

TITLE: Return-To-Work Policy

Worker's Compensation Early Return-To-Work

Consistent with the general intent of Senate Concurrent Resolution 50 of the 1997 Regular Legislative Session, Senate Bill 689 of the 1999 Regular Legislative Session, Office of Risk Management and Civil Service Rules regarding Return-to-Work Policy for employees on Worker's Compensation, Sowela Technical Community College will make reasonable effort to return to the workplace those classified and unclassified employees of Sowela 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, Sowela will make reasonable efforts to place the returning employee into a meaningful assignment, which he/she can perform while on light or limited duty on a temporary basis. For injuries or illnesses that occur off the job when the employee returns after an absence of ten or more working days this policy shall apply. If the injury or illness constitutes a disability, Department policies regarding reasonable accommodations may apply. The Americans with Disabilities Act (ADA) Coordinator, is available for general information and assistance to the sections in making determinations on accommodations.

Policy Reference: Senate Concurrent Resolution 50 of the 1997 Regular Legislative Session Senate Bill 689 of the 1999 Regular Legislative Session Office of Risk Management Civil Service Rules Return-to-Work Policy for Employees on Worker's Compensation

Review Process:

Distribution: Distributed Electronically via College's Intranet
Hard Copy Distribution to Vice Chancellors/Provosts

SIGNATURE

Dr. Andrea Miller, Chancellor.



Sowela
TECHNICAL COMMUNITY COLLEGE
www.sowela.edu

TITLE: Return-To-Work Policy

EFFECTIVE DATE: November 14, 2006

LAST REVISION: October 26, 2007

Policy No. 6.032.1

Title: Worker's Compensation Early Return-To-Work

PURPOSE

The health and well being of all employees is of great importance to Sowela 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. Sowela Technical Community College will make every effort to help employees maximize their healing and facilitate their early return to work.

The return to work policy is economically beneficial to Sowela Technical Community College, the state of Louisiana, and employees in regaining the economic, health, and emotional benefits of full employment.

POLICY

Consistent with the general intent of the Senate Concurrent Resolution 50 of the 1997 Regular Legislative Session, Senate Bill 689 of the 1999 Regular Legislative Session, Office of Risk Management and Civil Service Rules regarding Return-to-Work Policy for employees on Worker's Compensation, Sowela will make reasonable effort to return to the workplace those classified and unclassified employees of Sowela 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, Sowela will make reasonable efforts to place the returning employee into a meaningful assignment, which he/she can perform while on light or limited duty on a temporary basis. For injuries or illnesses that occur off the job when the employee returns after an absence of ten or more working days this policy shall apply. If the injury or illness constitutes a disability, Department policies regarding reasonable accommodations may apply. The Americans with Disabilities Act (ADA) Coordinator, is available for general information and assistance to the sections in making determinations on accommodations.

SCOPE

Office of Risk Management (ORM) has the responsibility for the administration of claims for medical and disability benefits to employees who are injured on the job and the coordination of the early return-to-work program, including light duty or alternate duty assignments. ORM will work in close cooperation with the Human Resource office and section administrators (or designee). ORM will provide the treating physician with a copy of the job functions and physical requirements identified as the "transitional" duty assignment. Once the treating physician confirms that the employee is capable of performing the "transitional" duty function, the employee may be allowed to return to work on a transitional duty assignment.

The Return-to-Work Program uses a "team" approach. The team must include the Sowela Human Resources Director or designee, safety coordinator, program coordinator, the Office of Risk Management

representative, and the supervisor of the employee being considered for the Return-to-Work Program. The objective of the “team” is to return the injured employee to productive work as quickly as possible. The return-to-work team will be responsible for reviewing all cases of employees who are off duty as a result of work related injuries, illnesses and diseases, and who are referred by the Office of Risk Management representative as suitable for “transitional” duties.

The Return-to-Work Team shall identify job functions and physical requirements that can be considered “transitional” duties in the work environment. An effort will be made to place the employee in his/her original work unit, however, if this is not possible, the team will recommend a suitable work area and work schedule. The appointing authority of the college in which the “transitional” duty assignment is identified must approve the proposed placement prior to further action being taken. The return-to-work team will review the “transitional” work plan every 30 days to determine if the employee is still in transition based on the physician’s recommendation.

