BRINGING EMPLOYEES BACK TO WORK

IDENTIFYING TRANSITIONAL DUTY OPTIONS

There are a variety of transitional duty work options:

- Modified or Limited Duty - in original job with a limitation or modification
- Alternate Work - a different job

Modified duty is the first choice in returning employees back to work. As the physical restrictions of the employee change, either their original job or a different job from the "Job Bank" are linked to those restrictions to allow the employee back to work.

The work schedule, the equipment or the tasks are modified so the employee can do all his/her original job tasks. For example, the employee can use a stool or a chair if he/she is unable to stand for long periods of time. The number of hours an employee stands may be reduced when he/she initially comes back to work, but will be gradually increased as they build strength.

Try to keep the TD job as close to the original job as possible. This reduces the psychological impact of changing jobs. Customize the ***Transitional Duty Job Bank*** for your company.

Keeping the employee in the workplace on limited duty eliminates "secondary gain" which is when a worker benefits by being home instead of at work; this can be an important factor in worker's compensation injuries. A worker may enjoy the freedom of staying at home, and your return to work program will help avoid these situations.

If it is not possible to accommodate the employee in the original job with a limitation or modification of its requirements, he/she can be placed in an alternate -- or different -- work assignment. Alternate positions can be located in a different department or even in a different nearby business unit. Adjusters should know the physical abilities of each employee who is out of work.

TIP **All transitional duty work is temporary and progressive with the employee gradually increasing capability. Eventual return to full duty capacity is the goal.**

TIP **BE CREATIVE when identifying TD tasks. Create a Wish List! Think: "If I could have someone help me with tasks around the workplace, what would I have them help me do?"**

TIP **Ask your claims administrator if they have return to work services.**

TRANSITIONAL DUTY TIPS

- Communicate your program to the workforce so it becomes part of your company's corporate culture
- Always discuss TD in a positive way. The old philosophy of "light duty" being an unproductive program is no longer appropriate. Your employees on TD are part of the team, just like everyone else.
- Work closely with the union; ask the business agent or steward what level of assistance the union is willing to provide.
- Integrate transitional duty positions into mainstream operations so the employee does not feel isolated.
- Have the employee continue therapy and medical treatments while in TD. They will recover more quickly that way
- Employees on TD should not be eligible for overtime.
- Employees on TD must participate in weekly meetings until they are back on full duty in their original job.
- Try to have the employee work their normal shift if possible so they don't have transportation or childcare problems. Companies with medical departments will frequently have all employees work the same shift (day shift) so the medical department can monitor their progress.
- TD is a temporary situation to accommodate employees who are injured on the job DURING their recuperation. If they reach maximum medical improvement (MMI) and still cannot perform their original job, your human resources department will guide you in whether you have obligations under the ADA or any other legal requirement.

Sample Transitional Duty Policy

Scope

Our company's Transitional Duty Program is established to provide continuous employment for employees who cannot perform all job functions temporarily because of a work-related injury or illness. Our goal is to ensure every employee remains an active part of the workforce. Participation in the Transitional Duty Program is a condition of employment.

Work Assignment

We attempt to find a job that is similar to the employee's original job. If an employee's original job cannot be modified to accommodate transitional duty restrictions or if another job cannot be found at the original work-site then the employee may be transferred to a nearby location for the transitional duty period. All transitional duty assignments occur during regular business hours of the location.

If the original job unit cannot accommodate the employee with a transitional duty assignment, the employee works at no cost to the new location. If the employee does not want to perform the transitional duty position offered, he/she may be eligible for 12 weeks of unpaid leave under the Family and Medical Leave Act. However, employees do not receive workers' compensation benefits for FMLA leave. Consult the Human Resources Department for information about this option.

Compensation

Employees on transitional duty assignment are ineligible for overtime. If transitional duty is unavailable, the employee is paid for lost work time in accordance with applicable state law.

If transitional duty is available and the employee refuses the assignment, lost wage benefits are denied if allowed under state law because the employee voluntarily withdrew from the workforce, not because of the injury.

