

**CITY OF MONROE  
RESOLUTION NO. 2025-018**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
MONROE, WASHINGTON, ADOPTING THE UPDATED  
WORKERS' COMPENSATION POLICY**

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WHEREAS, the City of Monroe is committed to providing a safe and supportive work environment and to complying with the State of Washington's Workers' Compensation Act; and

WHEREAS, the City's Workers' Compensation Policy, last reviewed in 1999, has been updated to reflect current state law, attorney guidance, and City of Monroe standards and practices; and

WHEREAS, key updates include formatting; clearer responsibilities for staff; and clarified rules regarding usage of accumulated leave and retention of time-loss checks; and

WHEREAS, the City Council finds that adoption of the updated Workers' Compensation Policy will strengthen organizational consistency, transparency, and compliance with applicable law while supporting employees during work-related injuries or illnesses.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MONROE, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

Section 1. Adoption of the updated Workers' Compensation Policy. The Workers' Compensation Policy, sets forth rules and procedures related to the reporting, administration, and benefits of workers' compensation claims for City employees, is hereby adopted in the form and content provided in *Exhibit A*, attached hereto and incorporated herein by this reference as if set forth in full. It supersedes and replaces the City's previously adopted Workers' Compensation Policy.

Section 2. Effective Date. This resolution shall take effect immediately upon passage.

ADOPTED by the City Council of the City of Monroe, at its regular meeting thereof, and APPROVED by the Mayor this 14<sup>th</sup> day of October, 2025.

Resolution No. 2025-018  
Approved: 10/14/2025  
Effective: 10/14/2025

CITY OF MONROE, WASHINGTON:

  
Geoffrey Thomas (Oct 15, 2025 12:26:33 PDT)  
Geoffrey Thomas, Mayor

ATTEST:

APPROVED AS TO FORM:

  
Jodi Wycoff (Oct 15, 2025 13:21:55 PDT)  
Jodi Wycoff, City Clerk

  
Zach Zell (Oct 14, 2025 20:43:52 PDT)  
J. Zachary Zell, City Attorney

**Policy Record**

Approval Date	Effective Date	Approved By
October 14, 2025	October 14, 2025	City Council via Resolution 2025-018

<b>Last Review:</b> June 1, 1999	<b>Policy Number:</b> 2025-018
<b>Next review:</b>	<b>Replaces:</b> #99-020
	<b>Superseded By:</b>
<b>Policy Administrator:</b> Human Resources	

**Related Procedures**

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Leave of Absence Policy

**Purpose**

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Employees who experience injuries, illnesses, or occupational disease exposures arising out of their employment with the City of Monroe are entitled to compensation under the State of Washington's Workers' Compensation Act. This policy sets out rules and procedures related to processing workers' compensation claims.

**Policy**

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**RESPONSIBILITIES**

**Employee**

- Immediately report all work-related illnesses, injuries, or occupational disease exposures to his or her supervisor. If the injury or illness is emergent in nature, the employee should seek medical attention immediately, and then follow-up with their supervisor as soon as possible.
- Make appointment with physician. The employee should supply the physician with the following forms (available from his or her supervisor):
  - Accident Injury/Illness Investigation Report
  - Authorization to Release Information
  - Physical Demand Job Assessment
  - Physician's Statement

NOTE: For employees to receive workers' compensation benefits, the Industrial Injury and Occupational Disease form must be filed within one year of the injury date or within two years of the date an employee learns that they have an occupational disease.

## **Supervisor**

- Make sure the employee receives prompt medical treatment for the injury.
- Work with the injured employee and any witnesses to complete Accident, Injury/Illness Investigation Report. Forward a completed copy of the report to the human resources department as soon as possible, but no later than 24 hours after the incident.
- Complete a Change of Status "COS" Form, obtain appropriate approvals, and forward to Payroll.
  - If the employer disagrees with the employee's report of the accident or injury, include an explanation of the areas of disagreement and the findings on which the disagreement is based.
- In the event of a serious injury, document the accident scene with written descriptions, photographs, video, or diagrams, as appropriate. Take steps to preserve any evidence that might be of value in an accident investigation. Collect statements from witnesses. Contact the human resources department regarding your role in any further investigation of the accident.
- Maintain contact with the injured employee in order to stay advised of the employee's recuperation and plans to return to work. Contact should be made at regular intervals, at a minimum every two weeks. Make a record of the contact and what was said by the employee.
- Work with the human resources department to develop light/modified-duty assignments to accommodate the employee when they are recovering from work-related injuries, but is able to return to work. Ensure that the employee abides by any working restrictions set by the employee's physician.
- Ensure the employee's timesheet is completed, in a timely manner, and forward to payroll.

## **Human Resources**

- Ensure the above referenced forms are completed and returned as appropriate.
- Complete the employer's section of the L&I report and submit to the Department of Labor and Industries.
- Coordinate Family Medical Leave benefits.
- Coordinate an independent medical examination, at city expense, by a city appointed physician for any illness or injury at any time (if needed)
- NOTE: If a fatality or serious injury a call must be placed to L&I within 24 hours of the incident.
- Ensure accurate completion of OSHA records.

