Transitional Return to Work

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Policy Statement:
South Central Louisiana Human Services Authority (SCLHSA) shall provide a Transitional Return to Work Plan, based on medical prognosis and recovery, to facilitate the early return to duty of injured workers who have been released to return to duty by their treating physicians.

Rationale:
To ensure all SCLHSA employees receive an opportunity to return to gainful employment as soon as medically possible after an illness or injury.

Goals:
The Transitional Return to Work (RTW) Policy shall have the following goals:

- Ensure all employees are provided a safe environment to return to work for those injuries or illness that were occupationally related or not;
- Give employees safe return to work options;
- Provide suitable accommodations for employees who have sustained an injury or illness that impacts their ability to perform all aspects of their pre-injury/illness job;
- Retain qualified employees;
- Facilitate a safer working environment;
- Reduce worker's compensation claim costs;
- Provide a worker's compensation claims reporting process;
- Contribute to providing semi-annual reports to the Legislature and the Governor; and
- Reduce the duration of time needed for the employee to transition back to full duty.

Procedure:

A. SCLHSA shall establish a Transitional Return to Work Team to review all absences and lost time worker's compensation employees under its authority.

B. The composition of the Transitional Return to Work Team shall include:
   1. SCLHSA Executive Director
   2. SCLHSA Human Resources Director or designee
   3. Employee's immediate supervisor
   4. SCLHSA Compliance Officer or designee
   5. Other professionals as needed on a case by case basis

C. The scope of the Transitional Return to Work Team shall be to:
   1. Complete transitional return to work plans
   2. Review/create job modifications
   3. Task identification

4. Comply with the State's requirement for a transitional return to work plan
5. Oversee transitional return to work plan success

D. Report transitional return to work program results to the Executive Director.

E. The Human Resources Director or designee shall function as the Return to Work Coordinator and as the primary contact for employees and outside agencies on matters related to disability management and return to work planning. This will also include:
   1. Coordinating the day to day administration of the disability management program
   2. Developing, facilitating and monitoring the return to work program
   3. Developing and facilitating accommodations
   4. Working with all employees to facilitate the RTW program
   5. Monitoring return to work plans and provide progress reports to appropriate individuals
   6. Reporting on the return to work program to SCLHSA's Executive Director

F. Reporting a work related injury/illness**: NOTE—Any employee in an accident that occurs during the course and scope of employment may be required to submit to drug and alcohol testing as soon as practicable under La. R.S. 23:1081. (Refer to Policy 207 Drug-Free Workplace)**
   1. The injured employee shall immediately report the work related injury or illness to their immediate supervisor or other individual in the chain of command.
   2. The employee's supervisor or other individual in the chain of command shall immediately report the work related injury or illness to the Human Resources Director and the Compliance Officer. A completed DA 2000, Incident Report, is sent to the Compliance Officer.
   3. The Compliance Officer or designee is responsible for the following:
      a. Once the completed forms are submitted to the Compliance Officer, the Compliance Officer shall report the work related injury or illness via the ORM Third Party Administrator's claim system.
      b. The *Human Resources Director* or the *employee's supervisor* shall provide the employee with a Physician's Modified Work Information Sheet to be completed by the treating physician.
      c. The injured employee is allowed to seek treatment with a physician of their choice. Treatment may include drug and alcohol testing.

G. The Transitional Return to Work Team shall meet/communicate only when there is an active worker's compensation case and bimonthly or monthly as needed when an employee is injured/ill and and/or there is a change in the injured/ill employee's medical status following the injury.

H. When reviewing an individual worker's eligibility for return to work options, the following criteria should be followed:
   1. Ensure SCLHSA's Physicians Modified Information sheet is complete. On the job accidents/injuries **MUST** utilize the Physicians Modified Information sheet.
   2. Assess the job task of the worker's pre-injury position.
   3. Identify transitional tasks that can be performed with the employee's current physical restrictions.
   4. Review other services or tasks that can be performed which would improve the overall function of the agency.
   5. Review tasks which can be performed that would return an employee to gainful employment.
   6. The Office of Risk Management's Third Party Administrator (TPA) will be available to identify transitional return to work tasks if needed.

I. A transitional return to work plan should be created with the supervisor of the injured employee and at least one representative from the return to work team to include:
   1. Specific job tasks identified
   2. Hours to be worked
   3. Duty assignment
   4. Physical restrictions utilizing the Physician's Modified Work Information Sheet
   5. Assess for work environment modifications, equipment and secure needed equipment.

   Prior to implementation, the plan shall be reviewed by each member of the team before being submitted for approval by SCLHSA's Executive Director.

