



## **RETURN TO WORK PROGRAM GUIDE FOR EMPLOYEES DISABLED DUE TO WORK RELATED INJURY OR ILLNESS**

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# **RETURN TO WORK PROGRAM GUIDE**

## **FOR EMPLOYEES DISABLED DUE TO WORK RELATED INJURY OR ILLNESS**

### **A. PHILOSOPHY**

Injured workers who are returned to productive work, as soon as medically able following an injury, heal faster and better, require less medical care, experience less disruption to their personal lives, maintain full earning capacity, benefits, financial stability, and maintain the positive self-esteem that comes from remaining a productive member of the University community. Over the years, a multitude of studies across our nation have established that an early Return To Work (RTW) Program for employees disabled due to a work related injury or illness also provides the following benefits:

- Has a positive impact on employee morale
- Provides for a more stable workforce
- Reduces the possibility of fraud and malingering
- Results in cost reductions in several areas:
  - Hiring temporary replacements
  - Overtime costs
  - Retraining costs
  - Loss of production and related costs
  - Medical costs
  - Workers' comp wage replacement benefits
  - Legal costs (employees are less likely to feel they need legal assistance to protect their job)

The University of Alaska establishes this RTW Program as a management tool, not an employee right or benefit. The RTW Program is designed to bridge the gap between a recent serious or long term injury and a return to employment by physically and psychologically reconditioning the employee in order to facilitate the return to full duty status.

### **B. PROGRAM BASICS**

Claims adjusters in the System Office of Risk Services (SORS) handle workers' compensation claims which include the monitoring of the recovery progress. At some point during the treatment of an employee whose injury is severe enough to involve a restriction from work, the treating physician will notify the claims adjuster that the employee is able to return to work. Often, the employee is able to return to work in a modified duty status, with some physical restriction(s), prior to being released to full duty work. Accommodating such restrictions allows, among other benefits, both the University and the injured employee to begin to return to pre-injury status as early as possible. The focus of this Program is employees who are predicted, by a physician, to be able to return to full work status within sixty (60) days. This Program is not intended for employees with injuries that require a permanent modification of the regular job duties. Such employees may be eligible for benefits under the Americans with Disabilities Act (ADA) and should consult with their Human Resource department.

At some point during the recovery phase, a physician may determine that the employee can do some, but not all, of the work duties. The physician will provide a description of the physical restriction(s) under which the employee can be returned to work to the employee and the adjuster. This information is given to the employee's supervisor or department head, hereafter referred to as "Home" department. The Home department is responsible for reviewing the restriction(s) provided and determining whether the employee's regular job can be modified to accommodate the identified physical restriction(s) on a temporary basis. In most circumstances, modifications can be easily accomplished by temporarily removing physically challenging tasks, reassigning those tasks to other employees, or providing assistance for the injured employee. Modified work can also take the form of alternate duties within the department or part time work, if medically indicated.

If the Home department cannot accommodate an employee's physical restriction(s), the campus office of Risk Safety/Health and Safety, Human Resources (HR), and volunteer Host departments will coordinate an attempt to provide a modified duty position under this Return to Work (RTW) Program. The University will exercise discretion to accommodate work restrictions, whenever feasible, for employees who become disabled due to a work related injury or illness. However, as a management tool, this Program in no way requires the University to create a position for the sole purpose of accommodating an injured employee or to extend employment to an injured employee when no meaningful work is available. Modified duty work may not be implemented for every disabled employee.

## C. ACCEPTANCE CRITERIA

Determinations on inclusion of employees in the Program will be made by concurrence of SORS, the Home department, and HR based on employee medical records, physician recommendations, and communications with department supervisors and human resource staff. Following are minimum requirements for consideration of an employee in the RTW Program:

Employee attributes:

- Has a work related injury or illness that is deemed compensable, by the System Office of Risk Services, under the Alaska Workers' Compensation Act
- Has been declared by a licensed primary treating physician unable to perform regular job duties
- Is predicted, by a licensed primary treating physician, to return to full duty work within 60 days
- Has an employment contract with the University that would otherwise be continuing once the RTW Program period is completed
- Possess physical, mental, emotional capacities and other skills necessary to perform work in the identified RTW position(s)

## **D. DURATION OF RETURN TO WORK ASSIGNMENT**

A period of “work hardening” of 30 to 60 days prior to full release to work has been found to greatly increase the success of re-entry into the work place after a serious injury. Employees accepted into this Program have a predicted full recovery time frame of no more than 30 to 60 days. Every effort is made not to place an employee into the RTW Program unless there is solid medical indication that the 30 to 60 days are all that is required before full recovery is reached. However, on occasion, an employee does not progress as expected and the physician will recommend an extension of time in modified work status. Extensions of time, up to 30 days maximum, may be granted if an evaluation by SORS of the circumstances resulting in the requested extension reveal that the employee is highly likely to be released to full duty within another 30 days, or less.