Periodic Review

Transitional duty is temporary. In no case will a transitional duty position last more than 120 days. When employees reach maximum medical improvement, they return to their original positions.

If an employee reaches maximum improvement and is unable to resume the pre-injury position, if required to by the Americans with Disabilities Ace, the company will offer another position, with or without a reasonable accommodation, if one is available. If no other position is available, the employee will be separated from the company.

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Transitional Assignment Form

Employee Information		
Employee Name:		**Employee Number:**
Job Classification:	**Job Title:**	
Department:	**Location:**	**Hours:**
Next Medical Appointment:		**Date/Time:**
Other Tests/Appointments:		**Date/Time:**
Medical Restrictions (attach Work Ability Form):		

Assignment Information		
Name of Assignment:	**Assignment Supervisor:**	
Location of Assignment:	**Start Date:**	**End Date:**
TD Shift: Monday: _____ Tuesday: _____ Wednesday: _____ Thursday: _____ Friday: _____ Saturday: _____ Sunday: _____	**TD Duties:**	

Injury Coordinator	
Name:	**Phone Number:**

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Sample Transitional Duty Job Bank

Although you could customize transitional duty job assignments to fit each injured employee's restrictions, your company should have a bank of TD positions available to offer injured employees.

Office Clerical – assist with inside office clerical tasks such as:

- Operate computer, copy, fax, and printer
- Notify pertinent staff of schedule changes, meetings, etc.
- Assist with meeting plans and setting up for meetings

Shop Clerical – assist in the maintenance, housekeeping, repair, or other department tasks such as:

- Process paperwork
- Take and deliver schedules and messages
- Coordinate repair and maintenance schedules

Inventory Assistant – assists with control of inventory completing tasks such as:

- Track inventory and orders supplies
- Document and shelf incoming inventory
- Document replacement items
- Complete re-ordering process under supervision

Grounds Service Light Custodial – includes tasks such as:

- Empty and clean trash cans, wash surfaces, sweeping, mopping, etc.

Food Services Operator – includes tasks such as:

- Prepare items for orders or serve beverages and concessions
- Collect lunch trays in employee cafeteria

File Maintenance – includes tasks such as:

- Work with operations groups to file, archive, and shred documents as needed

Service Window Cleaner – includes tasks such as:

- Clean façade ground level windows

Safety Inspector – includes tasks such as:

- Assist safety department on routine inspections as needed for fire extinguisher, eyewash, and/or hoists

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Phone Operator – includes tasks such as:

- Answer telephones, direct calls, and take messages

Security Bag Check – includes tasks such as:

- Assist security with bag checks at front gate and entrances
- Monitor back exits

Inventory Control – includes tasks such as:

- Compile list of inventory items (products, paper goods, uniforms, etc.) by stock number or control codes
- Write or dictate information into a tape recorder to be compiled into a report or database for use in reordering, restocking or reorganizing

Customer Service/Office Clerical – includes tasks such as:

- Take orders, answer telephone inquiries, track shipments, etc.

Hospitality Greeter – includes tasks such as:

- Welcome customers and assist those who may need help

Volunteer Work in Schools – employee volunteers at local schools to:

- Help kindergarten teachers with reading to the class (note: employee must be able to read)
- Monitor hallways and assist in the library

Safety Meeting Posters – employee prepares visual aids for safety meeting topics:

- Color and cut out visual aids
- Assemble items for meetings

Job Fair Assistant – assists in scheduling and follow-up for job fairs:

- Photocopy and collate handouts, itemize and stock job fair stationary
- Work job fair booths with recruiters, restock handout supplies, run errands, etc.
- Process employment forms, perform follow-ups, compile respondent data for recruiters

Evacuation Demonstration Helper – assist in evacuation training exercises at work:

- Follow up with scheduling
- Copy and distribute handouts
- Gather registrants' contact information

