



# Modified Duty/Return to Work (RTW) Program

Client Name: \_\_\_\_\_ Effective Date: \_\_\_\_\_

## **PROGRAM OUTLINE**

1. Accident Reporting and Return to Work Process
2. Modified Duty/Return to Work (RTW) Program
3. Employee Responsibility
4. Supervisor/Manager/Human Resources Responsibility
5. Health Care Provider Responsibility

## **FORMS/EXHIBITS (These are separate documents)**

- A. Initial Establishment of Return to Work Program Checklist
- B. Policy for Posting/Employee Notification
- C. Return to Work Documentation Checklist
- D. Sample Letter to Physician for Return to Transitional (RTW) Duty
- E. Job Demands
- F. Release Return to Work
- G. Doctor's Return to Work Recommendations
- H. Employee Medical Release of Information
- I. Sample Letter to Employee "Notification of Transitional Work Assignment"
- J. Sample Letter to Employee "Termination of Employment"

**ACCIDENT REPORTING AND RETURN TO WORK PROCESS**

\_\_\_\_\_ is committed to providing and promoting a safe and healthy workplace for our employees. Preventing accidents, injuries and illness is our primary objective.

When an employee is injured on the job, we will arrange for immediate, appropriate medical attention.

\_\_\_\_\_ will use our return to work process to assist the employee by creating opportunities for them to return to a safe transitional work environment as soon as medically feasible.

Our designated medical provider to assist us in these efforts is \_\_\_\_\_.

Our ultimate goal is to return our injured employees to their original jobs. If an injured employee is unable to perform all of the primary functions of the original job, \_\_\_\_\_ will make every effort to provide a transitional work assignment that will meet the injured worker's capabilities.

The success of this process involves the combined efforts of managements, employees and our worker's compensation insurance carrier.

Authorized Signature: \_\_\_\_\_

## **MODIFIED DUTY RETURN TO WORK (RTF) PROGRAM**

### **For employees who have sustained work related injuries**

The health and well being of every employee is of vital importance to \_\_\_\_\_.

The active participation of the company and all its employees is important to ensure that this objective is met.

To achieve this, one of the company's primary goals is to eliminate the number of safety and health related accidents and injuries. However, should an accident occur, \_\_\_\_\_ has developed a policy to help the injured worker return to work as quickly as possible to reduce any loss of income felt by the employee.

When an employee is injured on the job, the human resource manager will work closely with the employee, the employee's physician and workers compensation insurance carrier to ensure that the employee is treated fairly. If the employee is unable to perform the essential functions of his/her job the human resource manager will work with the worker's compensation insurance carrier, the employee and the employee's physician to determine if he/she can perform modified duty.

Following a diagnosis by a licensed physician stating the employee's physical limitations, and providing that a modified duty position is available, a modified duty job description may be sent to the employee's physician for his/her review. This may be done if there is a particular concern as to whether or not employee can perform the essential functions of the modified job. While an employee is absent from work due to an on-the-job injury/illness, he/she will receive wage replacement as governed by workers compensation. All employees placed on workers compensation (Medical) leave will also be placed on FMLA if eligible (See Leaves of Absence: Employee Handbook) in which case FMLA and workers compensation medical leave will run concurrently.

If modified duty is available and the employee is released from his/her doctor to perform modified duty, he/she will continue to be paid at his/her regular rate of pay and will be limited to a maximum of 40 hours per week. Modified duty is defined as: *A position where an employee may perform some, but not all, of the duties routinely assigned with the job, may be assigned different duties or department, or may be restricted in the number of hours they will be allowed to work.* It is also the responsibility of the employee to adhere to all physician restrictions while working under this modified duty program. Failure on the part of an employee to follow the medical provider's restrictions may result in said employee being removed from the modified duty program.

Employees who have sustained work related injuries may be eligible for modified duty for a period of up to six (6) months, or 180 consecutive days. If the employee has not reached the point that they can return to full duty by this time, or they have not reached maximum medical improvement (MMI) so reasonable accommodations can be considered, if necessary, the employee may be released from duty and placed under the auspices of workers compensation regarding medical care, as well as, any wage replacement. Generally, a refusal to accept a bonafide offer of modified duty that has been approved by the employee's attending physician/medical provider will result in termination of employment.

The modified duty program is designed to discover ways to protect and promote the health of employees that may have been injured on the job.

The company fully recognizes the economic impact of an on-the-job injury/illness to the employee. It is believed that a modified duty program of this type will improve overall health and safety records while promoting economic stability for the employee.

The following is the procedure for following the \_\_\_\_\_ modified duty/return to work (RTW) program:

#### **PROCEDURE**

1. When notified of a work-related injury, the supervisor completes a "First Report of Injury" and if feasible, reviews the employee's responsibilities with the employee. The supervisor completes and submits the "First Report of Injury" to the human resources manager and the Sr. human resources administrator (benefits coordinator) who will then notify \_\_\_\_\_ claims service team that an injury has occurred. Employee is sent to the \_\_\_\_\_ recognized medical provider.
2. The human resource manager, or the Sr. HR Administrator (Benefits Coordinator) will contact the employee and \_\_\_\_\_ health care provider to advise them of the company's return to work program and will ask the medical provider to complete a "Release to Work"/Physical Capacities evaluation. The employee will report back to human resources with a completed "Release to Work"/Physical Capacities form after every healthcare provider visit. The Sr. HR Administrator (Benefits Coordinator) will forward a copy of the "Release to Work"/Physical Capacities form to the supervisor and to the \_\_\_\_\_ claims service team.