Acceptability for the Program terminates once an employee is released to his or her regular job duties, or at 60 days, unless an extension is granted by SORS. The Program may also be terminated for superseding employment actions that may be unrelated to this Program or lack of adherence to the RTW Program guidelines.

## **E. PROGRAM FUNDING AND TIMESHEETS**

The Home department continues to pay the regular salary (no overtime is allowed) for RTW assignments, unless the Home department hires a temporary employee to replace the injured employee. If a replacement is hired within the Home Department to cover the absent employee’s duties, and only as approved, the RTW Program salary is charged directly to the System Office of Risk Services, via Home department time sheet.

Timesheets for employees accepted into the RTW Program must be copied to SORS. The process for timesheet processing is as follows:

RTW in Home Department:

- Process as usual
- Copy timesheet to SORS

RTW in Host Department:

- Employee picks up timesheet from the Home department before or shortly after beginning work in the Host department
- Host department Supervisor approves and signs the timesheet at the end of the pay period
- After the Host Supervisor has signed, the employee brings the timesheet back to the Home department for the Home supervisor’s signature and processing by the department PPA, as per normal procedures
- Copy timesheet to SORS

## **F. PARTICIPANT ROLES & RESPONSIBILITIES**

Participants typically involved in the RTW Program are identified below, along with their respective responsibilities:

- Injured Employee
  - Must fully understand that this is temporary work, as a part of their rehabilitation program, and that they will be expected to return to their full job as soon as medically able
  - Participate in the RTW program to best of your ability
  - Understand that refusal of an offer of modified duty will jeopardize your workers' compensation and other benefits
  - Maintain communication with Supervisors and Adjuster throughout the duration of the disability
  - Adhere to all medical recommendations, on and off the job
  - Comply with RTW Program assignment and notify Supervisor of any difficulties
  - Immediately report any difficulties with RTW Program not promptly resolved with the Supervisors to Adjuster
- System Office of Risk Services (SORS)
  - Provide overall management of RTW Program
  - Manage workers' compensation disability issues
  - Provide information to help physicians understand the employee's regular job, the RTW Program, and the alternative work assignment options
  - Determine acceptability of RTW candidates
  - Notify Campus Coordinator when candidate is identified
  - Monitor employee rehabilitation progress and work assignment following the return to work and throughout the transition back to full duty
  - Provide disability status updates to all affected university representatives
- Campus Coordinator - Typically a representative from Campus Risk Management/Environmental, Health and Safety Departments (RM/EHS) or Campus Human Resource Department (HR)
  - May assist in finding a Host department when Home department does not have a suitable assignment
  - Will assess candidates for RTW Program
  - Will select Host department and make placement
  - Monitor employee in the temporary work assignment following the return to work and throughout the transition back to full duty
  - Assist in management and resolution of any problems that may arise in the temporary work assignment
- Home Department (Home)
  - Review medical restriction(s) and work with employee to return to work in modified duty capacity, if possible

- Identify tasks within the department that the injured worker can perform within the restriction(s). Examples of tasks normally acceptable for restricted work activities include answering phones, filing, supply inventory, library organization, laundry, etc.
- Coordinate the return to work with the Adjuster to ensure physician approval has been received and the workers' compensation wage benefits are terminated
- Maintain contact with employee throughout disability period and RTW Program
- Assist Host department supervisor, as needed
- Promptly notify SORS of any problems or complications
- Host Department (Host)
  - Provide alternative work assignments that are clearly defined, including specific physical requirements, hours and location of work assignments, etc. (SORS will assist, as needed, with identifying physical requirements)
  - Provide any necessary training for the position
  - Provide supervision of injured employee while in the temporary placement
  - Ensure that employee does not work outside of restrictions identified by the physician
  - Report immediately to the Campus Coordinator any behavioral problems, failure to show up for work, or other problems
- Campus Risk Management/Environmental, Health and Safety Departments (RM/EHS)
  - May serve as Campus Coordinator
  - Manage occupational health and safety issues
  - Assist with overall program management, as necessary
- Human Resource Departments (HR)
  - May serve as campus Coordinator
  - Assist with overall program management, as necessary

## G. PROGRAM STEPS

### **1. Initiation of Program**

The Claims Adjusters in the System Office of Risk Services will monitor an employee's disability status and communicate with the physician(s) as appropriate (see [Attachment 2](#)). If an employee is released to return to work with a physical restriction(s), the Adjuster will contact the Home department to ascertain whether the employee can perform work within those physical limitations.

