



County Technical Assistance Service

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In Line of Duty Injury Leave

Dear Reader:

The following document was created from the CTAS electronic library known as e-Li. This online library is maintained daily by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other e-Li material.

Sincerely,

The University of Tennessee
County Technical Assistance Service
226 Capitol Blvd. Suite 400
Nashville, TN. 37219
615-532-3555 phone
615-532-3699 fax
ctas@tennessee.edu
www.ctas.tennessee.edu

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In Line of Duty Injury Leave

Reference Number: CTAS-1011

In private industry, on-the-job injuries are governed by the Workers' Compensation Law found at T.C.A. § 50-6-101 *et seq.* The application of this law is mandatory in the private sector. In the public sector, pursuant to T.C.A. § 50-6-106, the General Assembly has allowed counties and municipal corporations to elect whether they want to be covered by the Workers' Compensation Law. The county should have a resolution of the county legislative body and a policy in place stating whether the employer has elected to come under the Workers' Compensation Law, and if not, how leave for these injuries is handled. If the county has elected not to be covered by the Workers' Compensation Law, then the leave policies will need to include more extensive provisions concerning leave for in-line-of-duty injury. The policy needs to address such areas as notice of the injury, injuries not covered, compensation and extended injury leave provisions.

Workers' compensation issues are complex and the county employer should seek the advice of competent legal counsel and risk management experts in determining its policies and procedures with regard to this topic.

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