

INTERNAL/DEPARTMENTAL POLICY AND PROCEDURE

TITLE: Transitional Return to Work Plan

EFFECTIVE DATE: July 1, 2015 (*Title Updates 8/23/16*)

CANCELLATION: None

DIVISION: BUSINESS AND ADMINISTRATIVE AFFAIRS (BAA)

CATEGORY: Risk Management/Safety/Compliance (Y)

RESPONSIBLE DEPARTMENT: Safety and Risk Management Office

PROCEDURES & SPECIFIC INFORMATION

1. **Purpose**

To establish procedures for administering a transitional return to work program for injured employees in accordance with the [Louisiana Office of Risk Management's Transitional Return to Work Plan](#) pursuant to Louisiana Revised Statute 39:1547, which allows injured workers to return to work at the Delgado for up to one year in a transitional capacity within the physical restrictions determined by their treating physician, until they are capable of returning to full duty.

2. **Scope and Applicability**

This policy applies to all full-time and part-time unclassified and classified employees who have sustained a job-related injury or illness.

3. **Goals**

Delgado Community College is committed to ensuring injured workers return to gainful employment as soon as medically possible after a job-related injury or illness. The goals of the College's Transitional Return to Work Plan are to:

- Provide a safe return to work for occupationally related injuries or illnesses.
- Give employees return to work options.
- Provide suitable accommodations for employees who have sustained an injury or illness that impacts their ability to perform all aspects of their pre-injury or pre-illness job.
- Retain qualified employees.
- Facilitate a safer working environment.
- Reduce the duration of time needed for the employee to transition back to full duty.
- Retain valuable employee work skills, physical conditioning.
- Reduce workers' compensation claim costs.
- Administer the workers' compensation claims reporting process.
- Administer the process of semi-annual reports to the Legislature and the Governor.

4. **General Provisions**

- A. Delgado's Transitional Return to Work Plan is based on medical prognosis/recovery and State regulations/policies, and includes the following procedures and components.
- B. Employees are responsible to report job-related injuries/illnesses immediately to their supervisors. In accordance with Louisiana Office of Risk Management requirements and the College's [Accident Reporting procedures](#), [Employee Post Incident/Accident Analysis \(Form DA 2000\)](#) is completed for each incident/accident involving employees.
- C. Transitional work will be available until an employee is able to resume full duty.
- D. The College maintains in the employee's file a copy of the Louisiana Office of Risk Management [Physician's Modified Work Information Sheet](#).
- E. Following a Workers Compensation claim, the College may allow an injured employee to return to his or her own job in a light duty status for six (6) months. The College also has the option of using a Detail to Special Duty in which to return the employee to work. Classified employees detailed to special duty must be administered according to the provisions of [Civil Service Rule 23:12, Detail to Special Duty](#). The College will utilize applicable Civil Service provisions as a guide in providing a Detail to Special Duty to an injured unclassified employee.
- F. Unclassified employee requests for additional time beyond the initial six (6) months may be submitted to the College's Return to Work Team. Classified employee requests for additional time beyond the initial six (6) months may be made by the College's appointing authority to the Director of State Civil Service for classified employees.
- G. Medical issues that can delay return to work must be referred to the Louisiana Office of Risk Management's Third Party Administrator (TPA) Return to Work Coordinator.

5. **Plan Implementation Responsibilities**

- A. The Safety and Risk Manager ensures existing employees are provided the College's Transitional Return to Work Plan annually.
- B. The Human Resources Office ensures new employees are provided the College's Transitional Return to Work Plan during the new hire orientation process.

6. **Reporting Work-Related Accidents/Illnesses**

Once a work-related injury/illness is reported by an employee, the Payroll Manager will:

- 1. Report work-related injuries or illnesses immediately or no later than 5 days of the injury or knowledge using the Third Party Administrator's online claims management system. (Only electronic claims are accepted.)
- 2. Provide the employee with a Louisiana Office of Risk Management [Physician's Modified Work Information Sheet](#) to give to the treating physician. The injured employee will be allowed to seek treatment with a physician of choice chosen from Occupational Medical Clinics in the College's geographic area. Employees

still retain the right to seek medical treatment from a physician of choice for the work-related accident.

7. **Transitional Return To Work Team**

A. Delgado has a transitional return to work team to review all lost-time workers' compensation employees. The scope of the team's role is to:

- complete transitional return to work plans
- review of job modifications
- job tasking
- task identification
- comply with the State's requirement for a transitional return to work plan,
- oversight of plans
- facilitate success of plans
- report transitional return to work plan results

B. The College's Transitional Return to Work Team is composed of:

- One Human Resources representative
- Employee's immediate supervisor
- Safety and Risk Manager
- Payroll Manager or other Management representative
- Claims Adjuster for the Louisiana Office of Risk Management's Third-Party Administrator
- Louisiana Office of Risk Management's Third Party Administrator (TPA) Return to Work Coordinator
- Louisiana Office of Risk Management's Third Party Administrator Vocational Rehabilitation Counselor as needed

C. The role of the Louisiana Office of Risk Management's Third Party Administrator (TPA) Return To Work Coordinator is to serve as the primary contact for employees and the College on matters related to disability management and return to work planning. Duties include but are not limited to:

- Responsible for the overall coordination and day-to-day administration of the disability management plan.
- Develop, facilitate and monitor the College's Return to Work plan.
- Develop and facilitate accommodations.
- Work with the employee and the employer to facilitate Return to Work plans.
- Monitor Return to Work plans and provide progress reports to appropriate individuals.

