



## **Paso Robles Return to Work Program**

A Return to Work Program is designed to accommodate employees who sustain a work-related injury or illness. Modified or alternative duty positions are identified which are scaled to accommodate moderate to serious injury. With the approval of the treating physician, an injured employee can be returned to a position appropriate for the injury, and then as the employee recovers he/she may be placed in more physically demanding positions until return to the employee's regular position is possible. Because the employee receives full wages, temporary disability is not paid and workers' compensation indemnity figures and premiums can be expected to drop.

### **I. Authorization:**

1. Temporary Modified/Light-Duty Assignment
2. Board Policies and Administrative Regulations:

### **II. Obstacles:**

1. Buy-in of managers and supervisors and administrators
2. Union and employee concerns
3. May increase costs in the short term
4. Must be monitored

### **III. Problems associated with work related injuries:**

1. Lack of School District Control:
  - Employees are seeking medical attention without notification of a supervisor or district representative.
  - Employees are seeking medical attention from any physician they choose.
  - The school district is notified days/weeks/months after the injury occurred.
  - Employees are unaware of the proper procedures, which should be followed when an injury/illness occurs.

- District personnel working with workers compensation claims generally do not receive enough good information regarding injuries and illnesses to accurately complete their paperwork.
- Injured employees are off work longer than necessary.
- Light duty jobs are limited or the district has a policy of not returning injured employees until they are 100%.
- Physicians are granting time off which is unnecessary.
- Return to work limitations is vague or non-existent.
- Employees are returning to work without written authorization.
- Injury investigations are incomplete, do not provide adequate information, or are not completed at all.

## 2. Not Returning Injured Employees to alternative or modified work:

- Employees adapt to the lifestyle at home and like it, requesting more time off from the physician.
- Employees wanting a day or two off from work can easily get it from their physician.
- Employees who get angry with their supervisor or management can easily get back at their employer by getting time off for alleged injuries.
- Personal problems develop such as loss of self-esteem, exaggeration of the severity of their injury/illness, a feeling of loss of control over their lives, delayed recovery, chronic pain, etc.
- The longer an injured employee is off work, the more unlikely they are ever to return to work. The Bureau of Labor Statistics shows that:
  - If an employee is off work for six months, there is only a 50% chance the employee will ever return to work.
  - If an employee is off work for one year, only a 25% chance of returning to work.
  - If off for two years, there is virtually no chance of returning to work.
- Employees Returning To Work After An Injury Continue to Injure Themselves.
  - No changes have been implemented for the work procedures and design of the workstation. -No improvements are made with the employee strength and flexibility. -Off the job activities are not evaluated and corrective action implemented. No physical therapy is prescribed.

- Workers' Compensation Rates Are Continually Increasing. Injured employees who do not return to work are paid through workers' compensation.
  - Affects the Experience Modification Factor.
  - Rates are affected for three years.
  - 200 lost workdays can easily add \$40,000 - \$80,000 annually to your worker's compensation rates.
  - No production on lost workdays.

#### **IV. Corrective Action Designed To Reduce Problems Associated With Injured Employees:**

- Implementation of Written Accident and Early Return To Work Procedures.
  1. Injured employees who return to work through a light duty program are paid by the district.
    - No money is added to the district's workers' compensation experience.
    - Worker's compensation rates will be reduced.
  2. District receives some production from the injured employee.
  3. Employees feel valuable, and understand that unless their injury is very serious, they will be expected to work the following day. They will be unable to get their day off.
    - New Accident Report Form.
    - New Injury and Illness Procedures.
    - Implementation of Return To Work Program.

#### **V. What the program entails:**

- Making sure you have a return to work policy that details the early returns process.
- Taking a proactive role in talking with your employees about their injuries and abilities to return to work.
- Creating temporary jobs to bring employees back to work as early as possible.
- Following your injured employee's progress closely until they return to regular duty.
- By taking these simple steps, you will help your School District control claims costs, increase productivity, and improve employee morale.
- To be effective, jobs must be temporary, transitional, work hardening, productive, and performed with much training: Bridge Jobs.

## **VI. Benefits of Return To Work Program:**

- Provide a means for an injured or ill employee to remain in the workplace, or to return an employee to the workplace as soon as possible without danger or re-injury.
- Because the employee is not left idle and recovery is facilitated, it is typical that full recovery will be achieved sooner.
- If modified duty positions are designed to be productive work, the employer benefits from the work.
- Provide a means of maintaining the employee's job skills, self-esteem and morale, while enabling him/her to progress to full job status.
- Maintain organizational productivity by allowing the employee to perform tasks that would normally go undone or would require extra help.
- Increase communication with the injured employee and reduce the perception of unconcern on the part of the District.
- Increase awareness of safe work practices and injury prevention.
- Retain the services of your valuable, trained employee.
- Avoid replacement and training costs of hiring a new employee.
- Identify cross-training opportunities that enhance employees' abilities in their regular jobs.
- Gain control and increase chance for a positive resolution of claims.
- Experience faster recoveries-both psychologically and physically.
- Reduce the need for temporary help due to the absence of the injured employee.
- Reduce the chance for permanent disability.
- Reduce the number of lost time incidents and the amount of disability costs.
- Reduce medical costs.
- Reduce the number of litigated claims and avoid legal costs.
- Comply with the Americans With Disabilities Act by accommodating disabilities- and avoid costly lawsuits.
- Reduce the use and cost of outside rehabilitation vendors and the overall medical costs associated with rehabilitation.
- Fraudulent claims are discouraged by the system because work is immediately available for most injuries. Generally, frequency of claims is decreased.

