

Blazing Adventures Workers' Compensation Guide

Employee health and wellness are a top priority at Blazing Adventures. We strive to create a safe workplace for all employees. Unfortunately, injuries and illness can occur regardless of safety measures that are in place. It is important that our employees get appropriate treatment.

Work-related Injury or Illness

Work-related injury or illness occurs while on the job, performing assigned duties, under scope of employment, and a result of that work. Being at work doesn't necessarily constitute a work-related injury or illness. Personal tasks, off-the-clock breaks, or being on the premises while off the clock do not qualify as work-related injuries or illnesses.

Prevention

Blazing Adventures employees are provided with an extensive amount of training upon being hired. Continued safety training is done on the job and is available on the employee website www.blazingguides.com. Safe practices should always be priority number one. If hazardous conditions are noticed, please report to manager. The manager will report to safety coordinator or owner and will be addressed accordingly.

Claims management

If an employee is injured or becomes ill as a result of their job, it is important that they report this to their manager immediately. Reports, regardless of severity of injury or illness, must be reported during shift that illness or injury took place.

Filing injury reports

In the event of an injury, Blazing Adventures will contact their Workers' Comp insurer, Pinnacle Assurance, immediately. Blazing Adventures will need some basic information regarding the injury, including:

- Name of the injured worker
- Injured worker's Social Security number
- Injured worker's home address
- Injured worker's occupation
- Date of the injury

To complete the filing process, we will need all details of the accident. Pinnacol will assign a claim number to employee's claim. Blazing Adventures will keep this number on file and will include it on all correspondence with us. We will also complete a First Report of Injury form, file it with the Division of Workers' Compensation when required, and maintain a copy in employee file. When reporting a lost-time injury, the claims representative will give immediate attention to claim. They will ensure that employee receives proper medical care and, if needed, lost-wage benefits. They can also assist in returning the employee to modified duty whenever appropriate.

Designated medical provider information

In case of emergency, employee should report to nearest Emergency Room. In non-emergent injuries and illnesses, employee must report to one of our four Designated Medical Providers. Colorado law requires that the employer provide an injured worker with a written Designated Provider List Notification Letter within seven business days of the date employer was made aware of injury. Blazing Adventures has this list on file and available to any employee at any time. All new hires are provided with this list upon hire. It is also available in your Employee Resource Guide (ERG). If you have any questions regarding this letter or about your designated medical providers, please contact your manager.

Employee responsibility

Wage replacement benefits can be reduced by up to 50 percent in cases where the employee's injury resulted from:

- The willful failure of the employee to use safety devices provided by the employer
- The employee's willful failure to obey any reasonable rule established by the employer for the safety of the employee
- The employee being under the influence of alcohol or a non-prescribed controlled substance

Questionable claims

Be honest when reporting illness or injury on the job. Blazing Adventures reserves the right to question whether an injury arose out of or in the course of employment, and will report the alleged injury and explain the circumstances surrounding the alleged accident.

Thorough documentation

It is important to thoroughly document all claims as soon as possible after the injury. This includes taking detailed statements from the injured employee, his or her manager, all witnesses and the person to whom the accident was reported.

Third-party involvement and subrogation

If an employee is injured as a result of an action by someone not employed by you, it is important to attach a letter of explanation to the First Report of Injury. Two common examples of third-party involvement are:

- An on-the-job automobile accident in which a third party — the other driver — causes the accident
- An equipment malfunction resulting in injury; in some cases the equipment manufacturer may be liable

Please document everything that happened in the accident and direct your manager to obtain witness statements when appropriate. Please do not destroy evidence or allow anyone to take property from the injury site. Remember, any possible evidence may assist us in taking legal action on your behalf against a third party.

Changing physicians

An injured employee has the right to change physicians. There are two avenues the employee can follow in order to make a change.

Option 1: To make a one-time change in the treating physician, the injured worker must provide notice of change within 90 days of the injury but before the injured worker reaches maximum medical improvement. The notice must be in writing and submitted on the approved Division of Insurance form. The new provider must be on the employer's designated provider list. The injured worker must notify Pinnacol and the initial treating physician.

Option 2: An injured worker may obtain written permission to change treating physicians after the initial 90-day period. Requests must be made in writing on the Division of Insurance form. Pinnacol has 20 days from the mailing of the request to respond or the request is automatically approved.

Medical benefits

There is no limit to the amount of medical benefits that can be paid on a compensable claim if those benefits are reasonable and necessary to relieve the effects of the injury. Please alert Blazing Adventures if a provider sends an injured worker a bill for any amount. In cases where the claim is denied, the injured worker becomes responsible for payment.

Compensation benefits

The amount and duration of compensation to an injured employee for time lost from work depends on whether the worker's disability is

(a) partial or total and/or

(b) temporary or permanent.

Payment is usually made directly to the injured worker. Benefits are tax-exempt. Certain workers' compensation lost-wage benefits may be subject to reduction or revision if the worker is drawing Social Security, unemployment or other benefits.

Denied claims

If a claim is denied or if an admission of liability is felt to be incorrect, the injured worker or employer may request a hearing before the Division of Workers' Compensation. If either party is not satisfied with the hearing decision, further appeal is possible, subject to strict time limitations. Hearings must be conducted within 120 days of the date of application. Pinnacol represents policyholders during these hearings. Compensability is one issue for which an expedited hearing can be conducted. Expedited hearings must take place within 40 days of application.

Reopening claims

A claim that has been closed may be reopened if the employee's condition worsens or the disability increases. This is subject to the statute of limitations. If the claim has been settled in full, it cannot be reopened. Contact your claims representative for more information. Claims management resources are available on Pinnacol.com. These resources contain the most current information, forms, templates and tips to get employees the medical attention they require, and to get them back to work as quickly as possible.

Return to work

A return to work program is a plan to help injured employees start working again during their recovery, either at their regular positions or at modified duties. The goal of this program is to bring the employee back to a position that meets physical restrictions set by his or her doctor. Modified duty positions generally are not permanent. They are temporary transitional jobs the injured worker performs while recovering. If a modified duty position approved by the treating physician is formally offered to the injured worker, the worker must accept the job or face losing compensation benefits. If the modified duty position pays less than the worker's regular pay, it is calculated at two-thirds of the difference between pre-injury gross average weekly wage and current gross weekly earnings.

Questions

Employees with any questions related to workers' compensation are encouraged to ask their manager(s). Blazing Adventures is happy to provide employees with any information related to workers' compensation and workplace safety. Employee health and safety is a top priority.