


MEMORANDUM

To: Timothy Newman
President, Faculty Senate

From: Darren Dawson 
President

Christine W. Curtis
Provost and Executive Vice President for Academic Affairs

Subject: Response to Faculty Senate Comments on 06.02.10 Employee Occupational
Injury Policy

Date: March 18, 2021

The Faculty Senate comments on 06.02.10 Employee Occupational Injury Policy were shared with the Office of Finance and Administration and the Office of Risk Management and Compliance (ORMC) who administer this policy. Their thoughtful and thorough response is given below.

The Office of Risk Management and Compliance (ORMC) reviewed the Faculty Senate comments on the Employee Occupational Injury Policy and offers the following:

- “The 66-2/3% rate of pay for OJI leave is consistent with, and to some extent exceeds the requirements under:
 - Alabama Workers’ Compensation Law (Code of AL Title 25, Chapter 5)
 - 66-2/3% rate of pay, three day waiting period before any OJI leave benefit is payable (unless absence lasts 21 days or longer, then injury leave benefit to be paid retroactively)
 - No provision or requirement for supplementing with accrued leave (though not specifically excluded)
 - UA System, UAB, and UA OJI policies regarding lost-wage benefits
 - Lost-time wages on date of injury (day one) paid as administrative leave at 100% current rate of pay
 - Accrued leave is the only option available during days two through four (“waiting period”, no OJI leave benefit available unless absence lasts 21 days or longer, then days 2-4 paid retroactively at OJI leave rate)
 - OJI leave begins on day five
 - Employees may supplement OJI leave with accrued leave to achieve 100% normal rate of pay

- Differences between the UAH OJI policy and the corresponding policies at the other UAS locations include:
 - UAH OJI policy provides administrative leave at 100% normal rate of pay on day two of a lost-time injury (must be a contiguous work day with respect to the day of injury)
 - UA, UAB, UAS offer no administrative leave OR OJI benefit for days two through four – employees may use accrued leave or must take unpaid leave
 - UAH does not impose a waiting period for the OJI leave wage benefit to begin – UA, UAB, UAS all have a three-day waiting period (days two through four).”

After carefully considering the comments of the Faculty Senate, the Office of Finance and Administration and ORMC do not recommend any modifications to this lost-wage component of Policy 06.02.01 Employee Occupational Injury at this time.

ORMC also commented on Dr. Newman’s personal note on Section VI.H.3. “ORMC disagrees with this interpretation. This section addresses the issue of an individual who resigns from or is terminated by the university while on OJI leave or while an open OJI claim is present. This language is consistent with the other UAS OJI policies and does not provide a mechanism by which an employee can be terminated. Employment terminations are governed by applicable state and federal laws and regulations, and by UAH employment policies. ORMC does not recommend any modifications to this policy provision.”

We thank the Faculty Senate for its careful review of and comments on 06.02.01 Employee Occupational Injury.

Cc: Todd Barre’, Vice President for Finance and Administration
Kevin Bennett, Chief Risk Management and Compliance Officer