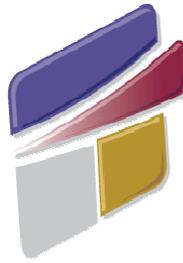


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DEVELOPING A TRANSITIONAL DUTY PROGRAM

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TABLE OF CONTENTS

- I. INTRODUCTION EARLY RETURN TO WORK
- II. BENEFITS OF EARLY RETURN TO WORK
- III. NON-MEDICAL FACTORS AFFECTING RETURN TO WORK
- IV. ELEMENTS OF A SUCCESSFUL EARLY RETURN TO WORK PROGRAM
- V. WRITTEN POLICY AND PROCEDURE
- VI. EDUCATION: BEING PREPARED
- VII. COMMUNICATION: THE KEY TO SUCCESS
- VIII. MAKING APPROPRIATE WORK ASSIGNMENTS
- IX. INTERRELATIONSHIPS OF THE AMERICANS WITH DISABILITIES ACT (ADA), FAMILY MEDICAL LEAVE ACT (FMLA) AND WORKERS' COMPENSATION
- X. FORMS AND TOOLS
- XI. APPENDIX

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I. INTRODUCTION TO EARLY RETURN TO WORK

Early return to work following an injury helps control costs directly related to the injury and reduces the potential impact of the injury on the employer's business as well as on the injured worker's life.

Studies show that injured workers who are allowed to return to productive work as early as possible following an injury heal faster and better than those injured workers who remain off work. The American Medical Association, the American College of Occupational and Environmental Medicine, and the American Academy of Orthopedic Surgeons all have consensus statements supporting early Return to Work. Injured workers who return to work during their healing period tend to require fewer medical treatments and incur less medical expense related to the injury. Work becomes part of medical treatment and rehabilitation and allows the injured worker to take an active role in his or her recovery.

Having an established and proactive return to work program provides employers with effective tools for managing workers' compensation costs and the business costs related to lost time. Developing and integrating an early return to work program into routine business operations prepares everyone ahead of time in the event of an injury. A consistently applied early return to work program helps ensure success. Early return to work becomes an expectation for both employers and employees.

_____ is providing this guide as a resource for employers who wish to develop a return to work program suitable for their own company or business. Along with general information about early return to work programs, this document includes a basic program outline and sample documents that can be adapted to meet the specific needs of any workplace regardless of the number of employees.

Samples included in this guide are intended for use as reference documents. Inclusion does not constitute any specific recommendation by the _____.

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II. BENEFITS OF EARLY RETURN TO WORK

Having an established consistently applied early return to work program provides employers with the opportunity to significantly reduce workers' compensation costs. Lost time injuries are the most expensive injuries, with costs increasing every day that an injured worker is not able to work. An early return to work program can significantly reduce costs and improve productivity, safety, and improve employee moral.

Employers in _____ pay among the highest medical costs associated with workers' compensation in the country. In addition to these costs, it is estimated that lost time due to on the job injuries costs employers 4% to 6% of total payroll. Successful return to work programs are reported to reduce workers' compensation costs by as much as 30% to 60%.

Studies show that injured workers who are out of work six months have only a 50% chance of returning to work at all. The longer injured workers are off work, the less likely it is that they will ever return to work. Workers' compensation costs grow as income replacement benefits continue to be paid during the injured worker's absence.

In addition to reducing the likelihood of malingering and of fraudulent claims, the benefits of an early return to work program are many for both employers and employees.

Benefits to the Employer - Direct Savings

- Workers' compensation costs are reduced when Temporary Income Benefits (TIBs) cease or are adjusted when an injured worker returns to work;
- Medical and disability costs are reduced and recovery time shortened;
- Decreased loss ratios and experience modifiers help control premium costs;
- Productivity is maintained and human resources are used to the maximum extent; and
- Wage costs for substitute employees are saved.

Benefits to the Employer - Indirect Savings

- Company retains the production of skilled and experienced workers;
- Injured workers continue to contribute to the company;

- No expenses are incurred for recruiting, hiring, training or salary of replacement workers;
- No overtime is required to make up for lost production;
- Work delays and business interruptions are eliminated when an experienced employee returns to work;
- Communication and relationships between employees and management are enhanced based on the commitment by all parties;
- Co-workers are not required to perform additional duties to compensate for an absent injured worker; and
- The company's interest and concern for employees are reinforced.