J. Job Accommodations for an employee's return to work may include, but are not limited to:
   1. Modified Work –Includes modification to the job tasks, functions, hours of work, frequency of breaks, worksite, or any combination of these.
   2. Alternate Work – Different from the employee's pre-injury job or illness offered to a worker who is temporarily or permanently unable to perform their pre-injury work.
   3. Transitional work – A group of tasks or specific jobs that can be performed until the worker is capable of returning to full pre-injury duties.

      Note: New positions shall not be created specifically for transitional return to work.

K. Before Employee's Return to Work:
   1. The agency will hold a return to work meeting (in person, telephonically or virtually) with the employee to review the plan before the employee returns to work.
   2. Once the meeting has taken place, an offer of transitional duty employment via the return to work plan shall be made to the injured employee in writing.
   3. If the injured employee is represented by counsel, the notice shall be sent to the employee via counsel.

L. The offer of transitional return to work employment shall:
   1. Be made in writing by the Executive Director.
   2. Contain documentation of how it was presented to employee (hand-delivered, certified mail, electronic copy, etc.)
   3. Contain a specific return to work date at assigned work schedule
   4. Contain the specific duty assignment
   5. Designate to whom the employee will report upon return to work
   6. Be signed by the employee as acceptance of the plan.

   The agency shall provide transitional employment for up to one year utilizing Civil Services' special detail provisions, or until the injured worker can medically return to full duty, whichever comes first.

M. The Agency has the following responsibilities in the transitional return to work process:
   1. Provide a detailed job description for all agency positions that includes physical demands and essential functions of the job
   2. Review all job descriptions to assure any updates for knowledge, skills and abilities
   3. Treat injured employees with dignity and respect
   4. Create a positive atmosphere where employees know they are valued
   5. Develop a suitable RTW plan for the employee and stay within the outlined abilities/limitations.
   6. Promote an open and cooperative return to work process, including maintaining regular contact with injured employees via members of the Transitional Return to Work Team

7. Promote and enforce safe work practices
8. Visibly support the return to work program
9. Ensure a work environment that is conducive for a successful return to work program
10. Monitor the progress of the employee through the RTW plan for the employee and stay within the outlined abilities/limitations.

N. Employees have the following responsibilities in the transitional return to work process:
   1. Must return the SCLHSA's Physicians Modified Information sheet to the Human Resources Director/Return to Work Coordinator within 24 hours of receipt of the signed form from the treating physician and no later than 72 hours prior to their anticipated return date.
   2. Review the transitional return to work offer and accept it as written or suggest modifications.
   3. Report to work as instructed in the return to work offer letter.
   4. Work only within the restrictions provided by the physician and as designated in the return to work plan.
   5. Comply with medical treatment and keep all scheduled medical appointments.
   6. Advise immediate supervisor and the Return to Work Coordinator immediately if the transitional work is physically too difficult.

O. The agency shall not require the employee to perform tasks that have been prohibited by the treating physician when the employee returns to work on a transitional return to work plan. The agency shall:
   1. Evaluate the plan every 30 days to assess the employee's ability to return to full duty.
   2. Consult with The Office of Risk Management's TPA for communications with medical personnel when the injury/illness is related to a work incident.

P. The Agency shall notify the Executive Director and the ORM TPA (for occupational related injury/illness) if an employee is at risk of removal due to exhaustion of sick leave. The agency shall also:
   1. Maintain documentation of failed transitional return to work employment.
   2. Maintain documentation of efforts made to identify transitional return to work tasks.
   3. Maintain documentation of barriers in identifying transitional return to work.
   4. Maintain documentation to include evidence that transitional return to work tasks could not be identified, if applicable.
   5. Notify the RTW Coordinator for the ORM TPA when an injured worker is removed from work or the accommodations are no longer available.

Q. The TRANSITIONAL RETURN TO WORK AUDIT FORM (DA WC4000) shall be used to measure the effectiveness of the agency's transitional duty employment program. The TRANSITIONAL RETURN TO WORK AUDIT FORM (DA WC4000) can be found on ORM's website. The DA WC4000 tracks the information for as long as the person is receiving worker's compensation indemnity benefits. The DA WC4000 is subject to review during the annual compliance audit. The Return to Work Coordinator is responsible for completing this form monthly.

R. All employees shall be made aware of this policy during the orientation process and reviewed annually with existing employees.

Compliance Requirement:

- Office of Risk Management for the State of Louisiana La. R.S. 23:1081

Attachments:

- Physician's Modified Work Information Sheet

- Transitional Return to Work Audit Form (DA WC4000)

Linkages:

- Policy 207 Drug-Free Workplace