



# ESTABLISHING A RETURN-TO-WORK PROGRAM

A Return to Work (RTW) program is an important component of workers' compensation. Studies show that 50 percent of injured workers never return to work after 12 weeks of disability\*. Employees are one of the district's most important assets. Creating an effective RTW program allows employees to get back to work quickly which saves the district time and money.

## BENEFITS OF A RTW PROGRAM

A RTW program is beneficial to both management and employees:

- Allows an injured employee to be productive and to contribute to the district
- Maintains communication between the injured employee's physician and management
- Reinforces the district's interest and concern for an injured employee
- Discourages malingering
- Reduces the disability associated with an injury and its related costs
- Helps districts comply with the Americans with Disabilities Act

## RTW PROGRAMS SHOULD INCLUDE THREE BASIC ELEMENTS

- **Written Job Descriptions:** *Written job descriptions should be developed for all present jobs as well as potential alternate jobs.*
  - Include essential functions, the location where the job is performed, length of shift, etc.
  - Job functions such as lifting, carrying, bending, walking, standing and other repetitive motions should be classified according to severity and recurrence.
- **Policies and Procedures:** *Top management should develop policies and procedures by which RTW programs will operate.*
  - Address issues, such as who administers the program and how they are selected, when the program can be used and by whom, timelines and reporting strategies.
  - Develop forms to document job demands, physician recommendations, etc.
- **Communication and Training:** *Once the program is developed management must implement a strategy for communicating with employees.*
  - Consider management training and group discussions or seminars with employees.
  - Communicate RTW policy and philosophy to medical providers and regularly invite them to observe the regular duty and possible RTW tasks that are available.

In order for a RTW program to be successful, it is imperative that management make a firm commitment to communicate the details and benefits, as well as the importance of adhering to the program, to all employees.

## AFTER AN EMPLOYEE IS INJURED, ENSURE YOU FOLLOW THE STEPS OUTLINED IN YOUR RTW POLICY

- Identify and coordinate a RTW schedule for injured employee.
  - Require the physician to specify physical restrictions.
    - A work capacities form should be completed by the treating physician after each visit, releasing the employee to regular job duties without restrictions or to a position with restrictions.
    - If released with restrictions, ensure the duration of the restricted position is finite.
    - Continuously increase restricted position until full release to regular duties.
  - Monitor employee's physician appointments, restrictions, duties, and progress.
  - Maintain communication between the supervisor, employee, and claim representative.
- Follow-up and evaluate the employee's progress.
  - Establish a timeline for periodic follow-up and evaluation of the program.
  - Monitor RTW activities during the duration of the physical restrictions to ensure the employee does not exceed restrictions from physician.
  - Establish a date for medical reevaluation.
- Reevaluate the employee's job functions.
  - Modified Work: The employee returns to their original job, but some restrictions are placed on the job by the treating physician. Restrictions may include reducing the amount of work time, and/or restricting certain activities such as bending or lifting. Modified Work is also referred to as Light Duty.
  - Transitional Work: The employee returns to work, but because the original job cannot be modified to conform with the physician's restrictions, he or she performs another job that accommodates the injured employee's abilities.

If the injured employee does not cooperate with the program, notify your claims representative to implement the appropriate course of action.

## OTHER CONSIDERATIONS

- Alternate job assignments do not have to be the most interesting or desirable.
  - Job assignments must include position title, description, physical requirements, rate of pay, and hours that will be worked. The job offer must be in writing.
  - A basic component of the program is to motivate the injured employee to minimize the period of physical restrictions and expedite the return to the regular job assignment as quickly as medically possible.
- The school district does not have to pay an employee the same rate of pay if they are returning to work with restrictions, but a bona fide offer must be made.
  - If pay rate is reduced, please communicate the change with your claim representative; or feel free to contact your WC adjuster for bona fide job offer requirements.
- The Americans with Disabilities Act provides specific standards for accommodation of employee with certain physical restrictions. Refer to ADA guidelines when attempting to reassign an employee to a restricted position.