



POLICY TITLE

TRANSITIONAL RETURN TO WORK

POLICY NUMBER

2-223

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| Responsible Office: Human Resources Office | Effective Date: November 6, 2017 |
| Responsible Official: Mary V. Gloston, Interim Chief HRO | Last Reviewed Date: |
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POLICY STATEMENT

The health and well-being of all employees is of great importance to Baton Rouge Community College (BRCC). It is well documented that injuries affect the whole person and that effective rehabilitation and treatment includes keeping physically and mentally active within the restrictions of the particular injury. BRCC will make every effort to help employees maximize their healing and facilitate their early return to work.

The transitional return to work policy is beneficial to BRCC, the State of Louisiana, and employees in regaining the economic, health, and emotional benefits of full employment.

POLICY RATIONALE AND SCOPE

Consistent with the general intent of the Senate Concurrent Resolution 50 of the 1997 Regular Legislative Session, Senate Bill 689 of the 1999 Regular Legislative Session, Office of Risk Management and Civil Service Rules regarding Return-to-Work Policy for employees on Worker's Compensation, BRCC will make reasonable effort to return to the workplace those classified and unclassified employees who have sustained job-related injuries or illnesses, and as a result, are temporarily prevented from returning to their full former employment. To return an employee to the workplace, BRCC will make reasonable efforts to place the returning employee into a meaningful assignment, which he/she can perform while on light or limited duty on a temporary basis.

The Office of Risk Management (ORM) has the responsibility for administration of claims for medical and disability benefits to employees who are injured on the job and coordination of the

early return-to-work program, including light duty or alternate duty assignments. ORM will work in close cooperation with the Human Resources Office and department administrators. Human Resources will provide the treating physician with a copy of the job functions and physical requirements identified as the “transitional” duty assignment. Once the treating physician confirms that the employee is capable of performing the “transitional” duty function, the employee may be allowed to return to work on a transitional duty assignment.

The Return-to-Work Program uses a “team” approach. The team must include the BRCC Chief Human Resources Officer (Return-to-Work Coordinator or RTW Coordinator) or designee(s), safety coordinator, the Office of Risk Management representative, ORM Third Party Administrator (TPA), and the supervisor of the employee being considered for the Return-to-Work Program. The objective of the “team” is return the injured employee to productive work as quickly as possible. The return-to-work team will be responsible for reviewing all cases of employees who are off duty as a result of work related injuries, illnesses and diseases, and who are referred by the Office of Risk Management representative as suitable for “transitional” duties.

The Return-to-Work Team shall identify job functions and physical requirements that can be considered “transitional” duties in the work environment. An effort will be made to place the employee in his/her original work unit, however, if this is not possible, the team will recommend a suitable work area and work schedule. The appointing authority of the college in which the “transitional” duty assignment is identified must approve the proposed placement prior to further action being taken. The return-to-work team will review the “transitional” work plan every 30 days to determine if the employee is still in transition based on the physician’s recommendation.

POLICY AUDIENCE

To be eligible for the Return-to-Work Program, an employee must be off work as a result of work related injuries, illnesses, or diseases; be receiving Worker’s Compensation; and have the treating physician’s approval to return to transitional/light duty or work. An employee who refuses to return to “transitional” duty for which they were medically cleared will be reported to the Office of Risk Management for appropriate action.

POLICY IMPLEMENTATION, ROLES AND RESPONSIBILITIES

Transitional Return-to-Work Team Roles

The initial consideration for returning an employee to work will be made by the employing section. In most cases, the employee’s own section should be able to find a suitable fit. However, where the employing section cannot make a suitable fit or cannot return the employee to work, the Return to Work Coordinator (Human Resources) will play a role in helping injured employees during the healing process.

- Team Scope
 - Complete transitional return-to-work plans
 - Review of job modifications

- Job tasking
 - Task identification
 - Comply with the state's requirement for a transitional return-to-work plan
 - Oversight of plans
 - Facilitate success of plans
 - Report transitional return-to-work program results
- Return to Work Coordinator
- The agency designated RTW coordinator is the Human Resources Staff. The RTW coordinator is the primary contact for employees and outside agencies on matters related to disability management and return to work planning. This includes but is not limited to:
- Responsible for the overall coordination and day-to-day administration of the disability management program;
 - Develop, facilitate and monitor return-to-work program;
 - Develop and facilitate accommodations;
 - Work with the employee and the employer to facilitate RTW programs;
 - Monitor RTW plan and provide progress reports to appropriate individuals.

