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**Workers’
Compensation—Self-
Insurance**

I. Self-Insurance, Workers’ Compensation Claim Administration and Safety Services

- (1) The ~~d~~District is largely self-insured for its Workers’ Compensation, which applies to all work-related injuries or illnesses. The ~~superintendent shall establish a claims staff within the Risk Management Department with administrative capabilities to~~ shall receive reports of claims, administer claims, defend appeals before the Workers’ Compensation Board, investigate causes of injuries, recommend modifications of work procedures and facilities, and train staff in safe work procedures and may engage the services of an external program administrator/provider to assist the District.
- (2) ~~The d~~District shall engage the services of a company offering Workers’ Compensation claims consultation and employee safety services skilled in Workers’ Compensation law to aid the ~~D~~district in its tasks described in section I(1) of this policy.
- (3) The ~~s~~Superintendent is authorized to establish check and settlement authority for the Risk Management Department, ~~subject to appropriate regulation for fidelity bonding, check control, auditing, requiring the signature of the chief financial officer or custodian of funds on each check and limiting check and settlement authority to~~ resolve workers’ compensation claims under \$725,000 per claim and under \$25,000 per individual check.
- (4) All settlements over ~~\$20,000 of \$275,000 and over and each check payment on a claim exceeding \$20,000 of \$25,000 and over~~ shall be approved by the Board, ~~except that the superintendent or his designee may authorize district payment of medical, wage, or other emergency employee costs where total payment, including payment authorized in this paragraph, does not exceed \$25,000, but only if, in his judgment, it is necessary for the health and welfare of the employee, and delay would be prejudicial to the district.~~
- (5) Within 30 days of the end of each quarter, the General Counsel’s Office shall provide the Board with a list of summary of the workers’ compensation settlements of claims resolved below the board-approval threshold.

II. Establishment of Reserve

- (1) A reserve fund is established pursuant to ORS 332.437 for the purpose of paying the costs incurred by the district under this policy and paying Workers’ Compensation claims of the ~~d~~District in accordance with this policy.
- (2) This reserve fund shall be maintained by the ~~d~~District on a sound actuarial basis so that at any time it is sufficient to pay the costs for the current fiscal year, which are described in section I(1) of this policy and, in addition, the ~~d~~District’s estimated liability in future years for claims made in prior fiscal years. Recommendations for the amounts to be maintained

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in the reserve ~~shall be made by the superintendent, who, for this purpose,~~
may **be made** using the services of a professional insurance actuary.
~~Additions during a fiscal year beyond the amount budgeted may be made
by resolution of~~

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~~the Board, as prescribed by ORS Chapter 294. Withdrawals from the reserve account may be made from time to time by the Board, upon finding that the reserve is in excess of that required by this paragraph.~~

- (3) The resource of the reserve fund shall be adjusted from year to year by reason of earnings on investment of money in said reserve and additions thereto made pursuant to this policy. Expenditures ~~there from~~ **from the reserve** shall be made only pursuant to this policy for the purpose for which ~~said the~~ reserve fund ~~had been~~ **was** created.

Legal References: ORS Chapter 294; ORS 332.435; ORS 332.437; ORS Chapter 654;
ORS 656.403 - 656.455

History: Adpt 6/12/78; Amd 10/13/83; Amd 6/14/84; Amd 11/30/95; Rev 8/28/00, BA 1401; **Amd ____/2022**