Benefits to Employees

- Recovery time is shortened;
- Injured workers remain active and productive;
- Permanent disability associated with injury is reduced;
- Concerns about continued employment are resolved;
- Full or partial wages are earned bringing the injured worker's income closer to pre-injury wages;
- Stress, boredom and depression from the injury or illness and from being unproductive are reduced or eliminated;
- Injured workers and their families experience less disruption to lives;
- Loss of physical fitness and muscle tone due to inactivity is prevented;
- Injured workers maintain company benefits and seniority;
- Injured workers maintain contact with and support from co-workers and friends;
- Injured worker maintains job skills;
- Feelings of dependency and lack of control are alleviated;

- Pain and suffering are minimized and overall wellness is promoted;
- Family and social lifestyles are maintained; and
- Reduced accident and injury related costs may help preserve benefits and jobs as well as contribute to improved work environment.

III. NON-MEDICAL FACTORS AFFECTING RETURN TO WORK

Successful return to work is time sensitive. There is a point in time for most injured or ill workers when an appropriate temporary assignment will expedite recovery both physically and emotionally.

Managing employees with work related injuries or illnesses requires an understanding of the behavioral forces that motivate an employee to be a productive participant in the workforce. Normally, an employee who is satisfied with his or her job and employment situation, and who suffers an injury or illness that results in absence from work is self-motivated to return as quickly as possible.

However, even the most dedicated employee's attitude and outlook may diminish if the person remains out of the workforce for an extended period of time. The longer an employee is unable to work, the more difficult it becomes to return to full duty employment. By providing appropriate productive return to work opportunities, employers can significantly reduce injury related lost time.

Non-medical factors often present barriers to return to work. Issues such as personal fears and anxieties, decline in self-esteem, depletion of personal financial resources, family problems, and potential loss of position or status at work and fear of re-injury can lengthen lost time.

Unfortunately, lost time has become routine and expected even for relatively minor injuries. Injured workers who return as soon as possible following an injury are less likely to become treatment dependent. Unless lost time is medically indicated, it is always better for the employer to make every reasonable effort to keep an injured worker on the job. Monitoring an injured worker's progress following return to work to ensure appropriate work assignments and adherence to medical restrictions will help with a successful transition back to full employment.

The stage is often set for extended lost time long before any injury has occurred. Supervisors and managers, who communicate sensitively, treat employees fairly and with respect, can greatly reduce the possibility of unnecessary lost time. Relationships that are adversarial between supervisors and employees tend to interfere with or delay return to work. Provide training for your supervisors to help them acquire or develop these skills.

If communication between supervisors and employees indicates mistrust or resentment toward an employee who files a workers' compensation claim, injured workers are less likely to want to return in a timely manner. For example, questions to an injured worker as to the cause of an injury should be asked without pressure or judgment. Employees pick up quickly on negativity, and that negativity will undermine the likelihood of a successful early return to work program.

Besides emotional responses to an injury, such things as negative relationships with co-workers, disciplinary or pay issues, workload concerns, or job dissatisfaction can delay or interfere with successful return to work. Training supervisors to address disciplinary issues and other difficult situations can significantly reduce the possibility of extended lost time. If an employee has a problem before an injury, the problem is likely to be greater and more costly to resolve after an injury.

IV. ELEMENTS OF SUCCESSFUL RETURN TO WORK

Incorporating these basic elements can maximize the opportunity for a successful early return to work program.

- Commitment to the program by all managers and supervisors;
- Consistent application of the program;
- Emphasis on safety and prevention;
- Prompt medical care following an injury;
- Continuous communication with injured worker while off work;
- Monitoring an injured worker's progress and work assignments following return to work throughout the transition back to regular work;
- Involvement of employees in the development and implementation of the program as well as in determining of their own return to work activities following an injury;
- Continuous education and dissemination of information about the return to work program beginning before injuries occur;
- Review of accident and injury history;
- Development of job descriptions for most jobs that clearly explain essential job functions and tasks required;
- Information to help doctors understand the employee's regular job, the return to work program, and available alternative assignments;
- Designated person to coordinate the early return to work program, monitor assignments, be responsible for workers' compensation reporting and required record keeping, and communications with the treating doctor and injured worker;
- Compliance with ADA and FMLA, the your State Workers' Compensation Act, and any other state or federal law that might apply; and
- Periodic evaluation of the program.

V. WRITTEN POLICY AND PROCEDURES

An early return to work program should be simple, realistic, and suitable to the employer's business needs. Putting the policy and procedures in writing is the first important step.

A written policy statement reinforces the company's commitment to the program and helps make the expectation of early return to work an integrated part of the company culture. It helps to show that the company values its employees. Written documents provide readily available information helpful in communicating with employees, health care providers and insurance carriers. Having the information in writing ensures that everyone has the same information and helps ensure consistent application of the program.