## **VII. Operating Procedures:**

1. Employees will be notified, in writing, of the district's return-to-work program upon hire. The employee will also be notified after an injury or illness.
2. When an injury occurs, a copy of the supervisor's report of injury/illness is completed and processed immediately. The claim process is started as usual.
3. The employee is sent for medical treatment at a district-approved provider facility or the employee's primary physician, using the ... *Physician's Authorization to Render Medical Care and Physician's Return to Work Evaluation*.
  - After receiving medical treatment, the employee will report to the District Safety Coordinator with the ... *Physician's Authorization to Return to Work*.
  - The ... *Physician's Authorization to Return to Work* form will be evaluated according to the identified medical restrictions, the severity of the injury, available tasks to be performed, the qualifications or suitability of the individual appropriate to the available tasks, the risk of recurrence or re-injury, the duration of the period of recovery, the welfare and safety of the injured worker, the health and safety of others, and the cost to the district. Coordination and assignment to temporary modified/alternative duty may take a period of several workdays.
  - The Safety Coordinator shall contact the principals, department heads and program supervisors who are charged with the responsibility of identifying possible modified work assignments and/or implementing appropriate job modifications.
  - If temporary modified/alternative duty is assigned, the assignment will conform to the medical restrictions. First priority will be to assign the employee to his/her same work unit and same job, if appropriate and possible to do so.
  - If appropriate tasks cannot be found within the same work unit, the employee may be placed in another work unit with the district, if appropriate and possible to do so.
  - If the physician determines the employee is not eligible for modified duty and the injury is industrial, the employee will be placed on industrial leave, until such time as appropriate work can be assigned or the restrictions are lifted.
  - If the physician determines the employee is not eligible for modified duty and the injury is nonindustrial, the employee will use their available leave until such time as appropriate work can be assigned or the restrictions are lifted.
  - If the employee refuses the work in the modified/alternative duty program, no industrial accident leave benefits are payable, and sick leave or other leaves

will be subject to approval by the personnel department. All cases will be evaluated on a non-precedent setting, individual basis.

4. The employee's health status shall be evaluated at least monthly. Each time a ... *Physician's Authorization to Return to Work* form is submitted a reevaluation of modified/alternate duty will occur. The district's Workmen's Compensation Claims Coordinator will maintain communication with the physician to ensure a return to work, as soon as it is possible or appropriate to do so.
5. If the injury is nonindustrial, the employee shall submit the physician's statement regarding ability to work, if the absence is longer than five days, or if there has been a period of excessive absence. This statement must be on file with the district before the employee is returned to the workplace. The district may choose to have the employee examined by an occupational provider to determine the ability to work status.
6. Because the assignment under the modified duty program is temporary, the employee shall be compensated on his/her regular pay schedule regardless of the classification of temporary assignment.
7. The district may elect to return an employee to work on a part-time basis if deemed appropriate.
8. It is an employee's responsibility to conform to identify medical restrictions and a condition of any modified/alternative duty assignment.
9. If the physician states that the employee should not return to work for a specified time, it will be necessary to submit another ... *Physician's Authorization to Return to Work* form at the end of the specified time limit and prior to returning to work.
10. The district may contact the physician to determine the health status of the employee and the possibility of modified duty at a later date.
11. If it does not appear that the injured employee will return to full duty at the end of sixty days, the district will contact its Worker's Compensation Administrator to determine the employee's return to work status.

#### **VIII. Types of Modified and Alternative Duty:**

At the discretion of the employer, if the work restrictions are minor, and the regular job duties may be easily modified to accommodate the employee, they will be assigned to their regular work unit and/or duties. However, as the restrictions become more specific, the task assignment must also become more specific and defined. Each temporary modified assignment will be evaluated on an individual, case-by-case, non-precedent setting basis.

The purpose of temporary modified/alternative duty is not to establish new jobs or to displace other employees. It is a means the district can utilize for tasks and duties which there currently is not time to do or which normally would not be done, because of lack of time, personnel, funds, etc.

Modified/alternative duty assignment will be reevaluated each time a ... *Physician's Authorization to Return to Work* form is submitted by the injured employee. Modified/alternative duty is not a mandatory program on the part of the district. Temporary modified/alternative duty assignments are non-precedent setting and will be considered on a case-by-case basis.

The district shall use appropriate discretion in modified/alternative duty assignments. Types of modified/alternative duty tasks include, but are not limited to:

- Record and Clerical Tasks:

Microfilming, documenting and transferring files, inventory, cataloging, making up employee packets, filing, photocopying, duplicating, collating or sorting, stuffing envelopes, putting on mailing labels, calling parent/guardian regarding student absences, etc.

- Maintenance Department and Transportation:

Furniture repair, sprinkler head repair, bench work, spare parts pack up, tool crib, inventory, equipment repair, painting, paper work, record keeping, deliveries, bus supervision, calling parents/guardians, facility and security, safety inspections, etc.

- School and student supervision:

Cafeteria duty, yard duty and campus supervision, bus supervision, crosswalks, etc.

- Classroom:

Tutoring, classroom aide, calling parents, duplication and filing, etc.

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