



<b>EMPLOYEE MANUAL</b>	
Title: <b>RETURN TO WORK POLICY</b>	
Policy No.: 34.0	Section Nos.: 34.0 – 34.2
Approval Date:	Effective Date: January 2018
Approved By: Board of Directors	

### **34.0 RETURN TO WORK POLICY**

The Agency recognizes that employees are central to the organization. The Agency seeks to continue employees in a position of value where possible, even when an employee is on medical restrictions stemming from an injury that may affect his/her non-essential duties. A Return to Work (RTW) Program is a proven essential cost containment element of the Agency’s overall Risk Management Program. In conjunction with the Safety Program, it is an effective tool in returning employees to productive work in the shortest time possible, while ensuring safety, maintaining high morale, and keeping costs to a minimum.

The Agency will make every reasonable effort to make transitional work available to those who have been injured on the job. Off the job, injuries will be provided transitional work when reasonable to accommodate medical restrictions. Transitional work may not be provided where the creation of the work creates an undue hardship on the Agency.

Transitional duty is a temporary accommodation and does not vest the employee with permanent rights to the assigned transitional duties.

#### **34.1 Statement of Purpose**

It is the Agency’s goal to bring an employee back to work in a useful capacity as soon as possible following an injury. The Agency supports transitional duty, where possible, from the positive point of view that employees want to work. Each employee should recognize that this program is set up as a benefit for him or her.

If an employee is injured the Agency will engage with the employee, seek employee input, and look at ways to safely bring the employee back to work as soon as the doctor determines that he/she is medically ready. While it is ideal for the employee to return to work without restrictions, where restrictions are present the Agency will consider temporary modifications to the employee’s job duties or work hours to accommodate recovery.

#### **34.2 General Policy/Procedure**

##### **34.2.1 Return to Work (RTW) Team**

The Agency established an internal Return to Work (RTW) Team to facilitate this program. This team will consist of Human Resources personnel, Supervisors, and Safety personnel.

Human Resources will act as the first liaison between the employee, supervisor, medical provider, and the insurance claims representative (if workers’ compensation is involved). The RTW Team will engage in the interactive process with the employee and solicit input on the scope of applicable restrictions and possible accommodations.



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**34.2.2 Modified Duty Accommodations**

In many cases, medical advisements will require the employee to be away from work. However, where modified duty is possible, the Agency will consider the following:

1. The first priority will be the safety of the employee and co-workers. In no case will an employee be returned to work where his/her medical restrictions would pose a safety risk to the employee, co-workers, or the public.
2. Where safe and possible without the creation of an undue hardship on the Agency, modified duty will be offered to the employee. Building on existing work experience and working relationships avoids adding stresses of adjusting to new tasks and surroundings. Where possible without the creation of an undue hardship, job or work site modifications may include a temporarily reduced work schedule, changed duties, trading heavier parts of the job with co-workers, altering the way duties are performed, making physical changes in the workstation, and providing the employee with specialized tools or adaptive devices. The duties will be flexible so that they can be easily altered to meet the requirements of the employee’s medical program and the Agency’s internal needs. All possible modifications will be considered. Reasonable modifications will be provided when necessary. The location of modified duty will be subject to the following order:
  - a) The Agency will endeavor to return the employee to the same job, if possible, based on the medical restrictions, as prescribed by the treating physician.
  - b) If return to the same job is not possible, the returned employee will be considered for modified work first within the same department.
  - c) If return to the same department is not possible, the employee may be returned to work in a different department. Transferable employment skills will be emphasized and on-the-job training will be provided to supplement these skills.
3. As a last alternative, where no safe and reasonable modified duty is available, the employee may be granted additional medical or discretionary leave to accommodate recovery.

The RTW Program is designed to accommodate temporary disability. The time in the program should typically not exceed 90 calendar days. As healing occurs, the employee’s work duties will be changed and frequently modified to reflect increased work capacity of the recovering employee, as dictated by the physician’s restrictions.



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For workers' compensation claims, if the employee is not going to reach full duty within the 90 calendar-day period, the RTW Team will work with the JPIA Claims representative and the medical provider on an alternative plan of action. In the case of a non-industrial claim or disability, the team will contact the doctor to discuss an alternative plan of action.

Transitional duty is a temporary accommodation and does not vest the employee with permanent rights to the assigned transitional duties.

**34.2.3 Designated Industrial Medical Provider for on the Job injuries/illnesses**

When an injury occurs, the employee must visit the Agency's local designated industrial medical clinic. The clinic provides first aid and treatment to injured employees. Depending the seriousness of the injury, the supervisor or his/her designee may need to drive the employee to the Agency's medical clinic.

The RTW Team will assure that the medical clinic has a copy of the employee's job description. For workers' compensation, the RTW Team will discuss with the medical provider the RTW Program and what modifications can be made to accommodate the restrictions.

**34.2.4 Employee Eligibility**

All regular employees are eligible to participate in the RTW Program. Temporary staffing Agency workers are not covered under this program, as it is the staffing Agency's obligation to cover their employee.

**34.2.5 Monitoring an Injury/Illness**

The RTW Team will give the injured/ill worker all the pertinent forms and information, as well as reviewing with the employee their responsibilities for the RTW Program.

If an employee is not returned to full or modified duty immediately, the RTW Team collaborates with the clinic and medical provider to receive a Physician's Report / Employee Work Status form that lists any restrictions that could be imposed that might allow the worker to return. The RTW Team discusses and determines what modifications can be made to meet the doctor's restrictions. A Fitness for Duty Exam may be warranted.



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### **34.2.6 Management Responsibilities**

1. The Management Team plays an essential role in helping an injured or ill employee transition back to work and will be held accountable for the effective implementation of the RTW Program.
2. If an injured worker is not released to return to full or modified duty, the supervisor should let the employee know that they are missed and that they are looking for the employee's early recovery and quick return.
3. The injured employee's supervisor works with Human Resources to determine modified duty when the employee returns with restrictions from the doctor.
4. It is the supervisor's responsibility to ensure the employee is following the restrictions and directions provided. If they are not, then appropriate action will be taken after consultation with the RTW Team.
5. A **Transitional Duty Assignment Form** (DMS # 161461) will be completed and signed by the employee, supervisor, and Human Resources.

### **34.2.7 Employee Responsibilities**

1. New hires will be informed of the RTW Program at the time of their Employee Orientation.
2. All employees will be held accountable for providing assistance with the RTW Program if called upon and required to provide a collective effort to the success of this program.
3. If the medical provider releases the employee to full duty with no restrictions, the employee will provide a physician's form to his supervisor and then return to full duty.
4. If the employee is not released to return to work, it is the employee's responsibility to attend each scheduled doctor's appointment.
5. If the doctor releases the employee with restrictions, the employee will then participate in a discussion meeting with his or her supervisor and Human



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Resources regarding how the employee’s job duties will be modified to meet the restrictions imposed by the doctor.

6. It is the employee’s responsibilities to work within the physical limitations set by the physician at all times, and perform only those temporary duties assigned to the employee by their supervisor.
7. The employee should advise his/her supervisor if having difficulties performing the assigned tasks and inform the supervisor if must miss work for a medical appointment. Every effort must be made to schedule medical appointments at the beginning, end, or outside of employee work schedule to minimize the disruption.
8. On future visits to the doctor, the employee must ensure that the supervisor is advised of any changes in your work restrictions.