3. The supervisor reviews the “Release to Work”/Physical Capacities form and determines whether modified work is available within the restrictions outlined by the health care provider. Accommodations such as flexible hours, reduced lifting, or use of a stool or chair to eliminate standing, are options that will be considered.
4. Modified duty is any work within the employee’s physical capacities, as defined by the employee’s medical provider in their most recent medical evaluation. All modified duty positions must be approved by the human resources manager, Sr. HR Administrator and the \_\_\_\_\_ claims service team, and availability is subject to the business needs of the company at that time.
5. If the employee does not return the “Release to Work”/Physical Capacities evaluation form to human resources, the Sr. HR Administrator (Benefits Coordinator) will notify the supervisor and the \_\_\_\_\_ claims service team. The claims service team will contact the health care provider for the necessary information and communicate it to the Sr. Hr Administrator (Benefits Coordinator). The Sr. Hr Administrator (Benefits Coordinator) will manage communications between outside services and internal departments.
6. The supervisor/manager identifies potential job task for the employee and completes a “Job Demands” form for the Modified Duty/Return to Work (RTW) position. Job demands are submitted to the human resources manager for approval. As approved by the human resources manager, the Sr. HR Administrator (Benefits Coordinator) will submit the “Job Demand/Job Analysis” to the healthcare provider (with copy to insurer) for review.
7. The supervisor will meet with the employee before beginning work and review the restrictions specified by the health care provider. The supervisor will emphasize the need for the employee to perform the job duties within prescribed limitations.
8. The employee’s Modified Duty/Return to Work (RTW) status will end when the employee:
  - is released to pre-injury job status
  - the worker’s compensation claim is closed
  - the employee has accepted an alternate position
  - has reached Maximum Medical Improvement (MMI)
  - has reached six months (6) or one hundred and eighty (180) days without reaching Maximum Medical Improvement (MMI)

9. The supervisor will monitor the employee's participation in the Modified Duty/Return to Work (RTW) Program and track hours worked along with other time records ) At no time is any employee on Modified Duty to exceed 40 hours in a given weekly pay-period. The supervisor will report any problems with employee' participation to the human resource manager at which time \_\_\_\_\_ claims service team will be notified to facilitate any modifications.
  
10. The employee will provide human resources with written notice of the healthcare provider's recommendations for new restrictions and/or changes to the previously approved modified job and any recommendations will be communicated to the supervisor.
  
11. Any changes to the modified duty job must be approved by the human resource manager who will communicate such changes to the Sr. human resource administrator. \_\_\_\_\_ resources will be utilized to mediate changes with the healthcare provider if there are unresolved issues.

If an employee on a medical leave of absence and is unable to return to work under the \_\_\_\_\_ Return-to-Work program following a six (6) month absence he/she will be removed from the active employee roster for \_\_\_\_\_.

## **EMPLOYEE RESPONSIBILITIES**

If you are injured during the course of your employment, immediately report the accident/injury to your immediate supervisor. He/she will provide you with guidance on getting medical attention.

Inform the treating medical provider that transitional work is available to you. If time permits, your supervisor will give you a letter to take with you to your office visit. This letter will explain the company's return-to-work program.

If the medical provider indicates that you are restricted from working, contact the human resources manager, the Sr. HR. Administrator, or your supervisor, and provide a copy of the treating physician's release to work form that explains any and all work restrictions. Keep human resources and your supervisor informed of your progress and any changes in work status.

If you are released to regular work, you should return back to work immediately. If this is not possible due to time constraints you should report back to work at your next regularly scheduled work shift.

If the medical provider indicates you can return to transitional work with restrictions, follow your doctor's orders. Do not exceed the physical restrictions outlined by the treating physician.

Injured workers will receive 100 % of all reasonable and necessary cost for medical care relating to the industrial injury/illness, including doctor bills, hospital cost, medicine, lab fees, etc. needed to treat the injury/illness as provided for by, and through, Workers Compensation.

Employees who return to work under a "Return-to-Work" agreement/ "Modified Duty" may be compensated at their regular rate of pay for a period of time as may be approved under the employees modified duty agreement.

## **SUPERVISOR RESPONSIBILITIES**

The supervisor shall be provided training on the proper reporting of work-related incidents and injuries, and shall discuss with the employee the company's return-to-work process.

Where possible, and feasible to do so, the supervisor shall accompany the injured worker to the medical provider and inform the medical provider about the company's commitment to the return-to-work process. Human resources shall forward a summary letter outlining the process should be forwarded to the medical provider for the workers file.

The injured worker will be contacted by human resources at least once a week to convey concern for his/her well being and successful recovery. Confirmation should be received that all necessary forms have been completed, and the worker should be reminded that the forms must be returned to workers compensation and the industrial commission of Arizona as may be applicable.

The return-to-work coordinator (Sr. HR Administrator) should be kept informed of the worker's status and progress.

The supervisor should assist all parties in identifying appropriate transitional work that will be meaningful to the work team, the company and the injured employee.

The supervisor should verify with the injured worker that he/she is adhering to the medical restrictions.

The supervisor should contact the return-to-work coordinator (Sr. HR Administrator) to keep abreast of the injured worker's medical restrictions.



## **HEALTH CARE PROVIDER RESPONSIBILITIES**

The health care provider will offer immediate and appropriate medical care to the injured worker.

The health care provider will evaluate the work abilities of the injured worker.

The health care provider will communicate with the employer regarding the injured workers status and ability to return to work.

The health care provider will become familiar with the operations and environment of the injured employees workplace by through communications with human resources and documentation provided by \_\_\_\_\_ regarding the “JOB Demand” and applicable Job Description.

The health care provider will review with the injured worker and appropriate physical restrictions that will need to be followed while performing essential job functions.