



NCA 17-043

CLASSIFICATION: #48. WORKER'S COMPENSATION

A LAW OF THE MUSCOGEE (CREEK) NATION AMENDING MCNCA TITLE 48, § 1-106. ENTITLED "Worker's Compensation"

Be it enacted by the National Council of the Muscogee (Creek) Nation:

SECTION ONE. AMENDMENT. This amendment shall be codified in Title 48, Chapter 1 of the Code of Laws of the Muscogee (Creek) Nation; provided that for purposes of codification of said amendment and its inclusion in pocket parts of the Code of Laws of the Muscogee (Creek) Nation, the Attorney General is hereby authorized: (1) to approve any changes related to the manner in which sections, articles, chapters and sub-chapters are designated consistent with the format in the Code of Laws published in 2010 by West Publishing Company; (2) to include footnoted references to the legislative history in said pocket parts to the Code of Laws and (3) to note in said pocket parts any editorial correction of minor clerical or grammatical errors in the following amendment, without further National Council approval:

CHAPTER ONE. GENERAL PROVISIONS

§1-106. Time Limits for Reporting of Incidents and Filing of Claims

A. A Covered Worker shall report to his immediate supervisor, department director, or the personnel manager/human resources director, any incident or accident which causes an on-the-job injury as soon as possible, but in no event later than ten (10) days of the incident. The supervisor, department director, personnel manager or human resources director receiving the report of the incident or accident shall submit the report to the Administrator upon receipt from the Covered Worker.

B. Claims for Occupational Disease shall be made by the Covered Worker to the Administrator within ten (10) days from date of first notice to the claimant by a physician or within 180 calendar days from the date of manifestation of symptoms, whichever is earliest.

C. Failure to give notice of injury to the Employer within the above-stated time limit shall constitute a forfeiture of all benefits by the Covered Worker, or, in case of death, his representatives of all benefits available and payable under this Code.

D. A Covered Worker may elect to not immediately request treatment for an on-the-job injury. However, once the injury or Occupational Disease is

reported to a Covered Worker's immediate supervisor, department director or the personnel manager/human resources director, the Covered Worker must request medical treatment within fourteen (14) days of the date the Injury or Occupational Disease was reported. Failure to request medical treatment during this fourteen (14) day period shall constitute a forfeiture of all benefits by the Covered Worker, or, in the case of death, his representatives of all benefits available and payable under this Code.

SECTION TWO. EFFECTIVE DATE. This Act shall become effective immediately. In the event that any provision of this Code is held to be unconstitutional or unenforceable, all other provisions of this Code shall remain in full force and shall be construed in a manner to effectuate the purpose and intent of this Code.

ENACTED by the Muscogee (Creek) National Council on this 25th day of March, 2017.

IN WITNESS WHEREOF, the Speaker of the Muscogee (Creek) National Council has hereto attached his signature.



Lucian Tiger III, Speaker
National Council
Muscogee (Creek) Nation

CERTIFICATION

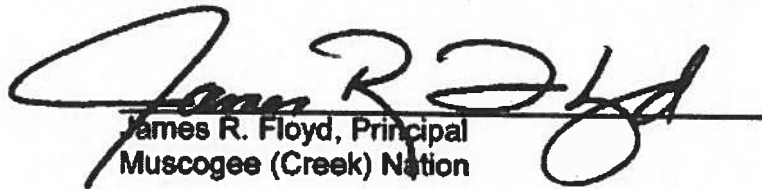
I, the undersigned, certify that the foregoing is a true extract from the minutes of the Muscogee (Creek) National Council comprised of Sixteen members with Fifteen members attending this meeting on the 25th day of March, 2017 and that the above is in conformity with the provisions therein adopted by a vote of 14 in favor, 0 against, and that said Law has not been rescinded or amended in any way and the above is the signature of the Speaker of the National Council.



Kristie A. Sewell, Recording Secretary
Muscogee (Creek) National Council

APPROVAL

I, the Principal Chief of the Muscogee (Creek) Nation, hereby affix my signature on this 29th day of March, 2017 to the above Law, NCA 17-043 authorizing it to become a Law under Article VI., Section VI., of the Constitution of the Muscogee (Creek) Nation.


James R. Floyd, Principal
Muscogee (Creek) Nation

