

# **Return to Work Program**

## **Purpose**

This program is designed to provide policies and procedures for managing the return to work of injured company employees with minimum time lost.

## **Policy**

It is the policy of [COMPANY] to provide a place of employment that is free from recognized hazards that cause or are likely to cause death or serious physical harm to employees or the public. However when serious physical harm does occur to employees, [COMPANY] is committed to providing quality medical care and managing those costs associated with that medical care. [COMPANY] is also committed to the effective return to work of injured employees while enhancing their recovery. To return an employee to the workplace, [COMPANY] will make reasonable efforts to place the returning employee into a meaningful assignment, for which he/she is qualified and that best suits the restriction. The Company cannot guarantee placement and is under no obligation to offer, create, or encumber any specific position for the purpose of offering placement. The [Human Resources Department] shall make all final decisions regarding placement.

This policy is not intended to supersede the procedure applicable to employees who are eligible for reasonable accommodation under the Americans with Disabilities Act (ADA), its amendment (ADAAA), or FMLA leave. Inquiries about eligibility under the ADA, ADAAA, or FMLA should be directed to the [Human Resources Department].

## **Background**

Returning employees to work who have been injured in the performance of their jobs is an important component of [COMPANY]'s loss control program. Benefits of a return to work program include:

- Faster, more effective healing
- Safer work environment
- Direct and indirect savings in lost wages, medical costs and productivity
- Improved morale by providing support to employees with alternate assignments during recuperation.

## **Responsibilities**

### **Management**

- Provide resources and support to supervisors in the return to work program.
- Assist in employee placement decisions.
- Encourage proper and ethical practices.

## **Supervisors**

- Complete accident and other report forms in the event of an injury
- Pre-determine alternate duty options for the positions under their control
- Provide job descriptions and alternate duty options to the Workers' Compensation Administrator and [Human Resources Manager]
- Complete Return to Work forms upon the return to work of the injured employee

## **Employees**

Employees are responsible for promptly reporting any injuries to their supervisor and going to a physician listed on the Panel of Physicians form provided by their supervisor. They must also cooperate with the Workers' Compensation Administrator's, Safety and Human Resources Departments.

## **Workers' Compensation Administrator**

- Administer the [COMPANY] Return to Work Program
- Coordinate with Panel of Physicians, Human Resources Department, and supervisors in the placement of employees into transitional work assignments, permanently modified jobs or new positions
- Coordinate program communication by ensuring that timely distribution of program materials are performed
- Establish a Panel of Physicians for each project location

## **Safety Manager**

- Provide prompt assistance to managers, supervisors, and others as necessary on any matter concerning this safety policy and procedure.
- Assist in and develop the Return to Work Program training
- Provide consultative assistance to ensure effective implementation of this safety policy and procedure
- Assist supervisors in returning employees back to work
- Meet with injured employees to explain alternate/modified duty position(s)

## **Human Resources Manager**

- Assist the Workers' Compensation Administrator in placement decisions that require new or transitional assignments
- Provide information regarding wage and salary grade equity issues
- Approve temporary assignments

## Definitions

**Alternate/Modified Duty** - Duties assigned on either a short term or permanent basis, and medically approved by the authorized treating healthcare provider, to an injured employee.

**Permanent Job Modification** - Jobs that are permanently modified for employees that have permanent restrictions upon return to work following an injury.

**Panel of Physicians** - A list of healthcare providers that have entered into an agreement with the company to provide prompt healthcare services to an employee injured during the performance of their jobs.

**Transitional Work Assignment** - Work assignments (duties) that are short term and that employees with temporary restrictions are given upon return to work following an injury. These may be either alternate work assignments or modifications of their normal work assignment.

**Workers' Compensation Leave** - Period of time that employees are recuperating from job-related injuries and during which the employee receive 66.667 % of their regular pay.

## General Information

### Training

Supervisors must accurately understand their key role in this program. Therefore, supervisors should receive training that includes specific details on the Return to Work process and their responsibilities under this program. This training will be conducted on an as needed basis.

### Return to Work Process

When an employee, who has been injured on the job and placed on workers' compensation leave, has been released to return to work by the treating physician, there are three possible return to work options.

**Option 1:** An employee has reached maximum medical improvement and has been released to return to work by the treating physician. The employee is then returned to the original position he/she held prior to workers' compensation leave

**Option 2:** An employee has not reached maximum medical improvement and is ready to return to a transitional work assignment (alternate/modified work duty) with approval of the treating physician, but retains some disability which prevents successful performance in the original position. The company will provide work reassignment suitable to the employee's capacity which is both meaningful, productive and advantageous to the employee and the company.