Policy Statement

Write, adopt, and post a policy statement that is brief and broadly written so that it does not require frequent revision. Post the policy statement in an easily accessible place as a constant reminder and encouragement of early return to work following a work related illness or injury. Include statements that do the following:

- Confirm the company's commitment to the early return to work program;
- Explain the company's return to work philosophy; and
- Stress the importance of safe operations and prevention of injury.

Procedures and Responsibilities

Write procedures that explain step by step what will happen from the time of an injury until after the injured worker returns to work. Include clearly stated and detailed instructions that identify specific roles and responsibilities. Identify the primary contact person and provide contact information.

Roles, responsibilities, and procedures may vary depending on the program and on other company policies and specific expectations. Provide information such as:

- Who an injured worker should notify in the event of an injury;
- What are the procedures for the injured worker to follow;
- Who is responsible for completing the Employers First Report;
- Who is responsible for maintaining contact with the injured worker;

- What an injured worker can expect from the insurance carrier, treating doctor, and others;
- How and who determines the availability of medically appropriate work assignments; and
- How the incident is investigated.

Sample Documents and Supplemental Information for Section 5

- Policy Statement
- Procedures
- Roles and Responsibilities

SAMPLE: POLICY STATEMENT

(Company name) is committed to providing a safe workplace for our employees. Preventing work related illness and injury is our primary goal.

Our early return to work program provides opportunities for an employee who is injured on the job to return to work at full duty. If the injured worker is not physically capable of returning to full duty, the program provides opportunities to perform his or her regular job with modifications or, when available, to perform alternate temporary work that meets the injured worker's physical capabilities.

(Signature of President/CEO/Manager)

(Date) _____

SAMPLE: POLICY STATEMENT

(Name of company) will make every reasonable effort to provide suitable return to work opportunities for every employee who is unable to perform his/her regular duties following a work related injury. This may include modifying the employee's regular job or, if available, providing temporary alternate work depending on the employee's physical abilities.

Only work that is considered productive and meaningful to the business shall be considered. Injured workers who are participating in the early return to work program are expected to provide feedback in order to improve the program's future development.

(Signature of President/CEO/Manager)

(Date) _____

SAMPLE: PROCEDURES

1. An employee who is injured at work must immediately report the incident to their supervisor.
2. The supervisor is required to:
 - Obtain immediate medical attention for the injured worker;
 - Follow company requirement for reporting job related injuries and illnesses;
 - Complete an incident investigation report.
3. The supervisor and injured worker review information received from the doctor and jointly determine if appropriate work is available.
4. The injured worker is responsible for following medical instructions on and off the job.
5. Following an injured work's return to work, the supervisor or the return to work coordinator monitors the injured worker's progress to assure that restrictions are carefully followed and assist to resolve any difficulties.
6. The injured worker must immediately report any difficulties with performing assigned work. Supervisor and injured worker work to address the problem.

SAMPLE: ROLES AND RESPONSIBILITIES

EMPLOYER RESPONSIBILITIES

- Provide a safe work environment;
- Develop written return to work policies and procedures;
- Educate all employees about the program;
- Train employees on proper reporting of incidents and incident investigation;
- Promptly report job related injuries to the insurance carrier;
- Provide information to employees about the workers' compensation system and benefits;
- Regularly communicate with the injured worker during the time away from work and monitor progress upon the injured worker's return;
- Make every effort to develop and provide meaningful return to work opportunities;
- Communicate with the treating doctor and insurance carrier to encourage recovery and return to work;
- Develop functional job descriptions and identify physical requirements that clearly identify physical activities required to do the work.

EMPLOYEE RESPONSIBILITIES

- Know and follow safety policies and procedures;
- Report any injury immediately;
- If medical attention is necessary, inform your treating doctor that return to work opportunities are available to accommodate your physical abilities;
- Provide your doctor with a Return to Work Information Packet as provided by your supervisor;
- Notify your supervisor immediately if your work status changes;
- When your doctor releases you to return to work, report on the next regular shift; and

- Follow your doctor's orders and restrictions at home and at work.

INSURANCE CARRIER RESPONSIBILITIES

- Ensure proper administration of all workers' compensation claims;
- Maintain communication with the injured employee, health care providers, and the employer;
- Encourage and actively assist injured workers in the successful return to work.

HEALTH CARE PROVIDER RESPONSIBILITIES

- Provide appropriate, effective medical treatment that facilitates recovery and expedites return to productive work; and
- Set reasonable return to work and recovery goals from the beginning of treatment.
- Work with employer to encourage appropriate return to work opportunities.

VI. EDUCATION: BEING PREPARED

Prior to the initiation of an early return to work program, provide information to all employees, including supervisors and managers, about the human and financial costs of workplace injuries, the benefits of an early return to work program, and their roles and responsibilities.

