Policy # HR 6.005

Transitional Return to Work Policy

Authority: Executive Cabinet	Effective Date	05/12/2016
	Last Revision:	02/20/2020

PURPOSE:

The health and well being of all employees is of great importance to Fletcher Technical Community College. It is well documented that injuries affect the whole person and that effective rehabilitation and treatment includes keeping physically and mentally active within the restrictions of the particular injury. Fletcher will make every effort to help employees maximize their healing and facilitate their early return to work.

The transitional return to work policy is to facilitate the early return to work of injured workers who have been released to return to work by their treating physician. Injured workers should be returned to gainful employment as soon as medically possible after a job-related injury or illness.

This policy is an update to the Workers' Compensation Early Return-to-Work Policy in the Fletcher Safety Manual.

POLICY:

Fletcher will make reasonable effort to return to the workplace those classified and unclassified employees of Fletcher who have sustained job-related injuries or illness, and, as a result, are temporarily prevented from returning to their full former employment.

To return an employee to the workplace, Fletcher will make reasonable efforts to place the returning employee into a meaningful assignment, which they can perform while on light or limited duty on a temporary basis.

The Return-to-Work Program uses a "team" approach. The team includes the Fletcher Human Resources Staff, Safety personnel, management representatives, Office of Risk Management's (ORM) third party administrator (TPA) staff, vocational rehabilitation counselor if needed and the immediate Supervisor of the employee being considered for the Return-to-Work Program. The return to work team will be responsible for reviewing all cases of employees covered under this policy.

Applicability:

To be eligible for the Return-to-Work Program, an employee must be off work as a result of work related injuries, illnesses, or diseases; and be receiving Workers'

Compensation benefits.

A successful transitional return-to-work plan shall be based on medical prognosis and recovery. Transitional work shall be available **until an employee is able to resume full duty employment or up to one year**. Unforeseen medical issues shall be referred to the ORM's TPA vocational rehabilitation counselor.

An employee who refuses to return to "transitional" duty for which they were medically cleared will be reported to ORM for appropriate action.

Plan Implementation

- Review the Return to Work program with existing employees annually
- Review the Return to Work program with all new hires during the new hire orientation

Reporting a Work Related Accident Illness

Once an injury/illness is reported by an employee, Fletcher will:

- Report work related injuries or illnesses **immediately** via the TPA's claims system
- Provide employee with a Physicians' Modified Work Information Sheet to provide to the treating physician
- Refer the injured employee to the occupational medical clinic chosen for the agency
- Allow the injured employee to seek treatment with a physician of choice

TRANSITIONAL RETURN-TO-WORK TEAM

Fletcher shall have a transitional return-to-work team to review all lost time workers' compensation employees under its authority.

Team scope

- Complete transitional return-to-work plans
- Review of job modifications
- Job tasking
- Task identification
- Comply with the state's requirement for a transitional return-to-work plan
- Oversight of plans
- Facilitate success of plans
- Report transitional return-to-work program results

Team Composition

- Human resources staff
- Immediate supervisor
- Safety personnel
- Management representatives
- Claim adjuster for ORM TPA
- ORM TPA RTW Coordinator
- ORM TPA Vocational Rehabilitation Counselor as needed

Return to Work Coordinator

The agency designated RTW coordinator is the Human Resources Staff. The RTW coordinator is the primary contact for employees and outside agencies on matters related to

disability management and return to work planning. This includes but is not limited to:

- Responsible for the overall coordination and day-to-day administration of the disability management program
- Develop, facilitate and monitor return-to-work program
- Develop and facilitate accommodations
- Work with the employee and the employer to facilitate RTW programs
- Monitor RTW plan and provide progress reports to appropriate individuals

Frequency of Team Meetings

The Transitional Return to Work team shall meet bi-weekly or monthly or when an employee is injured and/or there is a change in the injured employee's medical status based on the following:

- Size of the agency
- Number of lost time claims

Team meetings are not necessary if there are no active lost time claims.

PRE-ACCIDENT JOB TASKING

Job tasking is the process of detailing each specific job task performed in a position to ensure injured workers are returned to a safe work environment.

- Job tasking should begin before the accident occurs or once an injury has occurred that leads to lost time.
- Complete job tasking for each position of injury that results in lost time
- Consult with first-line supervisors to ensure employees will not be worked outside of restrictions placed by the treating physician.
- There is no need for repetition of job tasking with each new occurrence
- Compile a master list of transitional tasks for each position
- Maintain a file of job tasks for each position for which a lost-time claim has occurred

Accommodation Types

Modification of job tasks, equipment or schedules in accordance with Civil Service provisions as outlined in the HR Managers' Handbook that is maintained on the Civil Service website, or until the injured worker can return to full duty, whichever comes first.

Accommodations may include, but are not limited to:

- Modified Work – Includes modification to the job tasks, functions, hours of work, frequency of breaks, worksite, or any combination of these.
- Alternate Work – Different from the employee's pre-injury job or illness offered to a worker who is temporarily or permanently unable to perform their pre-injury work.
- Transitional Work – A group of tasks or specific jobs that can be performed until the worker is capable of returning to full pre-injury duties.
- Agencies are not expected to create a position for Transitional Return to Work.