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; be receiving Workers’ Compensation; and have the treating physician’s approval to return to transitional/light duty or work. For injuries or illnesses that occur off the job when the employee returns after an absence of ten or more working days this policy shall apply. An employee who refuses to return to “transitional” duty for which they were medically cleared will be reported to the Office of Risk Management for appropriate action.

CIVIL SERVICE RULES

Classified Employees

Civil Service rules, as delineated in General Circular Number 001290 and outlined below, shall govern personnel actions for classified employees accepting “transitional” duty assignments:

- Employees may be detailed to special duty, with Civil Service approval, for a period not to exceed six months (usual time required for an employee to remain on Workers’ Compensation). No extension of this type of detail shall be authorized.
- The detail to special duty may be a lateral or downward. This type of detail will generally receive rapid approval.
- Details to a higher position will be allowed and approved on a case-by-case basis, when justified.
- The employees’ pay cannot be reduced.
- Unclassified employees accepting “transitional” duty assignments will be detailed to special duty for a period not to exceed six months. The detail must be approved by the Chancellor with ratification by the LCTCS Board of Supervisors. The employees’ pay cannot be reduced during this detail to special duty.

CASE MANAGEMENT TEAM RESPONSIBILITIES

The initial consideration for returning an employee to work will be made by the employing section. In most cases, the employee’s own section should be able to find a suitable fit. However, where the employing section cannot make a suitable fit or cannot return the employee to work, a case management team will play a role in helping injured employees during the healing process. The Sowela Technical Community College case management team will consist of the following members, with their respective duties:

Injured Employee

- Report injury immediately to supervisor;
- Complete all needed paperwork as soon as possible;
- Follow Sowela rules and practices;

- Maintain contact with supervisor;
- Provide regular updates, at least bi-monthly, with reports on status of ability to return to the supervisor;
- Return to offered modified duty (if any) which is within medical restrictions (if any) as set by the treating physician.

Supervisor/Department Head

- Initiate medical treatment for injured employee when necessary;
- Inform employees of section work rules and practices;
- When appropriate, find or develop modified work for employee, with medical restrictions;
- Identify and offer modified duty assignment to the injured 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 and Human Resource Staff

- Facilitate all case management activities;
- Review all forms for full completion by correct persons
- Conduct investigation and correct hazard(s);
- Maintain contact with the injured worker and the Human Resource/Safety Analyst;
- Report the injury and complete all needed paperwork as soon as possible;
- Inform the injured worker of benefit options, rights, and responsibilities;
- Maintain contact with Office of Risk Management
- Assist in the development of modified duty assignments;
- Maintain injury records and history.
- Make safety recommendations when necessary.
- Review injury data and analyzes to spot trends on injuries and accidents;
- Develop and implement employee safety training programs;
- Act as liaison for all interested parties;
- 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 in planning safety training for the Sowela

RETURN-TO-WORK

Certification

Following receipt by the employer of a physician's certification indicating that the employee may return to work, the employee's section shall examine alternatives. The certification may or may not suggest that restrictions be placed on the employee's return and may or may not indicate whether the restrictions are temporary or permanent.

Upon receipt, the employee's supervisor, section administrator, Human Resource Staff, and Safety Coordinator will review the physician's certification to determine whether it indicates any restrictions. They will then assess how such restrictions are likely to impact the employee's ability to perform his or her duties. If a question exists as to such ability; the employee's section (with assistance from the Human Resource Staff if needed) will communicate with the employee's physician. This communication will include:

- A letter requesting the medical facts to support the doctor's certification of the employee's restrictions and a medical prognosis as to the duration such restrictions and a medical prognosis as to the duration such restrictions will apply;

- A copy of the employee's Position Description;
- A statement indicating the extent of physical and/or emotional demands normally encountered by this or other similarly situated employees in the performance of their work, such as bending, lifting, climbing stairs, pushing, pulling, walking, handling of heavy items, deadline demands, high-volume public contact, etc.

STIPULATIONS

The employer reserves the right to obtain a second medical opinion on the employee's condition at the employer's expense.