All employees, including supervisors and managers, must agree that every effort will be made to return any injured worker to work as soon as possible following an on the job injury and understand why that is important. Everyone needs to understand that the return of an injured worker might require what is perceived as “special treatment”. Understanding the program will provide reassurance that everyone will receive similar consideration and treatment if they are ever injured. Supervisors and managers should be held accountable for supporting the program and for assisting to provide return to work opportunities as often as possible.

Having an early return to work program does not obligate employers to create unnecessary work or to return an injured worker if there is no appropriate productive work available. Having a program does obligate the employer to try to provide meaningful productive work that accommodates the injured workers’ medical abilities as often as possible. Initiating a program may require new thinking and developing different perceptions of work assignments, such as dividing certain tasks between jobs to free up an uninjured employee to do other work, or temporary transfers to other departments. It is more economical to have a trained and experienced employee working at a reduced pace or schedule than not working at all.

Some employers present the early return to work program as part of their benefit packages. Including information about the program on a routine basis during safety meetings and new hire orientations, periodically reminding employees about the program in newsletters, and putting up posters or using payroll stuffers will help integrate the expectation of early return to work into the basic culture of the organization. Continuous reminders about the program reinforce the company’s commitment to employees and to successful return to work.

Providing information about the workers’ compensation system prior to an injury can be helpful in alleviating some of the concerns and misconceptions of employees. Reassure employees that, if they are injured on the job, returning to work does not impact their eligibility for benefits. Employees should know beforehand that Temporary Income Benefits may be reduced or suspended depending on the amount of earnings they receive for working. Temporary Income Benefits may be reinstated, depending on continued eligibility, if they are unable to continue working or if suitable work is no longer available through the early return to work program. Returning to work does not impact eligibility for medical benefits related to a compensable injury.

Importance of Employee Involvement in Program Development

Involving employees in the development and implementation of the early return to work program encourages a feeling of ownership of the program and maximizes the opportunities for success. Keeping the focus on safety and the emphasis on early return to work is a joint effort. The program will benefit from having the input of experienced and knowledgeable workers. The result should also be an improved safety record for the company or business.

Employees who are involved are more likely to encourage and accept return to work efforts on their own behalf and on behalf of their co-workers. Employees, supervisors, and managers who help with training and education efforts, reviewing accident history, developing job descriptions, recommending modifications to jobs, and identifying meaningful alternate assignments develop a sense of ownership and responsibility for the success of the program.

VII. COMMUNICATION: THE KEY TO SUCCESS

Poor communication or lack of communication is the primary barrier to a successful return to work program. Maintaining regular communication with the injured worker and with the treating doctor is vital to the return to work process.

Maintaining the Employer-Employee Connection

It is easy for an injured worker who cannot immediately return to work to become “disemployed” or disconnected from his or her employer. The longer an injured worker remains off work, the more probable it is that this detrimental separation will occur. Maintaining the employer-employee relationship with regular communication will help reduce the probability of lengthy lost time.

Coordinate between supervisors and/or the employer’s designated contact person to facilitate routine communication during lost time. Expressions of sincere regard for the injured worker’s quick recovery help the injured worker feel valued and missed.

Regular communication can include notices about company events such as picnics, awards, and birthdays, and mailing company newsletters and get well cards. Call the injured worker to determine if there are any questions or if assistance is needed. Telephone calls provide an opportunity to show concern for an injured worker, to encourage the injured worker to follow the doctor’s instructions while at home, provide information and encourage return to work.

Helping the injured worker to remain connected to fellow employees and to the workplace can encourage an employee to return faster, overcome obstacles to return to work, and maintain a positive frame of mind regarding returning to the work environment.

Communicating with the Treating Doctor

Usually, doctors only know what they are told about the employee’s worksite and job requirements. Without a detailed job description of the injured worker’s regular job, the treating doctor must base return to work decisions only on the subjective assessment of the job, usually provided by the injured worker.

It is not the job of the treating doctor to make employment decisions. The doctor is responsible for providing information regarding the abilities of the injured worker so that his or her employer can make informed return to work determinations.

After the initial examination, the treating doctor must send the employer and the insurance carrier a completed “Work Status Report”, stating the injured worker’s physical capabilities as they relate to the injury and to the injured worker’s ability to carry out job

tasks. Changes in the condition of the injured worker are also reported on the “Work Status Report” periodically until the injured worker is fully released to return to work.

After reviewing the completed “Work Status Report”, the employer can determine if there is suitable work available that accommodates the employee’s restrictions. After this determination is made, an employer should make a bona fide job offer. If the injured worker does not believe that the available work is within restrictions, the injured worker can ask the treating doctor for clarification.

