following section on Termination of Injured Employees.

4. TERMINATION OF INJURED EMPLOYEES

It is the Corporation's policy to not discriminate against employees on workers' compensation. Therefore, RISK MANAGEMENT, LEGAL, AND HUMAN RESOURCES DEPARTMENTS SHOULD BE CONSULTED BEFORE ANY EMPLOYMENT ACTION, INCLUDING TERMINATION, DEMOTION, DISCIPLINE, OR TRANSFER, IS TAKEN AGAINST AN EMPLOYEE ON WORKERS' COMPENSATION.

9.0 Policies on Employee Benefits

1. PERMANENT DISABILITIES

After an injured employee has reached maximum medical improvement, an employee may have a permanent disability that impairs his/her ability to return to his/her prior position. Human Resources should attempt to find a position at the facility commensurate with the employee's knowledge, skills, and abilities. However, there is no obligation by Constellis to create a permanent modified-duty job. If a permanent modified job cannot be located at the facility, these employees may be eligible for vocational rehabilitation or other benefits according to state workers' compensation laws.

2. VACATION TIME

Employees who are on a leave of absence due to a work-related injury or illness and who are eligible for vacation benefits will earn these benefits during their leave as follows:

- Vacation time is earned each pay period in accordance with their PTO accrual schedule that is based on the employee's years of service.

Employees may elect to use previously earned vacation time during the state-mandated waiting period. Employees may not use their earned vacation time while receiving indemnity (wage loss) benefits from the third-party administrator.

3. HEALTH BENEFITS

Medical coverage for employees will continue during workers' compensation leave for a period of six (6) months following the employee's first day of lost time, provided the employee continues to pay his or her usual portion of the premium. Thereafter, medical coverage will be cancelled, and the employee may apply for continuation of coverage under COBRA as detailed in the applicable Group Health Care Plan Booklet.

The company may continue to pay its portion of the medical coverage past the 6-month period where required by state law and/or a collective bargaining agreement.

4. COORDINATION WITH FMLA

If an employee meets the eligibility requirements of a covered employee under the Family and Medical Leave Act (FMLA), then the employee's leave due to a work-related injury or illness is to be designated as FMLA leave and applied towards the employee's 12-week leave entitlement. To the extent permitted by FMLA, the Corporation also applies the period of time that an employee does not work due to a reduced schedule or intermittent leave towards the employee's FMLA entitlement. Please refer to the Personal Leave of Absence Policy for information regarding compliance with the FMLA or contact Human Resources.

10.0 Contact Information

Risk Management: rm@constellis.com

Human Resources: hr@constellis.com

Safety: safety@constellis.com

Related Documents

- Personal Leave of Absence Policy
- Family Medical Leave Act Policy
- Claims Reporting Manual Procedure (RSK.001)

Version History

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1	1.0	28 February 2018	Tiffany Brown	Constellis Workers' Compensation Procedure
2	2.0	28 February 2018	Tiffany Brown	Constellis Workers' Compensation Procedure amended with contact information

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3	3.0	17 January 2020	Tiffany Brown	Procedure amended.
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5	5.0	30 April 2020	Tiffany Brown	Formatting amended.
6	6.0	22 March 2022	Jessica Krulis	Amended to include requirement for Safety WORCATS reporting.