

# Return-to-Work Program

August 2018

## PURPOSE

The purpose of this policy is to provide meaningful work activity for employees who are temporarily unable to perform all, or portions, of their regular work assignments or duties due to work related injuries or illness. The goal is to allow valued employees to return to productive, regular work as quickly as possible. By providing temporary transitional or modified work activity, injured employees remain an active and vital part of the school district.

## SCOPE

All active employees who become temporarily unable to perform their regular job duties due to a compensable work related injury or illness may be eligible for transitory or modified work duties within the provisions of this program. Modified work duties may be in the form of:

- Modifications within the scope of the employee's current position that accommodate the work restrictions as prescribed by the Workers' Compensation treating physician
- Other available jobs for which the employee qualifies outside the scope of his or her current position that accommodate the work restrictions as prescribed by the Workers' Compensation treating physician

## DEFINITIONS

**Transitional duty** is a therapeutic tool used to accelerate injured employees' return to work by addressing the physical, emotional, attitudinal and environmental factors that otherwise inhibit a prompt return to work. These assignments are meant to be temporary and may not last longer than 120 days beyond maximum medical improvement.

**Modified duty** is within the regular job designed to accommodate the specific prescribed work restrictions and may not last longer 120 days.

**Light duty, restricted duty, temporary duty** elsewhere are examples of different terminology often used to imply transitional duty or modified duty as described within the Return To Work policy.

**Maximum medical improvement (MMI)** as determined by the Workers' Compensation treating physician is the point at which the employee's medical condition has been stabilized.

## APPLICABILITY

### Length of Duty

If work is available that meets the limitations or restrictions set forth by the employee's attending practitioner, that employee may be assigned transitional or modified work for a period not to exceed 120 days beyond maximum medical improvement. Transitional or modified light duty is a temporary program, and an employee's eligibility in these reduced assignments will be based strictly on medical documentation and recovery progress.

### Daily Application

- An employee's limitations and restrictions are effective 24 hours a day. Any employee who fails to follow work restrictions as prescribed by the Workers' Compensation treating physician may cause a delay in healing or may further aggravate the condition. Employees who disregard their established work restrictions as prescribed by the Workers' Compensation treating physician, whether they are at work or not, may be subject to disciplinary action up to and including termination.

### Qualification

Transitional or modified duty will be available to all employees on a fair and equitable basis with temporary assignments based on skill and abilities.

## RESPONSIBILITIES

The following responsibilities apply to various levels within the company.

**Senior management** will ensure the policy's enforcement among all levels and will actively promote and support this policy and the Return to Work Program.

**Supervisors** will support the employee's return to work by identifying appropriate modified assignments and ensuring the employee does not exceed the physician's set restrictions. Supervisors will also stay in regular contact with absent employees and communicate

attendance expectations clearly. They are also responsible for reporting any problems with employees and this policy to the Workers' Compensation office. Temporary supervisors provide direct supervision while an employee is assigned to transitional duty in their department in accordance with all other District policy.

**Injured workers** will notify their supervisor in a timely manner when their condition requires an absence. They will closely follow their physician's medical treatment plan and actively participate in the Return to Work Program, which includes following all the guidelines of this policy. Injured employees will also help supervisors identify potential options for transitional duties that they discover. While supervisors are responsible for maintaining constant communication with the injured employee, the worker also has the obligation to maintain contact with their regular supervisor and the temporary supervisor about their condition and status. The injured worker will complete all the required paperwork in a timely manner. All other District policy remain in effect.

**Workers' Compensation program staff** will be trained in understanding the physical and psychosocial aspects of disability and will also understand the nuances of the Return to Work Program, policies and all associated forms. They will provide program leadership by facilitating communication between employees, supervisors, medical providers and insurance adjusters as applicable. Program staff will also facilitate the temporary work assignments and assist supervisors with on-site problem solving.

## PROCEDURE

### Work Schedule

The Return to Work program will do everything in its power to tailor the restricted work schedule to the injured employee's normal, pre-condition work schedule. However, depending on the job limitations, it may be necessary for the employee to take on a specifically designed, temporary schedule to accommodate these restrictions. Modified work schedules will be communicated to the employee and their supervisor(s).

### Payment of Wages

If qualified authorities determine an employee's injury is work related, the school District will pay benefits and wages in accordance with the state workers' compensation statute.

Employees performing transitional job duties or modified duty (during the first 120 days of workers' compensation) will receive payment for hours worked in accordance with the established salary schedule and calendar for regular duties as it would apply per District policy for normal, non-restricted or nonmodified duty.

All other employee terms and condition remain in effect.

### Communication Expectations

If an employee is unable to work in any capacity for any reason, District policy and procedures remain in effect. Employees are required to stay in constant communication with their supervisors regarding their work status. Failure to do so may result in a reduction in available Workers' Compensation benefits and discipline up to and including termination.

### Medical Appointments

Appointments shall be scheduled that do not interfere with working hours as required for normal non-restricted or modified duty. Non-emergency medical appointments shall be scheduled in advance with the approval of their temporary or permanent supervisors as it would apply for normal, non-restricted or modified duty. Non-emergency medical appointments not scheduled in advance may be cause for denial of time off.

All Workers' Compensation medical appointments, treatment, testing and prescriptions must be authorized in advance by a member of the Workers' Compensation program staff. Payment of unauthorized services will be the responsibility of the employee.

The employee's authorized provider must complete the Work Status report for each treatment rendered and submit the completed form to the Workers' Compensation office. It is the employee's responsibility to inform their immediate supervisor of their work status after each service is received. Reports may be emailed to the Workers' Compensation office at [Dist.CO.WorkersCompClaims@indianriverschools.org](mailto:Dist.CO.WorkersCompClaims@indianriverschools.org). A convenient link can be found on the Risk Management page of the District web site.

### Employee Procedures

1. In the event of a work related injury or illness, report it to your supervisor immediately, or no later than the end of the shift on which the injury occurs adhering to district policy 8442 On-the-Job Injury and 1160 Emergency Treatment and Board-Ordered Physical examinations.
2. Complete and sign a First Report of Injury Form.

3. Attend medical appointments as scheduled in accordance with the prescribed treatment plan.
4. Provide copies of all medical treatment documents to the Workers' Compensation office immediately following each service received.
5. It is the employee's responsibility to inform their immediate supervisor of their work status after each service is received.
6. The employee must work within the physician ordered work restrictions. They cannot modify the work without the authorization of their Workers' Compensation physician.
7. Participate in the Return to Work Program while your physician and supervisor continuously review your condition.

### **REFUSAL TO PARTICIPATE**

If an employee cannot return to their regular job but can perform transitional duty, they must accept the transitional duty assignment. Employees who choose not to participate in the Return to Work Program or follow all regulations in this Return to Work Policy, may become ineligible for Workers' Compensation benefits and, in some cases, refusal to participate may be a basis for termination.

# Return-to- Work Flow Chart