Information Packet

Having an information packet to provide to an injured worker and the treating doctor at the time of the initial visit can make the difference between a medical only claim and a lost time claim. Providing the information as soon as possible helps ensure that correct information is communicated in a timely manner.

Although it is not required, some employers find it helpful to obtain a medical release at the time of a work related injury pertinent only to the injury. With a signed release, the doctor may be more inclined to discuss medical information with the employer.

The prepared packet could include information such as the following:

- Letter to the treating doctor explaining the return to work program, providing carrier information and identifying an employer contact;
- Signed release of medical information;
- Return to Work Authorization Form;
- Information about the workers’ compensation system and benefits.

Coordinating Communication Efforts

The insurance carrier should be made fully aware of the return to work program and of the employer’s desire to provide appropriate work for injured workers. The carrier can play an important part in bringing the employee back to work; therefore, it is important to clarify the employer’s expectations of the carrier in this regard.

Coordinating communications and the exchange of information among the treating doctor, the employer, and carrier can prevent duplication of efforts, eliminate unnecessary calls, and prevent confusion.

OFFER OF EMPLOYMENT

An employer or insurance carrier (carrier) should request the treating that doctor provide a Work Status Report. Then, an employer should offer an employee a modified duty position that has restricted duties that are within the employee's work abilities as determined by the employee's treating doctor.

An employer's offer of modified duty should be made to the employee in writing. A copy of the Work Status Report on which the offer is being based shall be included with the offer as well as the following information:

- (1) the location at which the employee will be working;
- (2) the schedule the employee will be working;
- (3) the wages that the employee will be paid;
- (4) a description of the physical and time requirements that the position will entail; and
- (5) a statement that the employer will only assign tasks consistent with the employee's physical abilities, knowledge, and skills and will provide training if necessary.

A carrier may deem the wages offered by an employer through a bona fide offer of employment to be Post-Injury Earnings.

VIII. MAKING APPROPRIATE WORK ASSIGNMENTS

Modified Regular Duty

The primary goal of early return to work is to return an injured worker to his or her original job as soon as possible. If an injured worker cannot return to regular work at full capacity, temporary modifications to his or her regular job such as schedule changes, reduced hours, reduced capacities, or sharing parts of the work with others are effective accommodations.

Alternate Assignments

If an injured worker cannot perform regular duties, temporary alternate assignments can be the bridge back to regular employment. Injured workers who take an active role in the decision making process to determine their own return to work assignments are more likely to have a successful return to work.

Alternate assignments must be meaningful and productive. Demeaning or “make-work” assignments will defeat the purpose and could be seen as punishment. Assignments must be within the injured worker’s capabilities. When determining alternate assignments, consider jobs or tasks that need to be done but are rarely done due to lack of time. Consider the injured worker’s past work experience and skills. Alternate work assignments are generally short term in nature. Temporary transfer to another regular position that meets the injured worker’s medical restrictions is another choice.

Before actual assignments are needed, ask employees to identify everyday or new tasks that could be done by injured workers as temporary assignments. Develop and keep on hand a list of tasks that are not being performed now that would be helpful. Identify tasks that are only performed occasionally or that no one seems to have time to do. Tasks that could be performed by an injured worker that would help other employees to perform their jobs more efficiently are also a source of alternate assignments. This information is to be prepared prior to injury will expedite the determination of appropriate assignments and facilitate return to work in a timely manner.

Duration of Assignments

Alternate assignments are considered temporary. Some modifications to the injured worker’s current job may result in permanent changes; however, most accommodations are for the duration of the healing period until the treating doctor releases the injured worker to return to full duty.

When the doctor gives the injured worker full release to work, the employee can go back to his or her original job. If the doctor continues medical restrictions, employers may want to reevaluate continuing alternate work assignments.

IX. INTERRELATIONSHIPS OF THE AMERICANS WITH DISABILITIES ACT (ADA), AND FAMILY MEDICAL LEAVE ACT (FMLA) AND WORKERS' COMPENSATION IN RETURN TO WORK PROGRAMS

The Americans with Disabilities Act (ADA) was enacted to protect people from discrimination on the basis of disability. The Family Medical Leave Act (FMLA) was enacted to provide job security to employees who have serious medical conditions or who must meet personal and family obligations to tend to vital needs at home.

These laws serve different purposes; however, they interrelate in a return to work context when an employee with a compensable injury also meets the criteria for protections under the ADA or the FMLA.