TRANSITIONAL RETURN TO WORK PROCESS

A transitional return to work plan should be completed with the supervisor of the injured employee and a representative from the return-to-work team to include:

- Specific job tasks identified,
- Hours to be worked,
- Duty assignment,

- Physical restrictions,

The plan shall be reviewed and approved by each member of the team.

Eligibility for Return to Work

When reviewing an individual worker's eligibility for return to work options, the following criteria should be followed:

- Assess the job task of the worker's pre-injury position.
- Identify transitional tasks that can be performed with the employee's current physical restrictions.
- Review other services or tasks that can be performed which would improve the overall function of the agency.
- Review tasks that can be performed that would return an employee to gainful employment.
- The ORM's TPA will be available to identify transitional return to work tasks if needed.

Before the Return to Work

- The agency will hold a return to work meeting with the employee to review the plan before the employee returns to work.
- Once the meeting has taken place, an offer of transitional duty employment shall be made to the injured employee in writing.
- If the injured employee is represented by counsel, the notice shall be sent to the employee via counsel.

Agency Responsibility

- Provide a good detailed job description that includes the physical demands and essential functions of the job
- Treat the injured worker with dignity and respect
- Reflect the State values and guiding principles- create a positive atmosphere where the employee knows they are valued
- Promote an open, cooperative process including maintaining regular contact with the employee
- Work with the RTW Coordinator to develop suitable RTW plan for the employee and stay within the outlined abilities/limitations
- Monitor the progress of the employee through the RTW plan and involve the RTW Coordinator if there are any changes in circumstances
- Promote and enforce safe work practices
- Visibly support the RTW program
- Ensure a work environment that is conducive for a successful RTW program

The Return to Work Offer

The offer of transitional return to work employment shall include the following:

- Offer must be made in writing
- Certified mail return receipt request or electronic mail
- A specific return to work date and time
- Duty assignment
- Who to report to
- The employing agency shall provide transitional employment for up to one year utilizing Civil Service's Special Detail provisions as outlined in the HR Managers'

Handbook that is maintained on the Civil Service website, or until the injured worker can medically return to full duty, whichever comes first.

Employee Responsibility

- Return the Physician's Modified Information Sheet to immediate supervisor within 24 hours of receipt of the signed form from the treating physician.
- Accept/Decline the transitional return to work offer.
- Report to work as requested in the return to work offer letter.
- Work within the restrictions provided by the physician.
- Comply with medical treatment and keep all scheduled medical appointments.
- Advise the immediate supervisor and ORM's TPA RTW Coordinator if the transitional work is physically too difficult.

Supervisor/Department Head Responsibility

- Inform employees of section work rules and practices.
- Assist HR when appropriate, find or develop modified work for employee, with medical restrictions.
- Assist HR with modified duty assignment for the injured/ill employee.
- Determine specific job tasks and suggest appropriate job modifications.
- Concentrate on returning the employee to work activities that are based on physical limitations and transferable skills.

Safety Coordinator Responsibility

- Report the injury/illness to HR
- Report the injury/illness immediately or no later than 48 hours using the TPA's claim system.
- Maintain contact with ORM.
- Maintain injury records and history.
- Make safety recommendations when necessary.
- Review injury data and analyze to spot trends on injuries and accidents.
- Develop and implement employee safety training programs.
- Act as liaison for all interested parties.
- Assist in planning safety training for Fletcher.

Human Resources Staff Responsibility

- Provide the employee with a Physicians' Modified Work Information Sheet to give to the treating physician.
- Inform the injured employee of occupational medical clinics chosen by the agency.
- Allow the injured employee to seek treatment with a physician of choice.
- Inform the injured worker of benefit options, rights, and responsibilities.
- Maintain contact with the injured worker.
- Responsible for the overall coordination and day-to-day operation of the disability management program.
- Develop, facilitate and monitor return to work program and provide progress reports to appropriate individuals.
- Meet with the supervisor to determine specific job tasks and suggest appropriate job modifications.
- Concentrate on returning the employee to work activities that are based on physical limitations and transferable skills.
- Assist with developing and facilitating accommodations.

- Facilitate all case management activities.
- Maintain contact with ORM.
- Record college's transitional duty activity monthly on the Transitional Duty Employment Audit Form - DA WC4000. (Attachment A)

After the Employee Has Returned to Work

The agency shall not require the employee to perform tasks that have been prohibited by the treating physician when the employee returns to work on a transitional return to work plan.

- Evaluate the plan every 30 days to assess the employee's ability to return to full duty.
- The ORM's TPA will be responsible for communications with medical personnel.

TERMINATION OF EMPLOYMENT

An agency should notify the ORM's TPA if a person is at risk of termination due to exhaustion of sick leave.

Agencies should:

- Maintain documentation of failed transitional return to work employment.
- Maintain documentation of efforts made to identify transitional return to work tasks.
- Maintain documentation of barriers in identifying transitional return to work.
- Documentation shall include evidence that transitional return to work tasks could not be identified, if applicable.
- Notify the RTW Coordinator for the ORM's TPA when an injured worker is removed from work or the accommodations are no longer available.

DISTRIBUTION: Electronically via College's email and website

APPROVAL:

Reviewing Council/Entity	Approval Date
College Council	02/17/2020
Executive Cabinet	02/20/2020