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Transitional Duty Checklist

It is important to do these things:	
☐	Know state law about returning an employee to work
☐	Make sure all employees receive your workers' compensation policy
☐	Explain to employees their rights, roles, and responsibilities
☐	Inform treating physicians about the company transitional duty for injured employees
☐	Require treating physicians to approve transitional duty jobs or adaptations to fit job restrictions
☐	Attend weekly face-to-face transition meetings with employee so you can see progress and determine problems
☐	Continue therapy and treatment during TD
☐	Remind supervisors of employee's physical limitations so they do not push the employee to exceed them
☐	Identify TD job creatively; visit worksites to find tasks similar to the employee's existing job but adaptable to the employee's physical exertion level
☐	Use meaningful jobs; never use jobs that demean or demoralize the employee
☐	Provide training for the employee's new position if needed
☐	Send TD job offer letters by first class, certified mail or USPS priority mail with confirmation of receipt and include return, stamped envelope
☐	Customize jobs so they can be restructured frequently to accommodate the employee's increased capacity and reduced limitations
☐	Make sure TD positions are productive – not punitive
☐	Have the employee's doctor specify what the employee can do at work and at home so the employee also knows the restrictions during non-work hours
☐	Do not violate union contracts
☐	Pay at the same rate for TD as the employee received in his/her regular position
☐	Consider paying full earnings even if employee works partial hours temporarily to avoid paying lost wage benefits; advise TPA so they do not pay lost wages also
☐	Obtain employee's feedback about the TD position; make sure he/she can safely perform the TD job
☐	Have the TD job offer begin 3-5 days after you send the Job Offer Letter

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Sample Letter to Treating Physician Requesting Work Ability Form

Send USPS priority with delivery confirmation

<Date>

<Doctor Name>
<Doctor Address>
<Doctor City, State, Zip>

Re: <Claimant Name>/<Claim Number>

Dear <Doctor Name>

You are treating our employee, <Claimant Name>, for an injury occurring as a result of an on-the-job incident. We have a transitional duty program and will design a special assignment while our employee is recovering from this injury. In order to design a suitable work program, we need to know the employee's physical work capacity and restrictions. Please complete the enclosed Work Ability Form. The enclosed brochure designed specifically for our employees' providers provides some information about our company and our transitional duty program.

As our employee recovers and continues to progress, our employee will give you a Work Ability Form to complete after each visit. We use this information to modify his/her transitional duty assignment until the employee is fully recovered.

If you have any questions or comments regarding our form, our transitional duty program, or the employee's working conditions, please call me at <Company Phone Number>. Thank you.

Sincerely

<Name>
Injury Coordinator

Enclosures: Work Ability Form
Provider Brochure

CC: Employee
Claims Adjuster

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Sample Letter to Employee Offering Transitional Duty

Send first class mail, certified, and return receipt requested

<Date>

<Employee Name>
<Employee Address>
<Employee City, State, Zip>

Dear <Employee Name>

Your doctor told us that while he thinks you should not return to your former job right now, he strongly encourages transitional duty work with certain restrictions. At <Company Name>, we have a Transitional Duty Policy and will do everything possible to help you return to work rapidly.

We have a position available for you allowing you to work within the restrictions established by your doctor. Your medical restrictions and the transitional assignment are described in the attached form.

We would like you to return to work at the date and time specified on the Transitional Assignment Form. Please report to the Assignment Supervisor specified on the form. Your rate of pay and employment status will not change if you accept this offer of transitional assignment. We hope that returning to work will help speed your recovery and you will be able to return to your former job as soon as possible.

Please indicate below whether you accept or reject the offer of transitional duty work described in the attached form. A pre-paid US Mail Priority envelope is included for your convenience. If you have any questions, please call me at <Company Phone Number>.

Regards

<Name>
Injury Coordinator

Enclosures: Transitional Assignment Form
Pre-Paid Envelope

CC: General Manager
Insurance Adjuster

☐ **Accept:** I will report to work on ____/____/____

☐ **Reject:** Please attach medical documentation indicating the reason you are not able to perform the job offered.

Print Name _____ Signature _____ Date _____

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