Employers should seek expert advice when making decisions related to any particular situation and obtain legal advice regarding the coordination of return to work programs, the ADA, and/or the FMLA. Consistent application of the return to work program can alleviate concerns of disparate or discriminatory treatment of employees.

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X. FORMS AND TOOLS

- Implementation Checklist
- Employee Responsibilities
- Follow up checklist(s)
- Letter to treating doctor;
- “Return to Work Authorization Form”;
- Release of medical information;
- Letter making bona fide offer of employment,
- Offer of employment agreement.

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IMPLEMENTATION CHECKLIST:

Factors employers should consider in adopting a *Back on the Job Program*:

- Appoint a program coordinator
- Train managers and supervisors
- Communicate the program to employees
- Educate employees on return-to-work
- Require incident report within 24 hours
- Hold return-to-work team meetings
- Designate jobs for modified, transitional, and alternative duty
- Modify work schedules
- Use vocational, rehabilitation, and/or medical professionals
- Standardize job descriptions
- Place returning employees in other departments or locations
- Invite care providers to visit operations
- Train care providers on the Back On The Job Program
- Document, track, and manage program cases
- Allocate program expenses and savings to work units

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EMPLOYEE RESPONSIBILITIES WHEN INJURED ON-THE-JOB

1. Report all accidents or illnesses, no matter how minor, to _____.
2. If you need to see a physician, please contact your supervisor immediately.
3. Written or verbal information regarding the availability of light duty work should be given to the physician at the time of the first visit. In any case, the information will be provided to your attending physician in accordance with _____ Return-to-Work Program.
4. Immediately report to _____ the results of each physician visit. This should be done in person unless other arrangements have been made.
5. Contact should be made with _____ each _____ for updates on your condition and your ability/needs to return-to-work. Any information from the company will be provided to you at this time.
6. All work releases must be reported to _____ immediately so your return-to-work can be scheduled.
7. If _____ is unavailable, you should contact _____.
8. If you have any questions or have concerns about the light duty job, it is your responsibility to consult _____ or _____ immediately to discuss them. If they have any questions or concerns they will discuss them with you.
9. Doctor or physical therapy appointments should be scheduled outside working hours if possible. If not possible, arrangements need to be made with _____.

I have read the above responsibilities information. I have been given the opportunity to ask questions about my responsibilities. I understand that failure to follow them may result in disciplinary action and/or adversely effect my workers' compensation benefits. I have received a copy of this document.

worker signature

date

FOLLOW-UP CHECKLIST FOR JOB RELATED INCIDENTS:

Name of Employee _____ Date of Incident _____

Instructions The Back-on-the-Job Coordinator *must complete this for every job-related employee injury or illness*

- Send the employee to the proper medical facility.
- Send the following material with the employee:
 - Introductory Letter
 - Drug test authorization (if applicable)
 - Back – On – The – Job Authorization
 - Release of Medical Information Form

IN CASE OF EMERGENCY:

***DO NOT DELAY TREATMENT WHILE THESE FORMS ARE GATHERED.
FAX FORMS TO DOCTOR WITHIN 24 HOURS OF THE INCIDENT.***

Name of Doctor/Clinic/Hospital _____

Disposition:

- Unrestricted work
- Modified work
- Not back to work

Fax or call in First Report of Injury to Insurance Carrier and to us, your insurance agent.

- Fax letter to Claims adjuster.
- Copy of employee's normal job description.
- Additional comments on a separate sheet.
- Complete an accident investigation report.

If employee comes back to work:

- Meet with the employee to review workers compensation benefits and answer questions.

If employee comes back for modified work:

- Meet with the employee to review workers compensation benefits and answer questions.
- Explain the modified work limitations to the employee and explain how to get help with tasks that exceed these limitations.
- Diary your file weekly from the date of injury to review status.
- Continue to get feedback from the employee as to “how things are going.”

If employee did not come back to work:

- Continue to the Follow-Up Checklist for Disabling Injuries.

FOLLOW-UP CHECKLIST FOR WHEN EMPLOYEE DOES NOT COME BACK TO WORK:

Name of Employee: _____ Date of Incident _____

Instructions:

Complete the Checklist for job-related incidents first.

The Back-on-the-Job coordinator must complete this checklist for every job-related employee injury or illness that involves time lost from work.

You have 5 working days from the date of the incident to complete this checklist.

