As permitted by state law, Midland Academy Charter provides workers' compensation benefits to employees who suffer a work-related illness or personal injury due to accidents arising out of their employment with Midland Academy Charter. These benefits are paid for entirely by Midland Academy Charter and help pay for medical treatment and make up for part of the income lost while recovering. All work-related illnesses, accidents, or injuries should be reported immediately to the employee's supervisor and the Superintendent or designee.

Employees who suffer a work-related injury or illness, and who must be off work due to such injury or illness, shall be governed by applicable provisions of the Workers' Compensation Act (the "WCA") and the federal Family and Medical Leave Act where applicable.

The Superintendent shall develop procedures to implement Midland Academy Charter's Workers Compensation program, including procedures for requesting and use of leave benefits, injury reporting requirements, return to work and reinstatement procedures, absence control procedures, and any other procedure necessary to effectuate the WCA as required by law

## Sec. 1. MANDATORY REQUIREMENTS

Workers' Compensation Insurance covers all employees during the time they are on the job.

1. Covered injuries and illnesses may be physical or mental and specific or cumulative.
2. An injury is considered job-related when it arises out of and in the course and scope of employment.
3. The activity that caused the injury must also be an activity that is in the course and scope of employment.

## Sec. 2. DENIAL OF WORKERS' COMPENSATION INSURANCE BENEFITS

Except as otherwise required by state law, injuries not covered by Workers' Compensation Insurance include those where the employee:

1. Was intoxicated on alcohol or drugs.
2. Was in the process of committing a felony (and has been convicted).
3. Was participating in a social or recreational activity off-duty that was not directly related to his or her work.
4. Was commuting to or from work unless doing so under the direct control/orders of Midland Academy Charter on school-related business.
5. Caused the injury intentionally, or committed suicide.
6. Was "horsing around" or fighting on the job.
7. Violated a school safety policy or procedure.



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If Midland Academy Charter denies a Workers' Compensation Insurance claim:

1. The employee may contest the decision in accordance with the provisions of the Workers' Compensation laws of the State of Texas.
2. All costs incurred by the employee in contesting a denial of the claim shall be the sole responsibility of the employee.
3. Midland Academy Charter is not obligated to make any commitments or statements pertaining to its liability concerning an employee's injury or illness.

**Sec. 3. FRAUDULENT CLAIMS FOR WORKERS' COMPENSATION**

Filing a false or fraudulent claim is a violation of law and Midland Academy Charter's policy, and can result in disciplinary employment actions, including termination of employment.

**Sec. 4. PROHIBITED DISCRIMINATION**

Midland Academy Charter may not discharge or in any other manner discriminate against an employee because the employee has:

1. Filed a workers' compensation claim in good faith.
2. Hired a lawyer to represent the employee in a claim.
3. Instituted or caused to be instituted in good faith a proceeding under the WCA.
4. Testified or is about to testify in a proceeding under the WCA.

*Labor Code 451.001*.



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