

## **RETURN-TO-WORK PROGRAM**

This policy describes the school's program to provide appropriate work for regular full-time or part-time, non-probationary employees who are temporarily unable to perform all or part of their regular job due to work-related injuries or illness. The goal of this policy is to return such employees to their regular work as quickly and safely as possible. Temporary transitional or modified work allows such injured employees to remain on the job.

Any eligible employee who becomes temporarily unable to perform his/her regular job due to an accepted work-related injury or illness may be eligible for transitory or modified work within this program. Modified work may be within:

- The employee's time of injury job, if it can accommodate the work restrictions as prescribed by the employee's treating healthcare provider or by an independent medical examiner; or
- Other available jobs for which the employee is qualified and that accommodate the work restrictions as prescribed by the employee's treating healthcare provider or by an independent medical examiner.

### Definitions

**Maximum medical improvement (MMI)** – The point at which the injured employee's condition has stabilized and is not expected to improve.

**Modified duty** – The changes within the injured employee's regular job that are designed to accommodate the injured employee's specific, prescribed work restrictions. Modified duty may include sedentary duty, light duty or any reduction in duty to accommodate the injured employee's restrictions. Modified duty may not last longer than 120 days.

**Transitional duty** – The process by which an injured employee returns to work under temporary assignment or temporary duty changes lasting no longer than 120 days beyond the employee reaching MMI.

### Applicability

#### *Duration*

If appropriate modified duty is available, the injured employee may be assigned transitional or modified work for a period not to exceed 120 days beyond MMI. Transitional or modified duty is a temporary program, and an employee's eligibility for these reduced duty assignments will be based strictly on his/her healthcare provider's documentation and the injured employee's recovery progress.

Injured employees in the transitional return to work program are required to adhere to limitations and restrictions on and off duty. Any injured employee who fails to abide by his/her established work restrictions, whether on duty or off duty, may be subject to disciplinary action up to and including termination.

### *Availability*

The return to work program will be available to all injured employees on a non-discriminatory basis with transitional or modified duty assignments based on employees' qualifications, skills, and abilities.

### Responsibilities

Injured employees must notify their supervisors in a timely manner when an injury occurs. They must also notify their supervisors if they will be absent due to injury, illness or treatment.

Injured employees must follow their healthcare providers' treatment plan and actively participate in this return to work program. Injured employees must work within their healthcare providers' work restrictions. Neither the injured employee nor his/her supervisor can modify the work restrictions without the written authorization of the injured employee's healthcare provider or other appropriate healthcare professional.

Injured employees are required to participate with their supervisors or other appropriate school representatives to identify possible transitional duties or positions. Supervisors must maintain communication with the injured employee, and the injured employee also must maintain contact with his/her regular supervisor and temporary supervisor about his/her condition and status. Injured employees must complete all the required paperwork in a timely manner. Participation in this program does not relieve injured employees of other duties and responsibilities to the school. Injured employees are to follow all other school policies.

School administrators will ensure this policy's enforcement and will actively promote and support the return to work program. They will be trained regarding the physical and other aspects of disability, and they will be trained regarding the return to work program, policies and applicable forms. They will facilitate communication among employees, supervisors, healthcare providers, and insurance adjusters. Administrators will also facilitate temporary work assignments and assist supervisors with problems that arise.

Supervisors will support the injured employee's return to work, identify appropriate modified assignments, and ensure the injured employee does not exceed the healthcare provider's restrictions. Supervisors must stay in regular contact with absent employees and communicate attendance expectations clearly. Supervisors will be responsible for reporting any problems to the Superintendent.

Temporary supervisors will provide direct supervision while an injured employee is assigned to transitional or modified duty in their departments and will adhere to all other school policies.

### Procedure

#### *Injury Reporting*

Work-related injuries or illnesses, regardless of severity, must be reported to the employee's supervisor immediately or as soon as possible in the circumstance. Medical treatment should not be delayed if needed immediately. If the employee is unable to report the injury or illness, an employee's family member should report the injury or illness as soon as possible.

Injured employees should complete and sign a report of injury form at their earliest opportunity. Failure to timely report a work-related injury or illness may delay or otherwise adversely affect workers' compensation benefits.

Information regarding the school's workers' compensation insurance and panel providers is posted in the school operations office. Employees will also be given a copy of this information when they report a work-related injury or illness.

#### *Work Schedule*

If possible, the work schedule in the return to work program will be the same as the injured employee's time of injury work schedule. Depending on modified or transitional duty requirements, it may be necessary for the injured employee's schedule to be amended. Amended work schedules will be communicated to the employee and their supervisor(s).

#### *Wages*

Exempt employees performing transitional or modified duties will be paid their salary as if they were working their normal, non-restricted position. Legal reductions in salary may be taken.

Non-exempt employees will be paid their regular hourly rate for all hours worked. Overtime hours will not be available in the return to work program.

#### *Absences*

Injured employees are required to advise their supervisors of any change in their ability to work or to report for work. If an injured employee is unable to report for work (or report on time) for any reason, the injured employee must notify the school per school policy. Failure to do so may result in discipline up to and including termination and may affect the employee's workers' compensation benefits.

Appointments for treatment or other care, to the extent possible, must be scheduled before or after work. Non-emergency healthcare appointments must be scheduled in advance with the approval of the injured employee's current supervisor. Time-off may be denied for non-emergency healthcare appointments not scheduled in advance.

#### *Treatment and Follow-up*

Injured employees must inform their immediate supervisor of their work status after each visit with their healthcare provider. Details, diagnoses and prognoses are not required. The injured employee is to inform his/her supervisor only of his/her continued need for transitional or modified duty (or, conversely, unrestricted release to return to work).

The injured employee's healthcare provider must complete a work status report after each visit. The completed form must be submitted to the school administration office. The injured employee is responsible for advising his/her supervisor of his/her work status after each follow up visit with his/her healthcare provider.

#### *Refusal*

Injured employees who cannot return to their regular jobs but can perform modified or transitional duty are required to accept such an assignment that is consistent with their work restrictions. Injured employees who refuse to participate in the return to work program or who

fail to follow this policy may jeopardize their workers' compensation benefits and may be disciplined.

*Adopted the 7th day of July, 2020*