

**Governor's Office of Homeland Security
and Emergency Preparedness
State of Louisiana**

JOHN BEL EDWARDS
GOVERNOR



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DIRECTOR

**Transitional Return to Work Policy
Policy Number: HR - 0031**

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Approval:

A handwritten signature in blue ink, reading "James B. Waskom", written over a horizontal line.

James B. Waskom, Director

I. POLICY

It is the policy of the Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP) to facilitate the early return to work of injured workers (worker's compensation claimants) who have been released to return to work by their treating physician, including by modifying regular job duties or making temporary alternate work assignments available to injured workers when the treating physician advises restricted duty. Transitional work shall be available until an injured employee is able to resume full duty employment or up to one year.

II. PURPOSE

This policy delineates the requirements of the GOHSEP to formulate a Transitional Return to Work Plan, to identify the GOHSEP Transitional Return to Work Team, and to designate a Return to Work Coordinator to facilitate the return to work for any employee who suffers a work related injury or illness.

III. APPLICABILITY

This policy applies to all employees of the GOHSEP.

IV. INITIAL REQUIREMENTS UPON A WORK RELATED INJURY OR ILLNESS

- A. All employees who are injured or become ill following a work-related event shall immediately report the injury or illness via the Third Party Administrator's claim system.
- B. Immediately upon the reporting of a work-related injury or illness, the Human Resources Director or her designee shall:
 - 1. Report such work related injuries or illnesses as directed by the Office of Risk Management to its Third Party Administrator.
 - 2. Provide the employee with a Physician's Modified Work Information Sheet to provide to the treating physician.
 - 3. Make the injured employee aware of medical facilities available in this area.
 - 4. Allow the injured employee to seek treatment with a physician of choice.

V. PROCEDURES

- A. The Appointing Authority shall determine an individual's eligibility for return to work (RTW) options, considering the following:
 - 1. Assessing the job task of the worker's pre-injury position.
 - 2. Identifying transitional tasks that can be performed with the employee's current restrictions.
 - 3. Reviewing other services or tasks that can be performed which would improve the overall functions of the agency.
 - 4. Reviewing tasks that can be performed that would return the employee to gainful employment.
- B. The Appointing Authority or his/her designee, shall establish a Transitional RTW team to facilitate the injured worker's return to work. This Transitional RTW Team is advisory to the Appointing Authority and may consist of the Human Resources Director or his/her designee, the injured worker's immediate supervisor, Return to Work Coordinator (GOHSEP Safety Coordinator), management representatives, Third Party Administrator staff (TPA), and, as needed, a vocational rehabilitation counselor.
- C. Transitional Return-to-Work Team shall perform the following duties
 - 1. Complete transitional RTW plans.
 - a. The supervisor of the injured employee and a representative of the RTW Team shall prepare the initial RTW plan.
 - b. The RTW plan shall include the following:
 - 1) Specific job tasks identified
 - 2) Hours to be worked

- 3) Duty assignment: First priority for any placement offered will be within the employee's division; second priority will be placement in another GOHSEP division.
 - 4) Physical restrictions
 - 5) Each member of the team shall review and approve the plan.
2. Review job modifications.
 - a. Modification of job tasks, equipment or schedules shall be available for up to one year, or when the injured worker has been released to return to work, whichever is less. These may consist of the following:
 - 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 his/her 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.
 - b. Identify job tasks and transitional job tasks.
 - 1) Job tasking should begin before the accident occurs or once an injury has occurred that leads to lost time.
 - 2) Complete job tasking for each position of injury that results in lost time.
 - 3) Consult with first-line supervisors.
 - 4) Compile a master list of transitional tasks for each position.
 - 5) Maintain a file of job tasks for each position for which a lost-time claim has occurred.
 - c. Facilitate the success of return to work plans by evaluating the plan every 30 days to assess the employee's ability to return to full duty.
 - d. Report transitional return-to-work program results.
 - D. Duties of Return to Work Coordinator: The RTW Coordinator is the primary contact for employees and outside agencies on matters related to the disability management and return to work planning. This includes:
 1. Responsibility for overall coordination and day-to-day administration of the transitional employment program.
 2. Facilitating and monitoring individual return-to-work plans and accommodations.
 3. Working with the employee and employer to facilitate RTW programs.
 4. Providing progress reports to the Appointing Authority, the injured worker's immediate supervisor, and appropriate individuals of the Office of Risk Management or its third party administrator.
 - E. The ORM's TPA will be responsible for communications with medical personnel.

- F. GOHSEP shall not have direct contact with the treating medical personnel without the approval of the ORM's TPA.
- G. Frequency of Team Meetings
 - 1. While active lost time claims are ongoing, the Team shall meet bi-weekly or monthly. When the GOHSEP receives notice that an injured employee's medical status has changed, the team shall meet as soon as possible thereafter.
 - 2. Team meetings are not necessary if there are no active lost claims.

VI. RETURN TO WORK OFFER

- A. The offer of transitional return to work shall include the following:
 - 1. Offer must be made in writing.
 - 2. Offer must be mailed by certified mail with a return receipt request.
 - 3. Offer must state a specific return to work date and time.
 - 4. Offer must state who the injured worker/employee will report to and his/her duty assignments.
 - 5. Transitional employment shall be provided for up to one year or until the employee has reached maximum medical improvement, whereby he/she can return to his/her previous job, whichever is less.
- B. The transitional RTW offer shall not require the injured worker to perform tasks that have not been approved by the treating physician.

VII. INJURED WORKER/EMPLOYEE RESPONSIBILITIES

- A. Return the Physician's Modified Work Information Sheet within 24 hours or prior to the next scheduled shift.
- B. Maintain regular contact with RTW Coordinator.
- C. Accept the transitional RTW offer.
- D. Report to work as requested in the RTW offer letter.
- E. Work within the restrictions provided by the physician.
- F. Comply with medical treatment and keep all scheduled medical appointments.
- G. Advise the immediate supervisor and the RTW Coordinator if the transitional work is physically too difficult.

VIII. TERMINATION OF EMPLOYMENT

When an RTW employee's sick leave balance is exhausted, the employee may be terminated. Prior to such a termination, the GOHSEP shall notify ORM's Third Party Administrator when the sick leave falls below forty hours, and/or is at risk of exhaustion. Further, the GOHSEP shall document the employee's file with the efforts made to provide transitional work along with a

detailed explanation of any barriers to implementing a transitional return to work plan.

The GOHSEP shall document the necessity to terminate employment. Documentation shall include evidence that transitional return to work tasks could not be identified.

The Appointing Authority or his/her designee will notify the RTW Coordinator for ORM's TPA when an injured employee is removed from work, or the accommodations are no longer available.

IX. REPORTING

The Office of Human Capital Management shall maintain monthly documentation of the number of workers injured per month, number of lost-time days from work-related injuries per month, and number of employees returned to transitional employment duties. Records are to be kept as long as the employee receives workers' compensation indemnity benefits.

X. QUESTIONS

Any questions regarding the interpretation or enforcement of this policy should be directed to the Office of Human Capital Management.