## Physician

- Inform the injured worker of his or her rights and assist in making application for compensation and such proof of other matters as required without charge to the worker.
- Complete the following forms and forward as indicated:
- Physician's Statement
  - Forward to the City of Monroe's human resources department
- L&I Report of Industrial Injury or Occupational Disease
  - Forward employer copy to the City of Monroe's human resources department.
  - Forward the first page to the Department of Labor and Industries (L&I).

## Payroll

- Maintain records on the use of workers' compensation time loss benefits.
- Coordinate payment of sick leave, vacation and comp time to employees.

## WORKERS' COMPENSATION BENEFITS

The City of Monroe will pay the employer's portion of the premium for industrial insurance as established by the Workers' Compensation Commission. Workers' compensation is the employees' exclusive remedy for workplace injuries, illnesses or occupational disease.

- **When an Employee Needs Medical Care**

Once a claim has been approved by L&I all doctor, hospital, surgical and related costs for treatment of the employees' job-related injury or illness are paid directly by the Department of L&I. Usually, there are no out-of-pocket expenses to the employee. Other covered costs include such items as drugs, medicines, emergency ambulance service, special or home nursing, convalescent center care, crutches, braces, artificial limbs, dental care, glasses and hearing aids. Benefits are solely determined and paid for by L&I.
- **Wage-Replacement "Time-Loss" Benefits**

If an employee's injuries keep him or her out of work more than three calendar days, the employee receives wage-replacement/time-loss benefits. Effective June 6, 2024, these first three days are payable if the worker remains disabled on the seventh calendar day after injury or occupational disease. The amount of time-loss an employee receives is based on a percentage of his or her gross wages, marital status, and the number of legally-dependent children at the time of injury. The industrial insurance law sets both minimum and maximum amounts that are payable in time-loss benefits.
- **Usage of Accumulated Leave**

Employees will use their available accrued sick leave, vacation and comp time to maintain 100% of pay. Once the employee is paid by workers' compensation, the benefit check must be turned over to the city within 10 working days of receipt. At that time, the

employee's sick leave, vacation leave, and/or comp time would be reinstated, based on the value of the workers' compensation benefit.

If an employee has no available leave at the time they begin an authorized absence under Washington State Workers' Compensation (L&I), they may retain their time-loss compensation checks issued by Workers' Compensation.

- **Coordination with Leave Policies**

The City of Monroe counts an employee's leave due to a work-related injury or illness toward the employee's 12-week leave entitlement under the Family and Medical Leave Act. Because workers' compensation leave is designated as FMLA leave, benefit continuation - for example, continuation of health benefits - is governed by the applicable provisions of the City of Monroe's Leave of Absence Policy.

## **Fraud**

Filing a fraudulent workers' compensation claim or engaging in fraudulent representations with respect to workers' compensation claims or benefits are serious offenses. Employees found to have engaged in fraudulent activities are subject to disciplinary action, up to and including termination of employment.

Employees that file fraudulent claims also can be criminally prosecuted and subject to imprisonment and/or fines.

The City of Monroe orders investigations or surveillance of employees where evidence of fraud is discovered. Suspected fraudulent claims are reported to the State of Washington's Workers' Compensation Commission.

## **Retaliation**

The City of Monroe does not discriminate or retaliate against employees who have filed legitimate workers' compensation claims. Managers and supervisors will not take or threaten any action to discourage employees from filing a workers' compensation claim.

## **Return to Work**

Aggressive return to work strategies minimize time loss benefits, encourage employee healing, and minimize the financial hardship to the employee. The City may return employees to the position they held when they commenced leave (if a reasonable accommodation can be accomplished) to allow the employee to perform the essential functions of the position. If reasonable accommodation cannot be made without creating undue hardship, the city may provide a temporary alternative work assignment as soon as the city's needs and the employee's condition warrant. Family Medical Leave restrictions will be considered in return-to-work situations.

## **Coordination with Attending Physician**

An employee on leave due to a work-related disability may return to work when the City of Monroe receives the attending "Physician Statement" authorizing such return. The City of Monroe's human resources department is responsible for providing the physician with a copy

of the employee's job description, copies of job descriptions for potential light-duty assignments, and written information explaining the City of Monroe's return-to-work program.

## **Job Descriptions**

The human resources department is responsible for working with supervisors to ensure that job descriptions accurately and completely describe the essential functions of each position. The human resources department works with medical consultants to analyze any new light-duty position and develop a job description describing the essential functions of that position.

## **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 retained by the city or its insurance carrier. The following options are explored:

- **Return to Original Position**

An employee is offered the opportunity to return to his or her original position if the attending physician certifies that the employee can perform the essential functions of the job with or without reasonable accommodations. The human resources department is responsible for working with the employee's supervisor and attending physician (and third-party consultants, as necessary) to provide any reasonable accommodations.

