

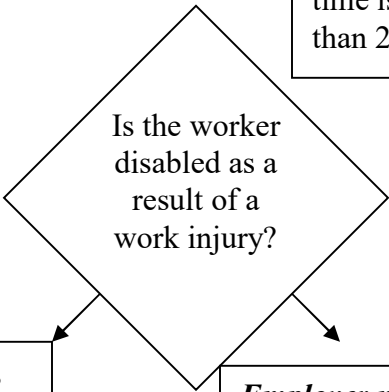
**LEAVE COORDINATION  
WITH  
WORKERS' COMPENSATION**

WORKER IS  
DISABLED FROM  
WORK INJURY

§10-7-13 NMSA prohibits public employees from receiving monthly salary for leave time in combination with workers' compensation benefits that exceeds 100% of the employee's monthly salary.

During the waiting period for workers' compensation benefits, all employees will be required to use any accrued paid benefits. Any employee who has used all accrued benefits will be removed from payroll and will receive only such amounts as paid by the workers' compensation administrator.

The first 5 work days (40 hours, 7 calendar days) that an employee loses time is NOT compensated until the employee has been off work for more than 28 calendar days. The first week is initially charged to accrued leave.



After 28 calendar days off work, the first week's WC benefit is paid. If any accrued leave was paid, the employee must reimburse the account or the WC waiting period benefit check will constitute an overpayment and violates §10-7-13 NMSA

If no,  
Nothing  
further

*Employer must have a workers' compensation leave coordination policy.*

Supervisors are responsible for properly coding time sheets. The injured employee must ensure that time sheets are properly and accurately prepared.

**Worker is allowed to combine leave and WC benefits.**

**Other than the WC waiting period, Worker is NOT allowed to combine leave and WC benefits.**

Deductions such as private medical, dental, etc. can continue as long as there is sufficient accrued leave.

Worker pays deductions

FMLA and WC benefits run simultaneously. If unable to return to work at the end of 12 weeks, WC benefits continue, but FMLA protections end.

Any leave in excess of 30 days, does not allow an individual to accrue service time towards retirement, except while on FMLA