

ENHANCED INDUSTRIAL DISABILITY GUIDELINES



SEPTEMBER 2008

Enhanced Industrial Disability Leave (EIDL) Guidelines (9/2008)

These guidelines shall be used in conjunction with the CAL FIRE EIDL Policy which is contained in Section 1156 of the CAL FIRE Personnel Procedures Handbook. This material is available on the CAL FIRE Intranet under Handbook and Forms, CAL FIRE Issuance Publications, or may be obtained from any supervisor, or the Reasonable Accommodation Coordinator (RAC) in Occupational Safety and Health Programs (OSHPros).

EIDL is an extension of Industrial Disability Leave (IDL) benefits. It extends the possible “full net pay” received on IDL from the first 22 days of a qualifying injury to one year*. EIDL only applies to **serious physical work-related injuries and any complications directly related medically and attributable to a fire, inmate assault, emergency medical response, or a criminal act of violence against a peace officer**, as defined in the respective Bargaining Unit (BU) contracts.

*BU 8 employees with burn-related injuries arising out of and in the course of State employment shall be eligible for EIDL benefits up to three years from the first day of disability.

ROLES AND RESPONSIBILITIES – Represented Employees

I. Designated Authority

The designee authorized to approve EIDL for all represented personnel rests with the respective Region Chief, Assistant Region Chief, or Region Management Services Chief; and for Headquarters employees the designee is the Chief of the Occupational Safety and Health Programs (OSHPros).

II. EIDL Process

For region employees, the Region Return-to-Work Coordinator (RTWC) is responsible for processing EIDL requests. For represented Headquarters employees, the RAC is responsible for processing EIDL requests.

1. Upon receipt of a written request for EIDL benefits from the employee or the employee’s supervisor, the Unit RTWC, Headquarters RAC, Unit Personnel Specialist (PS) or Unit Administrative Officer (AO) shall review the CAL FIRE 3067, Employer’s Report of Occupational Injury or Illness, to determine if the injury meets the applicable BU MOU eligibility criteria for EIDL-and verify that the employee has been off work for more than 22 working days.
2. Within five working days (Monday through Friday) of receiving the request, the Unit RTWC, Headquarters RAC, Unit PS or Unit AO shall complete the [CAL FIRE-710](#) and provide the completed form to the appropriate Region/Headquarters RTWC. After review, the Region/Headquarters RTWC will forward the request to the appropriate Region/Headquarters designee for the designee’s approval or denial of EIDL.

3. Upon receipt of the designee's decision, the Region RTWC or Headquarters RAC shall prepare for the appropriate designee's signature a letter notifying the requestor whether the request for EIDL was approved or denied.
 - a. Courtesy copies of the signed decision letter shall be sent to the employee's Unit Chief, Unit and Region/Headquarters Workers' Compensation PS, and Region RTWC (if letter prepared by RAC).
 1. Courtesy copies shall be sent in sealed envelopes and stamped 'CONFIDENTIAL'.
 - b. Region RTWC shall confidentially fax copies of all EIDL Information Reporting Forms to the Headquarters RAC, for statistical reporting.
4. The Region or Headquarters RTWC will coordinate with the Region or Headquarters Workers' Compensation PS in order to process approved EIDL benefits.
5. All documentation for the EIDL Benefit request shall be filed with the CAL FIRE 3067 in the employee's Workers' Compensation file.
6. Files shall be kept in a confidential locked area.

III. EIDL Eligibility Dispute

If a represented employee's EIDL benefit eligibility is denied, the employee may request his or her Unit Chief, Supervisor, or Union Representative, to submit on his or her behalf a written request for reconsideration. These requests must provide additional information to reevaluate the original decision. The final decision as to whether or not an employee is eligible for, or continues to be eligible for EIDL, shall rest with the Department Director or designee. The designee is the Assistant Deputy Director of Labor and Human Resources. The employee may file a grievance with regard to the application of EIDL. EIDL is not subject to the BU Memorandum of Understanding (MOU) arbitration procedure.

ROLES AND RESPONSIBILITIES – Excluded Employees

I. Designated Authority

Government Code Section 19871.2 provides the authority for excluded employees to receive EIDL. The OSHPros Chief is the sole designee authorized to approve EIDL benefits for qualifying injuries. The enhanced benefit shall not be applied to either presumptive, stress related disabilities or a physical disability having mental origins.

II. EIDL Process

1. Region Chief or the employee's supervisor submits a written request for EIDL to the Chief of OSHPros.
2. OSHPros Chief delegates to the RAC the EIDL request for review and processing, with a due date of three weeks (15 working days) from the date the request is received.
3. RAC contacts the appropriate Region/Headquarters RTWC to request a copy of the CAL FIRE 3067, and verifies that the claim has been accepted by SCIF and that the employee has been off work for more than 22 working days.
4. RAC reviews the CAL FIRE 3067 and information submitted by the Unit Chief or supervisor to determine whether the injury meets the EIDL requirements set forth in Government Code Section 19871.2. The RAC will request additional information if needed to make a decision.
5. RAC provides to the Chief of OSHPros the EIDL Information Reporting Form documenting his or her recommendation to approve or deny EIDL.
6. Upon receipt of the written decision, the RAC shall prepare for the OSHPros Chief signature a letter notifying the requestor whether the request for EIDL was approved or denied.
 - a. Provide courtesy copies of the signed letter to the employee's Unit and Region/Headquarters Workers' Compensation PS and Region/Headquarters RTWC (if letter prepared by RAC).
 1. Courtesy copies shall be sent in sealed envelopes and stamped 'CONFIDENTIAL'.
7. RAC enters request and decision information into the EIDL data file.
8. Files shall be kept in a confidential locked area.

III. EIDL Eligibility Dispute

The final decision as to whether an employee is eligible for, or continues to be eligible for enhanced benefits shall rest with the appointing authority or his or her designee; the Assistant Deputy Director of Labor and Human Resources is the designee.

If an excluded employee's EIDL benefit eligibility is denied, the employee may submit through the Unit Chief or supervisor additional information for reconsideration by the Assistant Deputy Director of Labor and Human Resources.

[\(see Table of Contents\)](#)