Plan Implementation

- Review the Return-to-Work Program with existing employees annually
- Review the Return-to-Work Program with all new hires during the new hire orientation

Reporting a Work Related Accident, Illness

Once an injury/illness is reported by an employee, BRCC personnel will:

- Report work related injuries or illnesses **immediately** via the TPA's claims system;
- Provide employee with a Physician's Modified Work Information Sheet to provide to the treating physician;
- Refer the injured employee to the occupational medical clinic chosen for the agency;
- Allow the injured employee to seek treatment with a physician of choice.

Pre-Accident Job Tasking

Job tasking is the process of detailing each specific job task performed in a position to ensure injured workers are returned to a safe work environment.

- Job tasking should begin before the accident occurs or once an injury has occurred that leads to lost time.

- Complete job tasking for each position of injury that results in lost time.
- Consult with first-line supervisors to ensure employees will not be worked outside of restrictions placed by the treating physician.
- There is no need for repetition of job tasking with each new occurrence.
- Compile a master list of transitional tasks for each position.
- Maintain a file of job tasks for each position for which a lost-time claim has occurred.

Accommodation Types

Modification of job tasks, equipment or schedules in accordance with Civil Service provisions shown below, or until the injured worker can return to full duty, whichever comes first.

Accommodations may include, but are not limited to:

- Modified Work – Includes modification to the job tasks, functions, hours of work, frequency of breaks, worksite, or any combination of these.
- Alternate Work – Different from the employee’s pre-injury job or illness offered to a worker who is temporarily or permanent unable to perform their pre-injury work.
- 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.
- *Agencies are not expected to create a position for Transitional Return to Work.*

Civil Service Rules (classified employees only)

- **Classified Employees**

Civil Service rules, as delineated in General Circular Number 001290 and outlined below, shall govern personnel actions for classified employees accepting “transitional” duty assignments.

- Employees may be detailed to special duty, with Civil Service approval, for a period **six months not to exceed one year** (usual time required for an employee to remain in Worker’s Compensation). No extension of this type of detail shall be authorized.
- The detail to special duty may be lateral or downward. This type of detail generally receives rapid approval.
- Details to a higher position will be allowed and approved on a case-by-case basis, when justified.
- The employees’ pay cannot be reduced.

- **Unclassified** employees accepting “transitional” duty assignments will be detailed to special duty for a period **six months not to exceed one year**. The detail must be approved by the Chancellor of BRCC. The employees’ pay cannot be reduced during this detail to special duty.

Transitional Return-To-Work Process

1. The return-to-work plan - A transitional return to work plan should be completed with the supervisor of the injured employee and a representative from the return-to-work team to include the items below. The plan shall be reviewed and approved by each member of the team.
 - Specific job tasks identified,
 - Hours to be worked,
 - Duty assignment, and
 - Physical restrictions.
2. Eligibility for Return to Work - When reviewing an individual worker’s eligibility for return to work options, the following criteria should be followed:
 - Assess the job task for the worker’s pre-injury position.
 - Identify transitional tasks that can be performed with the employee’s current physical restrictions.
 - Review other services or tasks that can be performed which would improve the overall function of the agency.
 - Review tasks that can be performed that would return an employee to gainful employment.
 - The ORM’s TPA will be available to identify transitional return to work tasks, if needed.
3. Before the Return to Work – The supervisor will hold a return-to-work meeting with the employee to review the plan before the employee returns to work. Once the meeting has taken place, an offer of transitional duty employment shall be made to the injured employee, in writing. If the injured employee is represented by counsel, the notice shall be sent to the employee via counsel.
4. Agency Responsibility (Supervisor)

The Supervisor is responsible for meeting with the employee to discuss the plan prior to returning to work. The Supervisor should work with the RTW Coordinator throughout the process to ensure the modified job is the correct fit for the employee based on the employee’s outlined limitations. The following items must be taken into consideration:

 - Provide a good detailed job description that includes the physical demands and essential functions of the job.
 - Treat the injured worker with dignity and respect.

- Reflect the State values and guiding principles; create a positive atmosphere where the employee knows they are valued.
- Promote an open, cooperative process including maintaining regular contact with the employee.
- Work with the RTW Coordinator to develop suitable RTW plan for the employee and stay within the outlined abilities/limitations.
- Monitor the progress of the employee through the RTW plan and involve the RTW Coordinator if there are any changes in circumstances.
- Promote and enforce safe work practices.
- Visibly support the RTW program.
- Ensure a work environment that is conducive for a successful RTW program.