Upon receipt of any additional information regarding the restrictions from the employee's and/or the employer's physician, the employee's supervisor, section administrator and the Human Resource Office will determine whether the employee can:

- Return to a full work load and schedule without modification of duties;
- Return to a full work load and schedule with temporary (six months or less) or permanent modification of duties;
- Return to work at a less-than-full schedule temporarily, but without modification of duties;
- Return to work at less-than-full schedule temporarily, with temporary (six months or less) or permanent modification of duties; or
- Return to work in a different position for a limited period of time, not to exceed six months.

This analysis will be done with the assistance of the Human Resource Staff, if needed, and is necessary to determine whether an appropriate position is available.

Any temporary change in schedule or duties is to last for a period not to exceed six months. At the six-month limit, an assessment by the Case Management Team is required.

If the employee's supervisor and section administrator determine that modifications in hours or duties are necessary, it will then be determined whether the employee's job can be altered or whether a temporary or permanent reassignment can be made so as to return the employee to work. Among others, consideration will be given to:

- The severity of the employee's condition and the extent to which his or her ability to work is impaired;
- Whether the employee's condition is temporary or permanent, and if temporary, for what duration it is expected to continue;
- The extent to which regular job duties or hours may be temporarily or permanently altered to permit the employee to return;
- The impact of any alteration in hours or duties on the productivity, workload, or work environment of other employees;
- The availability of alternative work assignments.

If the employee's section decides to implement an accommodation, it must notify the Human Resource Office of the nature of such accommodation. The Human Resource Staff will address any issues regarding any classification concerns, etc. In finding or developing a modified duty position, the following should be considered:

- Remember to take a positive approach and focus on what the employee can do rather than tasks she/he cannot perform.
- Explain to the employee the benefits of modified duty, including: little or no loss in earning power; continued earning of sick leave, vacation, and retirement; constant communication with supervisor and co-worker; feeling of being part of the team.
- Modified duty should be a meaningful assignment, allowing injured employees to maintain their dignity.

- The employee may be able to do the regular job with only some tasks removed because of medical restrictions.

The employee may be able to do tasks that have been put off because “no one has time” to do them, tasks that are not being done by others at the present time, or jobs that are being done only occasionally such as inventorying supplies, reviewing old files, organizing work area, updating plans, etc. Consider also tasks now being done, which, if assigned to someone else temporarily, would free other employees to accomplish different work.

Ensure that employees and their co-workers fully understand that this is temporary work, and that the injured employee will be expected to return to her/his full job as soon as medically able. Encourage co-workers to build team spirit and welcome the injured employee back to work.

It is the policy of Sowela generally not to allow overtime status to individuals working under this program; however, it shall be at the employing unit’s discretion as to whether the employee’s restrictions permit overtime work.

Review the assignment regularly, in cooperation with the supervisor, section administrator, HR staff, the Accident Review/Safety committee and the treating physician, for continued appropriateness.

In the event an employee refuses an accommodation or assignment to duties which are within the employee’s restrictions and ability to perform, the employer is not obligated to provide alternatives.

If accommodation cannot be made within the employee’s section, the section administrator (or designee) will check with other areas within the section/agency for temporary or permanent placement of the employee.

In the event that the section cannot accommodate the employee, it must notify the Director of Human Resources and submit written reasons for the determination.

A review of the determination and of potential temporary assignments, both within and outside the section will be made by the Human Resources Staff.

If an employee cannot return to his or her former employing section, Human Resources will work with the employee in an attempt to place the employee in another position at Sowela that is commensurate with the employee’s restrictions and job skills.

The employee’s section will be responsible for the wage and benefit costs during the period of a temporary placement external to Sowela.

Policy Reference: Senate Concurrent Resolution 50 of the 1997 Regular Legislative Session Senate Bill 689 of the 1999 Regular Legislative Session
Office of Risk Management
Civil Service Rules Return-to-Work Policy for Employees on Worker’s Compensation

Source of Policy: HR
Related Policy: ORM/DSCS

Responsible Administrator: Human Resources
LCTCS Policy Reference: NA
LCTCS Guideline Reference: NA

Approved by: _____
Chancellor

Date: _____