

## **Kept-on-Salary Sample Policy**

### **Purpose:**

[COMPANY] supports its employees by minimizing the potential financial hardship stemming from a work-related injury or illness. A Kept-On-Salary (KOS) program ensures employees receive a time-limited compensation bridge between the onset of a work-related injury/illness and their successful return to work.

### **Eligibility:**

This program applies to all employees living and/or working in the state of Washington who experience a work-related injury or illness during the scope of their employment and are unable to return to work at their regular work schedule, either in a light or full-duty capacity.

### **Policy:**

[COMPANY] will provide up to fifteen (15) workdays of KOS pay for any full or partial workdays missed due to an injury or illness sustained during their normal scope of employment. KOS pay is equivalent to the employee's base rate of pay and is offered to offset their normal work schedule. KOS pay does not apply to overtime. KOS pay will be applied beginning the first day the employee is unable to work full-duty and will continue up to 15 consecutive workdays. The continuation of wages may, at [COMPANY]'s sole discretion, be extended beyond 15 workdays upon review and approval by the Human Resources Department.

This is in accordance with the state of Washington's statute allowing employers to KOS an injured employee while the employee is temporarily totally disabled and unable to work (RCW 51.32.090, section 8). Any abuse of this benefit will be addressed in accordance with [COMPANY]'s personnel policies.

Once employees are returned to work in full or light-duty capacity, KOS pay cannot be applied for time missed during scheduled hours for any ongoing treatment or hours missed due to appointments, physical therapy, etc. Once KOS is exhausted, if the employee remains out of work, pay will be subject to Workers Compensation time-loss pay. Holiday, Floating Holiday, Vacation and Paid Absence time cannot be paid in lieu of KOS pay. Employees are required to provide current medical certification usually in the form of an Activity Prescription Form (APF), within 30 days, indicating that they are not released to return to work full duty.

### **Procedure:**

The [local store or region or manager] must notify [Human Resources] as soon as an injury occurs that results in an employee missing a full or partial day of work. Once KOS is applied, the manager should notify the employee and review the policy.

Disclaimer: This KOS sample policy is provided by Washington Retail Services (RS) for members' consideration for adaptation before adoption. This does not represent legal opinion or advice from RS. Consulting with an attorney before adoption is highly recommended.

HR will work with the [local store or region] to ensure that KOS pay is applied appropriately to the timecard. If approval for KOS is received after a pay period close, retro pay will be applied to the next following pay period.

The [Human Resources] will apply KOS time to the employee's timecard utilizing a special pay code [XXXX}. Additionally, a note must be applied to the record stating [*Approved WC Salary Continuation*].