**Option 3:** An employee has reached maximum medical improvement and has been released to return to work by the treating physician, but has received a disability which prohibits employment in his/her previous position. The company will attempt to place the employee in a permanently modified job or another position suitable to the employee's capacity which is both meaningful, productive and advantageous to the employee and the company. This work placement may be a permanent assignment or either a part-time or temporary assignment until a permanent assignment is found.

## **Return to Work Program Guide**

Every employee should be entered into the Return to Work Program upon medical certification that the employee may return to some type of work duty. Written return to work authorization must be obtained from the treating physician. Every attempt should be made to modify the employee's current job to meet restrictions.

The Workers' Compensation Administrator and the treating physician shall make the final decision, with input from the injured employee's supervisor and Human Resources Manager, as to when an employee returns to work in either his/her original position, a transitional work assignment, a permanently modified job or a re-assigned position.

### **Panel of Physicians**

A list of healthcare providers that have entered into an agreement with the company to provide prompt healthcare services to an employee injured during the performance of their jobs. This list is provided on the State of Tennessee form C-42 titled "Agreement Between Employer/Employee Choice of Physician". The list must include a minimum of three (3) physicians with a fourth being a chiropractor if needed. It is beneficial to develop the Panel of Physicians from the CompTrust AGC...Tennessee's preferred provider network as their rates are discounted. The preferred provider network of physicians can be accessed via Brentwood Services, Inc.

### **Transitional Work Assignments**

All temporary, modified or alternate positions are considered "transitional positions" and are designed to help the injured employee return to their usual and customary duties as soon as possible. Employees may be provided with transitional work assignments during their recuperation in order to maintain desirable productivity levels. These assignments should be short term in nature until the employee is able to return to his/her original job assignment.

### **Permanent Job Modifications / New Position Assignments**

Permanent job modifications and new position assignments are used for employees who receive a permanent disability as a result of an injury. Permanent job modifications may be the same as transitional work assignments except the transitional work assignments are temporary in nature. If an employee cannot be placed in a permanently modified job, then that employee may be assigned to another position that meets the restrictions imposed upon the employee by the treating physician. In the construction industry, it is many

times impossible to provide permanent job modifications, but this option will be evaluated on a case-by-case basis and implemented if appropriate.

### **Program Communication**

The Return to Work Program must be effectively communicated to injured employees, affected supervisors, and panel physicians. Program communication will be achieved by the training of supervisors, through safety orientation training for employees and the distribution of program literature as appropriate.

It is the Workers' Compensation Administrator's responsibility to let the medical provider know that the company has a Return-to-Work Program and intend to bring the employee back to work as soon as possible. The attending physician shall be notified that modified or alternative work will be provided if possible. Each instance will be evaluated to determine if modified or alternate work is available.

### **Matching Employees to Alternate/Modified Duty**

When possible, all employees should return to their work-site as soon as possible after initial treatment, or contact the supervisor or program coordinator, to report the physician's findings and discuss work options if needed.

[COMPANY] will take the necessary steps to ensure that an appropriate return-to-work assignment is arranged and will follow up with Brentwood Services, Inc. to confirm such arrangements.

Once the return-to-work arrangements are confirmed, the employee will be contacted with the starting date and time to report to work. It is the employee's responsibility to alert the Brentwood Services claims adjuster if you are restricted to part-time work or if only part-time work is available, so that eligibility for supplemental benefits can be reviewed and determined.

It is the employee's responsibility to work within the physical restrictions as outlined by the physician. The employee should perform only those duties that are assigned to them.

Any difficulty in performing alternate/modified work duties is to be immediately reported to the company's Workers' Compensation Administrator. Workers' Compensation Administrator will then discuss the concerns with the Brentwood Service claims adjuster for resolution.

The injured employee will be expected to keep regular medical appointments with their treating physician to help monitor the progress of their recovery.

The manager or supervisor will discuss the recovery progress with the employee and the medical provider, as needed, to determine how they are progressing, when and if any additional duties can be added to the modified or alternate position, and when or if the employee can be returned to their usual and customary position.

If the employee is not able to return to their usual and customary duties within 30 days, a complete re-evaluation of the situation may be made in cooperation with Brentwood Services, the treating physician and the employee.

Employees are to adhere to all other company policies while working alternate/modified duty work.