



Office of Payroll Administration

Workers' Compensation Unit

Employee Procedures Guide

[ABSENCES RELATING TO WORKERS' COMPENSATION INJURIES](#)

[APPLYING FOR A LEAVE OF ABSENCE WITHOUT PAY FOR WORKERS' COMPENSATION](#)

Employee Procedures

If you are injured while on the job, the following steps should be taken immediately in order to qualify for workers' compensation benefits:

1. Inform your supervisor of your injury and the way in which it occurred.
2. Seek medical attention as soon as possible. The treating physician must be authorized by the NY State Workers' Compensation Board, unless the injury requires a trip to the emergency room. To find a participating workers' compensation physician, go to the New York State Workers' Compensation Board's website at <http://www.wcb.ny.gov> or call (800) 781-2362. All doctor's notes and authorizations must be mailed to:

The NYC Law Department
Workers' Compensation Division
350 Jay Street, 9th Floor, Brooklyn, NY 11201

3. Obtain the following forms from your payroll secretary/timekeeper:
 - a. [Claimant Information Packet](#): includes Employee Claim forms C-3 and C3.3. Make certain to provide a copy of these forms to your payroll secretary/supervisor and mail the original to the following address:

New York State Workers' Compensation Board
Centralized Mailing
PO Box 5205, Binghamton, NY 13902-5205

- b. [Form WCD 23](#): Employee's Notice of Injury form
 - c. [Comprehensive Injury Report](#): (administrative employees only) if you are a school-based employee, obtain a copy of the On Line Occurrence Report System (OORS) from the OORS operator in your school.
4. Complete and return all of the forms to your payroll secretary/timekeeper immediately. Injured employees who fail to inform their employer in writing (i.e., by submitting the documentation listed above) may lose their right to workers' compensation benefits.

Absences Relating to Workers' Compensation Injuries

The date of the accident:

If you require medical attention and leave your place of employment on the date of the injury, the rest of the day will be coded as a regular paid day.

Five consecutive days following the date of the accident:

Following the date of the accident, you may apply to receive up to the next five consecutive working days non-chargeable. These absences will not be charged against your Cumulative Absence Reserve (CAR) balances. All non-chargeable days and absences taken must be entered into [Self-Service Online Leave Application System \(SOLAS\)](#). The non-chargeable days are subject to supervisory approval and require a doctor's note. To apply for a five non-chargeable days submit one of the following applications to your payroll secretary/supervisor.

- [Form OP 198](#): For School-based Employees: Application for Absence due to Personal Illness (Sick Leave)
- [Form PD 19](#): For Administrative Employees: Application for Excuse of Absence with Pay

Once completed, have forms signed by your principal/supervisor for review.

Six or more absences following the date of the accident:

Complete form [DP2002](#) and choose from one of the options:

1. Option 1: By selecting Option 1 on the DP2002 form, you are electing to use your sick/annual time for the absences relating to your workers' compensation injury. You must submit the DP2002 form to your payroll secretary/timekeeper. These absences will be coded as medically certified sick/sick doctor's note. You may be eligible to have your used vacation/sick time restored. You must keep track of the days you are absent for each workers' compensation injury. In order to initiate the process of restoring the time you used, you must contact your benefits examiner at the Law Department at (718) 724-5500. You may be asked to attend a hearing to determine this matter. Restoration is based on the degree of your disability and your rate of pay.
2. Option 2: If you choose not to use your accrued time balance Cumulative Absence Reserve (CAR) or if you do not have accrued time to use, you will not be paid. Consequently, if you participate in direct deposit, this benefit will be cancelled. By selecting this option, you must apply for a leave of absence without pay for workers' compensation in [SOLAS](#). The maximum time allowed to be absent due to a workers' compensation injury is one year. During this period the Law Department will review your case to determine your eligibility and rate of reimbursement.

[Applying for a Leave of Absence Without Pay for Workers' Compensation](#)

If you are considering applying for a leave of absence without pay, you should be aware of the following:

- Once you begin your approved leave, you will no longer receive a paycheck from the DOE.
- If you are currently enrolled in direct deposit, it will automatically be cancelled.
- The maximum time allowed to be absent due to workers' compensation is one year.
- You will be reimbursed for the days you are absent without pay. Payment, the amount of which is determined by the New York State Workers' Compensation Board, will be issued by the New York City Law Department's Workers' Compensation Division.
- Notify the DOE's Workers' Compensation Unit at (718) 935-2213 of your effective leave date. In order to ensure you receive wage reimbursement benefits from the New York City Law Department, you must forward a copy of your doctor's note to your examiner at the New York City Law Department. This note must state the effective date and the length of time that you are unable to work and that your inability to work is related to your workers' compensation claim.
- While on option 2, you must submit a leave of absence without pay for worker's compensation in SOLAS.

Questions? See our list of [FAQs for employees](#).

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