### **2. Return Employee to Modified Duty within the Home Department**

The Home department will review the work restriction(s) and determine whether an accommodation can reasonably be made or an alternative work assignment can be given on

a temporary basis. The temporary assignment may need to be detailed in order to obtain physician approval. SORS will assist with this process, as needed.

### **3. Identification of Host Department(s)**

If no modified work is available in the Home department, the employee meets the selection criteria, and assessment indicates that he/she would be successful in the Program, the Adjuster will contact the designated Campus Coordinator to initiate a placement in a Host department. The letter in [Attachment 3](#) may be used for this purpose.

Pre-selecting, identifying, and defining positions that are likely to be acceptable for an injured employee in a restricted return to work status in advance is recommended in order to streamline and speed the placement process when an acceptable employee candidate is identified. Some examples of these types of duties include filing, answering phones, and doing laundry, etc. The Campus Coordinator can use the sample memo in [Attachment 4](#) to pre-solicit Host departments within their campus.

### **4. Identification of Work Assignments**

RTW assignments must be consistent with the employee's physical abilities and all assignments must be approved by a physician prior to placement. SORS will assist in writing detailed job descriptions, to include specific physical requirements, as needed. The Host department will provide necessary training for the temporary placement, as needed.

### **5. Physician Authorization of Return to Work Assignment**

The physical limitations of the employee will be provided to the Home Department or Campus Coordinator by the Adjuster for the purpose of matching the employee with a RTW assignment. (Note: Confidentiality of medical records, as required by HIPPA and any other laws or guidelines, will be maintained at all times.) After identifying a position within the Home or a Host department, the Campus Coordinator will provide a description of the job duties, including physical requirements, to the Adjuster. The Adjuster will present the RTW assignment description to the treating physician for approval, see [Attachment 5](#). Please note that, at no time may an employee return to work without a written release by a physician. For the purpose of the RTW Program, the Adjuster will acquire written approval by a physician for the RTW assignment, prior to placement of the employee in the Home or Host department. When the physician's authorization is received, the Adjuster will notify the Home Department or the Campus Coordinator that the placement can take place.

### **6. Placement in Host Department**

The Campus Coordinator will meet with the employee to explain the RTW Program and to assess placement in a Host department. Once acceptance into the Program has been confirmed, placement assessed, position located, and physician approval is received, the Home Department or Campus Coordinator will issue a RTW assignment letter, [Attachment 6](#), to the employee for signature. A copy of the letter will go to the employee, the System

Office of Risk Services, Human Resources, the Home department, and, if applicable, the Host department.

## **7. Supervision of RTW Assignment in a Host Department**

The Host department will designate a Supervisor for the duration of the RTW assignment. The Supervisor is responsible for the day-to-day management of the workload and supervision of the employee. The Supervisor is responsible for ensuring that no job duties are assigned outside of those approved by the physician. After release to RTW Program by the treating physician, the Campus Coordinator and the injured employee will meet with the Host Supervisor to outline the job duties, and to discuss the record keeping, and the reporting responsibilities.

If there are any problems on the job such as the employee failing to report to work, working outside the physical restrictions, or other such issues, the Supervisor must contact the Campus Coordinator immediately. The Coordinator must keep the Adjuster advised regarding any problems. Prompt communication of any problem is critical as failure to report to work can adversely affect the injured employee's workers' compensation benefits and ongoing participation in the RTW Program.

## **8. Release to Regular Duty**

The Adjuster will monitor the medical progress of the employee throughout the duration of the RTW program. If the physician does not release the employee within the timeframe originally planned, the Adjuster will follow up to determine reason for delay and determine whether the situation warrants an extension as per section D.

## **H. SAMPLE FORM LETTERS**

ATTACHMENT 1 – [Letter to Home Department: Return to Work Program](#)

ATTACHMENT 2 – [Letter to Physician: Return to Work Program](#)

ATTACHMENT 3 – [Memo to Coordinator: Candidate Notification](#)

ATTACHMENT 4 – [Solicitation for Host Departments](#)

ATTACHMENT 5 – [Letter to Physician: Approval of Modified Duty Position](#)

ATTACHMENT 6 – [Memo to Employee: Temporary Work Assignment](#)

ATTACHMENT 7 – [On-Site Job Analysis & Physical Capacities Evaluation](#)