D. The College's Transitional Return to Work Team shall meet in person or through teleconference twice a semester or more often when an employee is injured and/or there is a change in the injured employee's medical status. Team meetings will not be necessary if there are no active lost time claims.

8. Pre-Accident Job Tasking

- A. Job tasking is the process of detailing each specific job task performed in a position to ensure injured workers are returned to a safe work environment. The Louisiana Office of Risk Management's Third Party Administrator (TPA) Return to Work Coordinator provides the College with assistance with job tasking as needed.
- B. Job tasking ideally should begin before an accident occurs but must begin once an injury has occurred that leads to lost time. Job tasking is accomplished by:
- Compiling a master list of transitional tasks for each position.
 - Completing job tasking for each position of injury that results in lost time.
 - Consulting with first-line supervisors to ensure employees will not be worked outside of restrictions placed by the treating physician.
 - Maintaining a file of job tasks for each position for which a lost-time claim has occurred. (There is no need for repetition of job tasking with each new occurrence.)
- C. Accommodation types include modification of job tasks, equipment or schedules. For classified employees, accommodations must be in accordance with Civil Service provisions or until the injured worker can return to full duty, whichever comes first. The College will utilize applicable Civil Service provisions as a guide in providing accommodations for injured unclassified employees.
- D. The College is not required to create a position for Transitional Return to Work; however specific accommodations may include, but are not limited to:
- *Modified Work* –Includes modification to the job tasks, functions, hours of work, frequency of breaks, worksite, or any combination of these.
 - *Alternate Work* – Different from the employee's pre-injury job or illness offered to a worker who is temporarily or permanently unable to perform their pre-injury work.
 - *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.

9. Return To Work Process

A. **Creating Employee's Return to Work Plan**

The Return to Work Plan is completed with the supervisor of the injured employee and a representative from the College's Return To Work Team. The plan must be reviewed and approved by each member of the Team, and must include the following:

- Specific job tasks identified
- Hours to be worked
- Duty assignment
- Physical restrictions

B. Eligibility for Return to Work

When reviewing an individual worker's eligibility for return to work options, the following steps must be followed:

- Assess the job task of the worker's pre-injury position
- Identify transitional tasks that can be performed with the employee's current physical restrictions
- Review other services or tasks that can be performed that would improve the overall function of the College
- Review tasks that can be performed that would return an employee to gainful employment (The Office of Risk Management's Third Party Administrator will be available to identify transitional return to work tasks if needed.)

C. Before the Employee's Return to Work

- The Immediate Supervisor *and* the Assistant Vice Chancellor for Human Resources (or designee) will hold a meeting with the employee to review the plan before the employee returns to work.
- Once the meeting has taken place, the Assistant Vice Chancellor for Human Resources will make an offer of transitional duty employment to the injured employee in writing.
- If the injured employee is represented by counsel, the notice shall be sent to the employee via counsel.

D. The Return to Work Offer

The offer of transitional return to work employment will include the following:

- Offer must be made in writing
- Certified mail return receipt request or electronic mail
- A specific return to work date and time
- Duty assignment
- To whom to report

The College will provide transitional employment for up to one year utilizing the provisions as outlined in Section 4, *General Provisions* or until the injured worker can medically return to full duty, whichever comes first.

E. Employee Responsibility

The injured employee has the following responsibilities regarding transitional return to work employment:

- Return the [Physician's Modified Information Sheet](#) to the immediate supervisor within 24 hours of receipt of the signed form from the treating physician
- Accept the transitional return to work offer
- Report to work as requested in the return to work offer letter
- Work within the restrictions provided by the physician
- Comply with medical treatment and keep all scheduled medical appointments
- Advise the immediate supervisor and Office of Risk Management's Third Party Administrator Return To Work Coordinator if the transitional work is physically too difficult

F. **After the Employee Has Returned to Work**

The College will not require the employee to perform tasks that have been prohibited by the treating physician when the employee returns to work on a transitional return to work plan. To ensure this, the College's Return to Work Team will evaluate the plan every 30 days to assess the employee's ability to return to full duty. The Office of Risk Management's TPA will be responsible for communications with medical personnel.

10. **Termination of Employment**

- A. The Safety and Risk Manager will notify the Office of Risk Management Third Party Administrator: (1) if the injured employee is at risk of termination due to exhaustion of sick leave, and (2) when an injured worker is removed from work or the accommodations are no longer available.

- B. The Safety and Risk Manager will maintain documentation of:
 - failed transitional return to work employment
 - efforts made to identify transitional return to work tasks
 - barriers in identifying transitional return to work
 - evidence that transitional return to work tasks could not be identified, if applicable

11. **Measurement of Effectiveness**

Delgado's Return to Work Program is reviewed as part of the College's annual Office of Risk Management annual loss prevention audit.

Attachments:

[Louisiana Office of Risk Management Physician's Modified Information Sheet](#)

Return To Work Process Flow Chart

Reference:

[Louisiana Office of Risk Management Return To Work Plan Pursuant to Louisiana Revised Statute 39:1547](#)
[Delgado Accident Reporting Procedures](#)

Review Process:

Ad Hoc Committee on Transitional Return To Work Plan Policy 6/29/15
Business & Administrative Affairs Council 7/1/15

Approval:

Vice Chancellor for Business and Administrative Affairs 7/1/15

TRANSITIONAL RETURN TO WORK PROCESS

