



RETURN-TO-WORK POLICY

West Chester University

I. PURPOSE:

The purpose of this policy is to establish a formal program to expedite recovery of employees with work-related injuries by returning them to productive employment status as soon as possible while minimizing the risk of re-injury. The policy is based on a philosophy that many injured workers can safely perform productive work during the process of recovery provided institutional flexibility can be shown.

II. DEFINITIONS:

- A. Return-To-Work-Plan: A program designed to provide a temporary work assignment, allowing an employee injured on the job to return to work prior to full duty under a specific set of physician's approved work restrictions.
- B. Light Duty: Light duty is a temporary assignment to work requiring less than full duty. Work may include a host of limitations prescribed by the employee's panel physician, such as restrictions relating to hours of work, and physical demands such as standing, bending, lifting, walking, and climbing. Sedentary light duty typically requires sitting and other more severe movement restrictions. Light duty is sometimes referred to as a transitional or modified work.
- C. Panel Provider: A panel provider is a licensed medical doctor who is affiliated with the University's workers' compensation managed care program.

III. POLICY:

This policy establishes a University wide *Return-To-Work Plan* designed to encourage occupationally injured employees to return to productive work as quickly as possible, understanding that temporary assignments with light or sedentary light duty restrictions may be necessary to allow the employee to be successful and minimize the risk of re-injury until full recovery is achieved. Retraining and permanent reassignment to a vacant position may be pursued subsequent to light duty if restrictions persist.

- A. Benefits: The benefits to the employee include allowing the employee to expedite recovery; retain his or her professional identity, job security,

skills and productivity; and provide a supporting environment among coworkers, while avoiding physical de-conditioning that occurs when employees are absent from work for extended periods of time. The benefits to the University include reduced costs, maintained productivity and workers' compensation improved experience rating.

- B. Collaborative Environment: For any *Return-To-Work Plan* to be successful, the cooperation of the employee, the employee's department (or another department), the Human Resources Benefits Officer, Internal Human Resources Consultant support representing the work area(s), and the employee's panel physician are necessary. In some instances, the participation of the Environmental Health and Safety staff may also be necessary to perform ergonomic assessments and make recommendations on work-station reengineering or task modification. ***The strong support of senior management, particularly in supporting placements, is absolutely critical.***
- C. Medical Confidentiality: Releases must be obtained from injured employee prior to any release/disclosure of medical information.

IV. PROCEDURES:

A *Return-To-Work Plan* must be established in writing for any injured worker returning to duty in a less than full capacity.

- A. Elements of the Plan:
 - 1. **Temporary Assignment**: The plan shall include the temporary duty assignment, its specific location, the immediate supervisor, the hours of work, all restrictions and other pertinent information as deemed necessary. Any temporary assignment must comport with the specific restrictions certified by the employee's treating physician. When a home department can reasonably modify work or place an injured worker into an alternative assignment, the expectation is that the temporary assignment will occur in the home department. When work cannot be reasonably modified and no alternative assignment is possible within the department, the HR Benefits Officer may seek to arrange an assignment in another department which has work that will fit the employee's temporary restrictions and match the employee's qualifications. An employee's immediate supervisor for a temporary assignment shall establish specific performance expectations within the first two weeks of the temporary assignment. The temporary assignment of bargaining unit members may be to a lateral or a lower classification, in accordance with existing collective bargaining agreements.
 - 2. **Timeline**: The plan shall also include the starting date and proposed length of assignment and monthly detailed medical status updates required during the temporary assignment. Initial assignment may not exceed 90 days but may be extended for an

additional 90 days if necessary, with the concurrence of the department in which the temporary assignment is occurring.

3. **Communication with Panel Provider:** The employee should be made aware that the HR Benefits Officer may communicate directly with the panel provider. This communication is intended to facilitate an optimal understanding by the provider of the nature of the work the employee is being requested to perform, as well as an optimal understanding of the employee's limitations by the University
4. **Responsibilities Relating to Development:** The HR Benefits Officer shall facilitate the development of the *Return-To-Work Plan* in conjunction with input from the employee, the employee's department head (or assignment area's department head), the area's Internal HR Consultant, and the University's worker's compensation managed care case manager.
5. **Salary Costs:** Salary costs associated with the temporary assignment shall be borne by the home department for the first 90 days, even when the temporary assignment occurs outside the home department. Salary costs for any additional temporary assignment periods shall be assigned the department in which the temporary assignment is occurring, unless otherwise agreed.

B. Methodology:

1. **Day of Injury Reporting:** The employee (or in the event the employee is unable to report), the immediate supervisor must report what they believe to be an occupational injury to the HR Benefits Officer on the day of the injury. [This requirement is not intended to replace the Employer's First Report of Occupational Injury or Illness process required of departments as part of the University's Worker's Compensation Program required by law. This is an additional notice requirement established by policy.] The HR Benefits Officer will advise the injured employee regarding treatment by a panel physician. This same day reporting will help facilitate rapport and trust between the injured employee and the HR Benefits Officer and help alleviate uncertainties and insecurities that may otherwise be present and persist. The intent is to very deliberately prevent a disconnect from occurring, which places an injured employee on his or her own and leaves the University with insufficient information contact from which to develop a *Return-To-Work Plan*. The intent of the approach is to establish a personalized "call me if you have problems" attitude and a "nothing falls through the cracks" approach to claim and recovery management.
2. **Early Intervention Response:** Return to work coordination begins with the initial report of injury to the HR Benefits Officer. The injured employee must provide the HR Benefits Officer and his or her immediate supervisor with a report of injury status from the

initial panel physician visit within 24 hours of the visit. At this point the HR Benefits Officer will engage the home department (or another department) in a light duty assignment discussion and also engage the Internal HR Consultant appropriate in the preparation of a modified job description for the panel provider to review. The targeted timeline for light duty is immediate if medically appropriate light duty is available, subject to the *Return-To-Work Plan* being completed. On an occupational injured employee's first day back to light duty the HR Benefits Officer shall meet with the employee and the immediate supervisor at the temporary assignment site, review the *Return-To-Work Plan*, and reinforce program goals prior to the employee beginning the temporary assignment.

3. **Critical Event/Information Tracking:** All medical appointments and injury/work status reports for the occupationally injured employee must be tracked by the HR Benefits Officer. The HR Benefits Officer will also communicate any changes or updates on the employee's injury with the employee's immediate supervisor the day they are received from the panel provider.
 4. **Difficult Case Staffing:** Reinforced case staffing may be initiated for several reasons. These may include issues specific to the occupational injury, progress issues associated with the light duty, or employee work performance in the temporary light duty assignment. The intent is to effectively address issues as soon as they arise and not to leave the immediate supervisor or the employee in the temporary duty assignment unsupported. Reinforced staffing may be in the form of additional medical, occupational health, labor relations and other professionals who might add to the understanding of the issues with the intent of improving the likelihood of a successful return to work for the injured employee.
- C. **Temporary Assignments Bank:** A survey of all departments will be initiated within 30 days of the effective date of this policy to solicit possible assignments for use as light duty work for occupationally injured employees in accordance with this policy. The responses will be incorporated into a Temporary Assignments Bank, which will be updated at least annually. The Temporary Assignments Bank will include functional job descriptions which are ADA compliant for each possible light duty placement. "ADA compliant" refers to job descriptions which identify essential job functions, delineate physical demands and specify what equipment and tools are typically used to perform essential functions of the job.