

POLICY FOR RETURN TO WORK

Policy for Return to work after absences due to workers comp or Family Medical Leave for Nunez Community College

This policy applies to all persons having an employment relationship with Nunez Community College.

Purpose

Nunez Community College considers all employees to be our most valuable resource. It is the college's position that employees who have been absent due to illness or injury, whether occurring on the job or away from the workplace, shall have the right to return to work at Nunez Community College upon the recommendation of their health care providers as long as they are able to perform the essential functions of the job they held prior to their absence or the essential functions of an alternative duty position. The purpose of this policy is to ensure that each employee's return to work rights are protected as much as allowable under applicable state and federal laws and guidelines.

Definitions

1. Alternative duty: duties assigned to a person returning to work from workers comp leave or family medical leave, upon recommendation of the health care provider for light duty or restricted duty.
2. Family Medical Leave: leave accorded to employees who have been employed for 12 months or longer at Nunez Community College for a variety of personal and family health care needs (see Employee Handbook for further definition)
3. Workers compensation: a legal remedy for employees injured on the job; such employee is automatically entitled to certain benefits which can include disability compensation, rehabilitation services, medical care, and death benefits.
4. Health care provider: any one of the following: doctor of medicine or osteopathy, podiatrist, dentist, clinical psychologist or clinical social worker, optometrist, chiropractor, nurse practitioner who is licensed, nurse midwife who is licensed, Christian Science practitioner listed with the First Church of Christ, Scientist in Boston.
5. Reasonable accommodation: an accommodation that poses no financial or other hardship to the college which is accorded an employee to assist them in performing the essential functions of the job to which he/she is assigned.
6. Detailed assignment: classified employees may be "detailed" into another civil service classified assignment for up to 6 months as an alternative duty upon return to work.

Management Responsibilities

1. Each department shall develop and give to Human Resources a list of alternative duty jobs that will allow employees returning to work to continue to work in their department if at all possible. This list will include job descriptions and physical requirements of each position. Positions are to be classified as "Alternative Duty

Positions." These positions may currently exist in the department, or they may be created and then held in abeyance until such needs occur. A list of these positions by department may be found in Appendix A to this policy.

2. All requests for alternative duty will be handled as confidentially as possible, and all medical records will be kept separate and apart from any other personnel records.
3. Human Resources will work as the return to work coordinator in order to facilitate the employee's return to full duty in a timely manner. The coordinator will serve as liaison between the employee, the health care provider, and the supervisor as needed to provide interpretations of work restrictions, college needs, and ability of the employee to return to full duty.

Employee Responsibilities

1. The employee should promptly report any injury or illness that occurs at work so that there are no missed benefits under workers comp. The employee should notify his/her supervisor or human resources as soon as possible after the occurrence of the injury or illness.
2. The employee must provide certification from the health care provider that he/she is eligible to return to work.
3. If light or restricted duty is deemed necessary by the health care provider, it is the employee's responsibility to provide certification from the health care provider that alternative duty is needed in order to return to work.
4. The employee should follow established college procedures to request a reasonable accommodation, if that is needed in place of alternative duty.

Procedures

1. Before returning to work, the employee should contact Human Resources that he/she has obtained permission from the health care provider to return to work. If the health care provider recommends alternative duty, a written certification from the health care provider should state this and should give an approximate date for the alternative duty to end.
2. Human Resources will arrange a meeting with the employee and the supervisor to discuss alternative duty positions.
3. Once an alternative duty position has been agreed upon by all parties, Human Resources will follow personnel procedures to place that employee in that position for a predetermined period of time (not to exceed 6 months).
4. Should there be a disagreement between parties about assignment of alternative duty, the employee may be offered an alternative duty position in another department, with the agreement of the supervisor of the receiving department. This will be used only in cases where mediation between all parties fails to place the employee back into his/her original department.
5. At the end of the predetermined period of time, Human Resources will arrange a meeting with the employee and the supervisor in order to discuss return to full duty. Any extension of alternative duty will be decided on an individual basis, and may involve medical evaluation of the employee by a health care provider selected by the college at college expense.

6. Employees who are dissatisfied with the decisions of supervisors and the college regarding alternative duty assignments may follow normal college grievance procedures as outlined in the Employee Handbook.

Appendix A: Alternative Duty Jobs by Department

Chancellor's Office

Academic Affairs

Student Affairs

Institutional Advancement

Business Affairs

Arts and Humanities

Business and Technology

Health and Natural Sciences

Library Services

Facilities