The Return to Work Offer

The offer of transitional return to work employment shall include the following components. The employing department shall provide transitional employment, as outlined above, for **up to one year** utilizing Civil Service's Detail to Special Duty provisions for classified employees as outlined in the Civil Service Rules, or a similar provision for unclassified employees, or until the injured worker can medically return to full duty, whichever comes first.

- Offer must be made in writing.
- Certified mail return receipt request or electronic mail
- A specific return to work date and time
- Duty assignment
- Who to report to

- **Employee Responsibility**

- Return the Physician's Modified Information Sheet to immediate supervisor within 24 hours of receipt of the signed form from the treating physician.
- Accept/Decline the transitional return to work offer.
- Report to work as requested in the return to work offer letter.
- Work within the restrictions provided by the physician.
- Comply with medical treatment and keep all scheduled medical appointments.
- Advise the immediate supervisor and ORM's TPA RTW Coordinator if the transitional work is physically too difficult.

- **Supervisor/Department Head Responsibility**

- Inform employees of section work rules and practices.
- Assist HR, when appropriate, find or develop modified work for employee, with medical restrictions.
- Assist HR with modified duty assignment for the injured/ill employee.
- Determine specific job tasks and suggest appropriate job modifications
- Concentrate on returning the employee to work activities that are based on physical limitations and transferable skills.

- **Safety Coordinator Responsibility**

- Report the injury/illness to HR.
- Report the injury/illness immediately or no later than 48 hours using the TPA's claim system.
- Maintain contact with ORM.
- Maintain injury records and history.
- Make safety recommendations when necessary.
- Review injury data and analyze to spot trends on injuries and accidents.
- Develop and implement employee safety training programs.
- Act as liaison for all interested parties.
- Assist in planning safety training for BRCC.

- **Human Resources Staff Responsibility**

- Provide the employee with a Physicians' Modified Work Information Sheet to give to the treating physician.
- Inform the injured employee of occupational medical clinics chosen by the agency.
- Allow the injured employee to seek treatment with a physician of choice.
- Inform the injured worker of benefit options, rights and responsibilities.
- Maintain contact with the injured worker.
- Responsible for the overall coordination and day-to-day operation of the disability management program.
- Develop, facilitate and monitor return to work program and provide progress reports to appropriate individuals.
- Meet with the supervisor to determine specific job tasks and suggest appropriate job modifications.
- Concentrate on returning the employee to work activities that are based on physical limitations and transferable skills.
- Assist with the developing and facilitating accommodations.
- Facilitate all case management activities.
- Maintain contact with ORM.

After the Employee Has Returned to Work

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. Evaluate the plan every 30 days to assess the employee's ability to return to full duty. The ORM's TPA will be responsible for communications with medical personnel.

Termination of Employment

An agency should notify the ORM's TPA if a person is at risk of termination due to exhaustion of sick leave. Agencies should:

- Maintain documentation of failed transitional return to work employment.
- Maintain documentation of efforts made to identify transitional return to work tasks.
- Maintain documentation of barriers in identifying transitional return to work.
- Documentation shall include evidence that transitional return to work tasks could not be identified, if applicable.
- Notify the RTW Coordinator for the ORM's TPA when an injured worker is removed from work or the accommodations are no longer available.

POLICY RELATED INFORMATION

This policy is in compliance with the following rules and regulations:

Senate Concurrent Resolution 50 of the 1997 Regular Legislative Session

Senate Bill 689 of the 1999 Regular Legislative Session

Civil Service Rules Return-to-Work Policy for Employees on Worker's Compensation

BRCC Notice - Release to Return to Work

DA 2000 - Employee Accident Form

BRCC Notice - Authorization to Release Medical Information

POLICY EXCEPTION

Exceptions may be made by the Chancellor of BRCC to any provision of this policy, provided such an exception shall not be in conflict with applicable federal, state and/or local laws, rules policies or regulations of the State Department of Civil Service or LCTCS.

POLICY HISTORY AND REVIEW CYCLE

This policy is new and is effective upon the date of the Chancellor's signature. The policy shall be reviewed annually.

CONTACT(S)


Any questions regarding this policy should be submitted or referred to the Human Resources Officer or designated staff member at 225-216-8268.

POLICY URL

This policy may be found at

http://www.mybrcc.edu/about_brcc/policy_index/human_resources_policy/index.php.

POLICY APPROVAL - APPOINTING AUTHORITY



Larissa Littleton-Steib, Ph.D., Chancellor

11-6-17

Date