

Workers Compensation

Guidance for Managers and Telecommuting Employees

This guidance is intended to supplement any post-pandemic principles and guidelines that set parameters to alternate workforce strategies throughout schools and units, with the focus on remote work. Remote work is often used synonymously with telecommuting or flexible work arrangements. For purposes of this guidance, **remote work** is defined as “any work performed from home or otherwise not in their regular office setting, permanently or on scheduled days.”

Applicability and Eligibility

- Accidents involving employees performing remote work follows the same law and analysis as employees who are working at their employer’s premises.
- In Illinois, the Act provides that an employee bears the burden of showing he/she/they sustained accidental injuries arising out of and in the course of employment. Generally, this means that an accident needs to stem from an employment risk and the time, place, and circumstances of the injury or illness was at work.

Responsibilities

- If an employee feels he/she/they sustained a work-related injury or illness and reported the incident to Risk Management, a thorough investigation will be undertaken consistent with applicable state statutes to determine compensability. Supervisor and employee responsibilities do not materially change if the injured employee has been authorized to work remotely.
- Supervisors and employees will still be required to provide factual statements and/or forms that includes the following information: when the accident occurred, where the accident occurred, what the employee was doing at the time of the incident, and a description of the mechanism of the accident. The key variable in a remote environment is supervision and the inability to secure witness statements during an investigation. Credibility and a causal connection to job duties will be assessed.

Treatment Locations

- If an employee is working remotely and feels he/she/they suffered a traumatic work injury, emergency responders/police must be contacted via 911 so that paramedics may be brought to the incident site to render emergency assistance. All employees are expected to supply Risk Management copies of applicable medical records following the visit if the injury or illness is compensable under workers’ compensation.
- Non-life threatening work-related injuries must be reported to the Office of Risk Management. Office of Risk Management will arrange initial evaluation at a preferred [treatment location](#) and/or in the case of a remote employee, may coordinate care at a local provider/facility. Treatment for

a non-life threatening work-related injury cannot be administered without an authorization form from Office of Risk Management.

- All employees receiving either initial or emergency room follow-up treatment will be given a Duty Status Report indicating when they can resume modified or full duties, and whether a follow-up visit will be requested. Employees are responsible for ensuring the report is delivered to the Office of Risk Management as soon as possible and that his/her/their supervisor is notified.

Recommendations for Remote Work

- For employees whose roles are remote eligible, an in-person presence should be established according to University guidelines. Managers and schools/units retain the discretionary authority to change in-person expectations, for either organizational needs or performance reasons. Documenting an employee's in-person presence is important in evaluating workers' compensation matters as it helps establish expectations for the employee and employer.
- Managers and schools/units will work with employees to adopt a formal job description inclusive of the hours the employee(s) is expected to be working, while also accounting for breaks (i.e. lunch.) This description should also include a specific work area or location in which work duties are to be performed. No employee should work remote if a formal job description has not been updated or approved by his or her supervisor. An agreement between both parties must be documented.
- Managers and schools/units who are approving flexible work arrangements for employees are expected to document whether employees are required to or expected to drive on University business during remote work.
- All employees approved for remote work are still subject to and must comply with all guidelines and University policies.
- As an employer, the University cannot completely eliminate hazards in a remote work setting so it is important that managers, schools/units, and employees enforce sound practices to ensure remote work settings are safe and conducive to duties being performed. In addition to establishing a dedicated work area, managers/schools/units should consider equipment/security needs, safety training, and resources available to employees. Ergonomic solutions and guidance for home/remote environments can be found at the Office of Risk Management [website](#).