- **Light/Modified Duty**

Employees who are not yet able to perform their original duties may be offered (subject to the restrictions set out in section 3.7 below) a temporary light/modified-duty assignment that has been approved by the employee's attending physician and the employee's current supervisor. The human resources department is responsible for working with the employee's supervisor and the employee's attending physician to develop and implement the light/modified-duty assignment. The assignment can consist of the employee's original job, with working hours or reduced activities, or an alternative light/modified-duty position.

## **Restrictions on Light/Modified-Duty Assignments**

The following restrictions apply to light/modified-duty assignments:

- **No guarantee of work.** As provided in section 3.6 above, the city will endeavor to return employees to gainful employment as soon as possible by exploring possible light/modified-duty assignments. The city does not guarantee the availability of light/modified-duty work.
- **12-week limit.** Light/Modified-duty assignments are temporary arrangements intended to complement and facilitate the healing process. Light/Modified-duty assignments cannot exceed 12 weeks (according to FMLA) unless approved by the city administrator.

## **Employee Refusal of Work**

In the event that an employee refuses to return to regular or modified/light duties in response to a written, bona fide offer of employment by the city sent via certified mail, the employee may be separated from the city and his or her position will be filled. (Note: an exception to this rule applies in the case of employees who have not yet exhausted their FMLA leave entitlement).

A written offer of employment must clearly state:

- The position offered and the duties of the position;
- The city's agreement to any limitations or conditions set out in the attending physician's certification of the employee's fitness to return to work;
- The job's essential functions; and
- The job's wage and working hours.

## **Permanent Disabilities**

When reaching maximum medical improvement, an employee can have a permanent disability that impairs the employee's ability, with or without reasonable accommodations, to return to his or her original position. The city, in consultation with the employee's attending physician and State of Washington's Workers' Compensation Department, should evaluate the following options:

- Securing vocational rehabilitation services from the State of Washington's Employment Department or private consultants, as appropriate. Services can include assessment and testing, counseling and training.
- Finding a position at the city commensurate with the employee's knowledge, skills and abilities.

Employees with permanent disabilities are paid partial or total permanent disability benefits by L&I as required by the State of Washington's workers' compensation program.

## **Medical Information**

All employee medical information is held in strict confidence in accordance with the Americans with Disabilities Act. Release of medical information is limited to those permitted under the State of Washington's workers' compensation statute and applicable federal law.

## **Coordination with FMLA**

Nothing in this policy should be construed as denying employees their rights under the Family and Medical Leave Act or any other federal or state law.

Employees entitled to FMLA leave can voluntarily accept light/modified-duty assignments while they are recuperating, but they cannot be required to do so. Employees who lose their workers' compensation benefits as a result of declining a light/modified-duty assignment may substitute any available paid leave, such as accrued vacation, comp time or sick leave, for unpaid FMLA leave.

Until employees have exhausted their 12-week FMLA entitlement, they have the right to be reinstated to their original job or an equivalent job providing they are able to perform the job's essential functions.

### **Coordination with LEOFF II (State Law requirements)**

When a LEOFF II employee is entitled to Workers' Compensation benefits, the employee will be eligible for a disability leave supplement, which shall begin on the sixth calendar day from the date of the injury or illness. The disability leave supplement shall be an amount which, when added to the amount payable by L&I will result in the employee receiving the same base pay (amount earned by the employee before any voluntary or involuntary payroll deductions and does not include overtime pay) the employee would have received for full time active service, taking into account that industrial insurance payments are not subject to federal income or social security taxes

The supplement is paid as follows; one half will be charged against the accrued paid leave of the employee and one half shall be paid by the employer. If an employee has no accrued paid leave at the time of an injury or illness, or if accrued paid leave is exhausted during the period of disability, the employee shall receive only one half of that paid by the employer. The supplement shall continue as long as the employee is receiving workers compensation benefits, up to a maximum of six months from the date of the injury or illness.

The disability leave supplement shall not be considered salary or wages and the employee shall also continue to receive all insurance benefits provided by the employer, notwithstanding that some portion of the cost of those benefits is paid by the employee.

If an employee's accrued sick leave is exhausted during the period of disability, the employee may apply for shared leave or, for a period of two months following return to active service, draw upon sick leave the employee is expected to accumulate up to a maximum of three work shifts. Any sick leave drawn shall be charged against earned sick leave until such time as the employee has accrued the amount needed to restore the amount used. In the event an employee terminates active service without having restored the sick leave drawn, the employer shall deduct the actual cost of any payments made under this section from compensation or other money payable to the employee or otherwise recover such payments.

### **REFERENCED DOCUMENTS**

- Leave of Absence Policy
- Accident, Injury, Illness Investigation Report
- Physical Demands Job Assessment Form
- Physician's Statement Form
- Authorization to Release Information Form
- Washington State Department of Labor and Industries Report of Industrial Injury or Occupation Disease Form (available from the physician's office or the hospital)
- Change of Status "COS" Form

# Resolution 2025-018 Updated Workers' Compensation Policy

Final Audit Report

2025-10-15

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✔ Agreement completed.

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