- Mail the explanatory letter on workers' compensation benefits to the employee at home.
- Telephone the injured employee.
- Briefly explain workers' compensation benefits.
- Ask about satisfaction with medical care.
- Ask when the next doctor's appointment is scheduled.
 - Date: _____ Time: _____ Doctor: _____
- Ask if transportation is needed.
- Tell the employee you are anxious to have him/her back to work as soon as possible.
- Explain that modified work will be made available as soon as the doctor approves it.
- Explain that you expect the employee and his/her doctor to cooperate with the Back-on-the Job Program.
- Telephone the treating physician.
- Make sure the doctor received the normal and modified work job descriptions.
- Discuss the employee's normal job duties.
- Discuss any modified work that is available.
- Ask when the employee can be cleared for modified work: Date: _____
- Prepare a get-well card for management to sign and mail to employee.

If the Employee does not come back to work within *one week* of the incident:

- Notify management that the employee is still off work.
- Establish a plan to maintain weekly contact with the employee, the treating physician, the insurance company claim adjuster, and management.

If the Employee does not come back to work within *one month* of the incident:

- Notify management that the employee is still off work.
- Develop a custom-tailored return-to-work plan in cooperation with appropriate personnel inside and outside the company.

SAMPLE: LETTER TO TREATING DOCTOR

(Company letterhead)

(Date of letter)

(Doctor's name and address)

Subject: (Employee's name and date of injury)

Dear Dr. _____:

Our Company has implemented a return to work program designed to return any injured employee to medically appropriate work as soon as possible.

We will modify the employee's job, if possible, to meet medical restrictions that may be assigned. If our employee is unable to return to his or her regular job, we will attempt to find an appropriate alternate work assignment. We will ensure that any assignment meets all medical requirements as they appear on your Work Status Report. We will consider re-arranging work schedules around medical appointments if necessary.

If you need additional information about a possible work assignment or about our return to work program, please call (company contact name and number). Our insurance carrier is (name and address of insurance carrier).

Thank you for your participation in our efforts to return our employees to a safe and productive workplace.

Sincerely,

(Signature of company representative or owner)

(Title), (Name of Company) _____

Encls: Signed authorization

Work Status Report

RETURN TO WORK AUTHORIZATION FORM

Our company has a light duty and transitional work program that provides temporary jobs that injured employees should be able to safely perform during their recovery periods. Completion of this form will allow us to identify an appropriate assignment for this employee. Thank you for your cooperation and prompt response.

Date _____ **Employee** _____

Employer _____

Employer Contact Person _____ **Phone** _____

Diagnosis _____

Work Related; Submit Claim to: _____

Non-Work Related; Submit Claim to: _____

Treatment: _____

Disposition:

Return to work date (no limitations for current job)

Return to work date (with limitations for modified duty)

Unable to work From _____ To _____

Return to Clinic on _____

Prognosis: _____

Referral:

Doctor _____

Physical therapy _____

Please fax to: _____
(fax number)

or e-mail to: _____
(e-mail address)

this form to _____ **so our employee may return to work.**
(name of Back-on-the-Job Coordinator)

WORK RESTRICTIONS

Restrictions apply to: Work Home Leisure

During the applicable workday, this employee can: Sit _____ hours
 Stand _____ hours
 Walk _____ hours

In terms of an applicable work day, “occasionally” equals 1-33%. “frequently” equals 34-66%, and “continuously” equals 67-100%.

Employee Can	Never	Occasionally	Frequently	Continuously
Lift and carry				
Up to 10 pounds				
11- 25 pounds				
26- 35 pounds				
36- 50 pounds				
51- 75 pounds				
76-100 pounds				
Reach above shoulder level				
Push/Pull				
Climb				
Squat/Kneel				
Bend/Stoop/Crouch				
Balance				
Twist upper body				
Use hands dexterously				
Physician's Comments:				

Physician _____ Date _____

SAMPLE: RELEASE OF MEDICAL INFORMATION
AUTHORITY TO RELEASE MEDICAL INFORMATION

(Employee Name)
(Employee Address)
(Date of Birth)

I authorize (name of treating doctor) to release medical information to my employer, (name and address of employer), regarding my on the job injury that occurred on (Date of injury).

This information may facilitate my return to medically appropriate productive work.

(Print employee name) _____

(Employee signature) _____ Date: _____

SAMPLE: LETTER MAKING A BONA FIDE OFFER OF EMPLOYMENT

All letters making a bona fide job offer should be coordinated with the insurance carrier to ensure that all current requirements are met prior to mailing.

(CERTIFIED MAIL-RETURN RECEIPT)

(Date)

(Employee name and mailing address)

Re: Bona Fide Offer of Employment

Dear (Employee name):

After reviewing information provided by your doctor, we are pleased to offer you the following temporary work assignment.

We believe this assignment is within your capabilities as described by your doctor on the attached, Work Status Report. You will only be assigned tasks consistent with your physical abilities, skills and knowledge.

If any training is required to do this assignment, it will be provided.

