

RETURN TO WORK POLICY

(Employees on Worker's Compensation)

The Louisiana Legislature has created the framework for State employers to implement a comprehensive return to work policy. The Office of Risk Management and the Department of Civil Service have jointly developed a return to work program for employees of the State of Louisiana.

PURPOSE OF PROGRAM

1. Provide for an employee's earliest possible safe return to work so as to provide gainful employment as soon as it is medically possible after a job-related injury or illness.
2. Give employees more options in returning to work, other than only being able to return with a full duty release.
3. Retain qualified tenured employees; thereby utilizing their expertise, training, and seniority.
4. Facilitate a safer working environment by taking more responsibility for injured workers.
5. Reduce medical costs of Workers' Compensation claims due to extended work absences.
6. Reduce loss time payments of Workers' Compensation claims due to extended work absences.

Such Programs Include

1. A transitional employment program.
2. A workers' compensation claims reporting process.
3. A process of semiannual reports outlining the program's activity.

TRANSITIONAL RETURN TO WORK TEAM

The return-to-work program uses a team approach. The University's Transitional Return-to-Work Team is composed of representatives from the departments of Human Resources, Environmental Health and Safety, the Office of Risk Management, and departmental management. The object of the team is to return the injured employee to productive work as quickly as possible. The Return-to-Work Team will review all cases of employees who are off duty as a result of work related injuries or illnesses. They will work with the Office of Risk Management to determine which cases may be suitable for transitional duties.

To be eligible for the Return-to-Work Program an employee must be off work as a result of work-related injury or illness, receiving Workers' Compensation, and have the treating physician's approval to return to transitional/light duty or work. The Return-to-Work Team will identify job tasks and physical requirements for those tasks that can be considered transitional duties in the work environment. An effort will be made to place the employee in his or her original work, at a suitable work station, and/or on an appropriate work schedule.

The Return-to-Work Team will develop a tracking system to determine the effectiveness of its actions. Included will be the tracking of injured workers per month and the number of associated loss-time days. A report will be submitted to the Office of Risk Management on a monthly basis.

RETURN TO WORK

The Office of Risk Management will provide the treating physician with a copy of the job functions and physical requirements identified as the transitional duty assignment. Once the attending 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.

Return to Work Options

The individual worker's situation for determining return-to-work options will be considered by assessing the job tasks of the worker's pre-injury position and ascertaining what transitional tasks are available within the constraints of post injury abilities. If absolutely no tasks in the position or positions in the immediate work section are available, then the next related area within the department will be reviewed for transitional duty. Further analysis of position descriptions will be made to determine if the job duties and responsibilities should be expanded to provide additional services for the department which could be performed by the injured worker.

Any type of task that would be productive in providing a service for meeting the department's and/or University objectives and which will be of benefit to the department's/University's students, employees, and/or general public is preferred, rather than not having any duties for the injured worker to perform. An employee may be detailed to special duty laterally or downward, provided the employee's pay will not be reduced.

Transitional duty will last until the injured worker has reached maximum medical improvement or is returned to the previous job. If the worker reaches maximum medical improvement and is unable to resume the full duties and responsibilities of the pre-injury position, additional vocational rehabilitation, ADA provisions, and/or disability retirement issues will need to be addressed.

In the event an employee refuses an accommodation or reassignment to duties which are within the employee's restrictions and ability to perform, the University is not obligated to provide alternatives. The employee must submit in writing his or her refusal of the proposed accommodations or reassignment of duties. An employee who refuses to return to transitional duty for which he or she was medically cleared will be reported to the Office of Risk Management for appropriate action, including possible employment termination.

RETURN TO WORK PROCEDURES

Employee Responsibilities

Immediately report all injuries to a supervisor. Complete all necessary paper work as soon as possible per date, time, place, activity, nature of injury, medical attention received, and a prognosis. Follow departmental procedure regarding attendance and leave. Maintain periodic contact with supervisor providing an update of return to work status. Present list of Essential Duties/Transitional Duties and Physician's Certification to physician for completion. If offered, return to a modified duty or modified work schedule which is within medical restrictions as determined by the treating physician for the transition period.

Immediate Supervisor/Department Head Responsibilities

Initiate immediate medical attention for employee when necessary. Report the injury and complete all paperwork (Employer's Report of Injury) immediately. Inform employee of Worker's Compensation benefits, attendance and leave policies and procedures, and return to work procedures if applicable. Maintain contact with the injured worker and with the HR Office. When appropriate, find or develop modified work/work schedule for the employee within medical restrictions. Be a participant on the Transitional Return-to-Work Team. Identify and offer modified duty assignment to the injured employee, when appropriate. Determine specific job tasks and make appropriate modifications. Develop a list of Essential Duties/Transitional Duties and give to employee with the Physician's Certification form to be completed by the employee's physician. Focus on returning the employee to work activities based on physical restrictions and based on transferable skills to other areas. Contact Environmental Health & Safety Office to assist with accident investigation. Report safety problems and coordinate with the Environmental Health & Safety Officer efforts to identify and correct hazards.

Environmental Health & Safety Officer Responsibilities

Provide assistance to supervisor/department head for investigating accident and completing accident investigation report. Identify hazards to be corrected. Make safety recommendations. Review safety manual with supervisor/department head and obtain their assurance that all employees within their area are aware of any safety hazards identified and have received safety orientation. Develop and implement employee safety training programs. Be a member of the Transitional Return-to-Work Team.

Department of Human Resources Responsibilities

Coordinate all return-to-work procedures and act as liaison for all interested parties. Finalize Employer's Report of Injury. Follow-up on Employer's Supplemental Report of Injury. Primary liaison to Office of Risk Management (ORM). Coordinate all documentation necessary for ORM. Immediately submit loss time reports to ORM. Upon receipt, immediately submit claims to ORM. Inform injured worker of benefit options, rights, and responsibilities. Maintain contact with injured employee, department head, Safety Office, and ORM. Maintain injury records and history. Review and analyze injury data. Assists with development of modified duty assignments. Focus on returning the employee to work activities that are based on physical limitations and transferable skills. Member and coordinator of Transitional Return-to-Work Team.

Office of Risk Management (ORM) Responsibilities

ORM claims staff and vocational rehabilitation counselors will assist the employee, the Department of Human Resources, and the Transitional Return-to-Work Team. ORM will assume the responsibility to conduct all communications with treating medical personnel. ORM will process all medical claims and loss time compensation promptly.