

WORKERS' COMPENSATION

Return to Work Program

Safety & Workers' Compensation Office

Contact: *Workers Compensation Administrator – Extension 4008*

1. General:

- a. Appalachian State University is committed to the safety and welfare of all of our employees. However, in spite of our efforts to create a safe working environment, injuries or illnesses caused by the workplace will still occur. We feel a responsibility to return employees with work related injuries and illnesses to their normal jobs and lifestyles as quickly as medically possible. To meet this responsibility to our employees, we are instituting a formal Return To Work Program as an important part of our Workers' Compensation Program. We will make every effort to create a bridge to assist in the employee's efforts toward full recovery and return to full duty.
- b. The structured Return to Work Program is designed to promote rehabilitation and enhance the recovery process for employees experiencing work related injuries or illnesses, while maximizing productivity and controlling related expenditures. The program also fosters compliance with the American's with Disabilities Act and associated guidelines. This is accomplished through a partnership including the disabled employee, medical providers, and key University personnel working together toward the common goal of expediting the employee's return to physical and psychological well-being. The key to the program is the total support of the University administration.
- c. The purpose of the Return to Work Program (Program) is to provide transitional work (restricted duty) for employees, who due to a work related injury or illness, are restricted from performing some or all of their regular duties for a temporary period of time. The Program also addresses placement efforts for employees who, after recovery, are permanently restricted from performing their regular duties.
- d. The goals of the Program are to promote positive workplace morale through communication and support for the injured worker; minimize the potential for re-injury or permanent disability; reduce medical and disability costs; and increase productivity by decreasing lost work time.

2. Return To Work Requirements:

When a State employee who was injured on the job and placed on Workers' Compensation leave has been released to return to work by the treating physician, there are three possible return to work situations in State Government:

a. Has Reached Maximum Medical Improvement and Has Been Released to Return to Work

When an employee has reached maximum medical improvement and has been released to return to work by the treating physician, the University shall return the employee to the same position or one of like seniority, status, and pay held prior to workers' compensation leave.

b. Has Not Reached Maximum Medical Improvement but is ready to Return to Restricted Duty Work

- i. When an employee has not reached maximum medical improvement and is ready to return to restricted duty work with the approval of the treating physician, but retains some disability which prevents successful performance in the original position, the University shall provide work reassignment (transitional duty) suitable to the employee's capacity to work, which is both meaningful and productive, and advantageous to the employee and the University. This is considered to be a trial return to work by the North Carolina Industrial Commission (NCIC). If, within the first nine months, the treating physician determines that the employee is not able to perform the work, the employee must file a request for reinstatement of worker's compensation. When the employee reaches maximum medical improvement, the University shall return the employee to the same position or one of like seniority, status, and pay held prior to workers' compensation leave.
- ii. The transitional duty work should be temporary and not exceed 90 days without approval from the Human Resources Director. All transitional duty work is subject to the University's ability to provide such work. The University will not create work situations if it is not productive work.
- iii. If there are no assignments in the employing department compatible with the restrictions as defined by the physician, the department head should contact the Workers' Compensation Administrator in the Safety Office to request the employee be given a suitable work assignment elsewhere in the University. However, the employing department's personnel funds will be used to pay the individual during the transitional duty assignment. The Workers' Compensation Administrator will notify the HRS Director or designee of the employee's availability for placement in a suitable work assignment.

c. Has Reached Maximum Medical Improvement but Has a Disability which Precludes Working in Original Position of Employment

- i. When an employee has reached maximum medical improvement, has been released by their treating physician, but has received a disability which prohibits employment in the previous position, the University shall attempt to place the employee in another position suitable to the employee's capacity to work, which is both meaningful and productive, and advantageous to the employee and the University. This work placement may be a permanent assignment, a temporary assignment, or a part-time assignment until a permanent assignment is found.
- ii. If a position is not available, the University shall appoint the employee to the first suitable vacancy that occurs. Work placement efforts shall continue for a period not to exceed 12 months, except with the approval of the Human Resources Director.

3. Transitional Work Guidelines

- a. Transitional Duty (restricted duty) is defined as work activity performed by an employee who has had a work related injury or illness which has resulted in that employee's inability to perform some or all of their normal job activities. Communicating with the injured employee on a regular basis and bringing them back into the workforce as soon as possible following an injury will improve the employee's physical and mental well-being and promote cooperation between employee and management.
- b. The University Worker's Compensation Administrator (WCA) will coordinate the Program. The WCA will coordinate with the medical providers, the employee, the supervisor, the WC Claims Adjuster, and the HRS Director or designee to facilitate return to work.
- c. Transitional Duty, when possible, should be specified with a starting and ending date that is monitored by the WCA. The employee should be monitored continually for improvement until able to return to work without restrictions.

4. Return to Work Program Guiding Principles

- a. The Return to Work Program is mandatory for all University employees.
- b. All University departments are expected to support transitional duty work procedures.
- c. Temporary accommodations should be made to the employee's current position without permanent change to the job description.

- d. Duties assigned should be tailored to the abilities of the employee, to maximize recovery, and maximize organizational needs.
- e. The supervisor should provide close oversight of the progress of the employee to assure compliance with restrictions, maximize recovery, and maintain communication with the WCA.
- f. If the restrictions are permanent and there are no assignments in the employing department compatible with the employee's restrictions, employees will be appointed to positions in the following order of preference:
 - i. Current division
 - ii. Temporary positions
 - ii. Any suitable University vacancy
- g. Employees returning to work under this program shall receive priority for both temporary and vacant permanent positions.