Job title: _____

Description of physical requirements this position _____

Location: _____

Duration of assignment: From: (_____) To: (_____)

Work Hours: From: (_____) To: (_____) Wages: _____ (Hour, Week, Month)

Department: _____ Supervisor _____

This job offer will remain open for five (5) work days from your receipt of this letter. If we do not hear from you within five (5) work days, we will assume that you have refused this offer that may impact your Temporary Income Benefit payments.

We look forward to your return. If you have any questions, please do not hesitate to contact me.

Sincerely,

(Signature and title)

OFFER OF EMPLOYMENT AGREEMENT:

Employer: _____

Employee: _____

We agree that the following represents the restrictions under which you are able and have agreed to return to work as of _____.

Those restrictions are:

We will not require you to perform any tasks beyond those restrictions. **If you are asked to perform such a task by any of our employees, please decline.** They may not be aware of your restrictions.

By signing below, you agree and verify that you will not do anything beyond the noted restrictions either here at work, beyond the work site, home, or at recreation until the doctor has released the restrictions and we have been notified to that effect.

Signature of Employer

Date: _____

Signature of Employee

Date: _____

XI. APPENDIX

Appendix A

PROGRAM COMPONENTS & CHARACTERISTICS

	Basic	Intermediate	Advanced
RTW PHILOSOPHY	Selective RTW Model	Supportive Services Model	Collaborative Services Model
What is the organizational commitment level to RTW?	Pick & Choose	Case by Case	Systematic RTW Decision
RTW PROGRAM STRUCTURE	Informal	Formal	Systematic
Written Policy & Procedures	No	Yes	Yes
Written RTW Agreements	No	Sometimes	Always
Targeted Communications to Stakeholders	No	Partial	Yes
Pre-identified Modified Duty Options	No	Sometimes	Yes
Essential Job Function Descriptions/Job Analysis	Sometimes	Yes	Yes
Management/Supervisory Training	No	Initial	Ongoing
Union Orientation	No	Supportive	Collaborative
RTW CASE MANAGEMENT			
Employer Staffed-Individual assigned to manage RTW and coordinate activities among stakeholder.	Collateral duty if at all	Collateral duty or dedicated staff	Dedicated Staff
Vendor Assigned by TPA/Insurer: Nurse or vocational case manager, external to organization.	Very Selectively	Case by Case, or all cases	Rarely Needs or uses
Case Management Information System/Database	None	Vendor-based selective access	Employer-based system, owns data
Integrated Human Resources Interface for ADA, FFD	No	Partially Integrated	Fully Integrated
“CRITICAL POINTS” FOCUS			
1. Day of Injury Reporting: Examples: Paperwork, Web based, Single Point Contact: call center, 800#, company internal Single Point Contact: “First Call” R.N., External or Internal	Compliance focus Multiple points of data collection, not always timely	Early intervention focus Single or multiple points of data collection	Immediate intervention focus Uses single, standardized data collection
2. Early Intervention Response: RTW Coordination: Progress Monitoring	None Minimal Minimal	Not Always Yes Initially	Yes Yes, on-site Defined protocols

3. Medical Appointment Tracking/Intervention	No tracking	Partial	All tracked
Claims/Case Management joint strategy	Not present	Sometimes	Always
4. Problem Case Staffing (Claims, Human Resources, Legal, RTW Coordinator. & Dept/Supervisor)	No	Rarely used	Yes, situational protocol-driven
MEDICAL PROVIDER RELATIONSHIP Employer Channeled to: HCO, MCO, PPO, On-site Vendor Performance Reviews Frequent face-to-face meetings, staff changes	Minimal outreach by employer providers	Supportive relationship, employer recognizes importance	Collaborative ongoing relationship, frequent dialogue, meetings
CLAIMS MANAGEMENT RELATIONSHIP Closure rate Litigation rate	Often adversarial No focus on closure/litigation, overall little effect	Supportive Improved closure rate decreased litigation	Collaborative High closure rate Low litigation
OVERALL LOCUS OF CONTROL Who directs and controls outcomes? What characterizes the interaction between employer, claims management, broker and other supportive services?	Shared role, often with power struggles	Shared role, more cooperation amongst stakeholders, with less power struggles	Employer fully empowered, usually directs entire process
OVERALL EMPLOYEE SATISFACTION LEVELS	Negative-Low	Medium	High-Very High
PROGRAM RESULTS			
Initial Program Success, High ROI, 1-3 years	Limited	Medium	High
Ongoing Program Success Established Benchmarks Comprehensive Program Evaluation Annual Goal Setting	Shelfware program None None None	Results fade over time Sometimes Not usually Not usually	Continued success Always Always Always