



HUMAN RESOURCES

Return to Work Policy

Workers Compensation Transitional Duty Assignments

POLICY Number: B-017

22 January 2013

1. **AUTHORITY:** Director of State Civil Service as contained in La. R.S. 36:54; Civil Service Rules; La. R.S. 39:1547, Louisiana Workers' Compensation Act, Office of Risk Management.
2. **PURPOSE:** To ensure a formal policy regarding "transitional" duty assignments for employees of State Civil Service (SCS) receiving workers' compensation benefits.
3. **APPLICABILITY:** This policy shall apply to all permanent employees of State Civil Service who are off-duty as a result of work-related injuries or illnesses, and who are receiving workers' compensation benefits.
4. **POLICY:** It is the Director's policy that SCS establish a program to provide for the safe and expedient return of state employees with job-related injuries and illnesses to transitional or regular appointment. The department cannot guarantee placement and is under no obligation to offer, create, or encumber any specific position for the purpose of offering placement.

This policy is economically beneficial to the SCS, the State of Louisiana, and employees by aiding employees to regain the economic, health, and emotional benefits of full employment.

5. **PROVISIONS:** The primary authority for administering the Return-to-Work Program is the Deputy Director.

This program is defined as a "transitional" duty assignment for employees receiving workers' compensation benefits as a result of an on-the-job injury or illness that will allow them the opportunity to perform productive work within the physical and environmental constraints posed by the injury or illness; when they are unable to perform the essential functions of their permanent position.

The program uses a "team" approach. Therefore, a standing committee is established to review cases of employees who are off-duty as a result of a work-related injury or illness and who are receiving workers' compensation benefits. This committee shall be called

the Workers' Compensation Review Committee. This committee will have oversight of the Return-to-Work Program and its policy and procedures, and will review individual cases. The committee shall consist of the Deputy Director, the supervisor of the individual whose case is being reviewed, the safety coordinator and a representative of the Office of Risk Management. The objective of the committee is to return the injured or ill employee to productive work as soon as possible. The committee shall be responsible for reviewing all cases of employees who are off-duty as a result of an on-the-job injury or illness, and who are referred by the Office of Risk Management as suitable for transitional duties.

6. PROCEDURES: To be eligible for the Return-to-Work Program an employee must:

1. Be off work as a result of work-related injuries or illnesses,
2. Receive workers' compensation benefits,
3. Have the treating physician's approval to return to work, and
4. Be unable to perform all duties of their permanent position.

The Workers' Compensation Review Committee shall identify job functions and physical requirements that can be considered transitional duties and draft a transitional duty plan. The employee shall be placed in his normal work unit whenever possible; however, if this is not possible, the committee shall recommend a suitable work unit. The Deputy Director must approve the proposed placement prior to actual placement.

The Office of Risk Management representative shall provide the treating physician with a copy of the job functions and physical requirements identified as the transitional duty assignment. Once the treating physician confirms that the employee is capable of performing the transitional duty functions, the employee may be allowed to return to work.

Upon return to work, the employee, the Deputy Director, and the supervisor of the unit to which the employee is assigned transitional duties shall review the transitional duty plan. The employee shall sign a statement certifying that the plan has been discussed with him and the supervisor and Deputy Director shall witness the statement.

The Workers' Compensation Review Committee shall review the transitional work plan every 30 days to determine if the employee is still in transition.

An employee who refuses to accept transitional duty for which they were medically cleared will be reported to the Office of Risk Management for appropriate action.

7. EXCEPTIONS: The Director may grant an exception to any provision of this policy, provided such exception shall not be in conflict with Civil Service Rules and Regulations

or State Laws. If an employee is off on a Workers' Compensation claim and has been released from the doctor to work with no limitations, this policy should not apply.

s/Shannon S. Templet

Director