



PAIC

Public Alliance Insurance Coverage Fund

Return-to-Work Program

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Critical Points of a Successful Return-to-Work Program

- Support and backing of Public Entity Management**

The most important aspect of a Return-to-Work Program is the support and endorsement of the program by the top management of the Public Entity. Without this support, success of the program is unlikely. A Return-to-Work policy statement should be developed and should be signed by Public Entity Management and distributed to all employees.
- Designated Program Coordinator**

One person should be designated as the overall coordinator of the Return-to-Work Program. This person would be responsible for:

 - Providing updates to Public Entity Management regarding the status of the program
 - Working with Departmental Managers to garner their support for the program and identify Light / Modified Duty positions
 - Supervising the education of existing and new employees regarding the goals and attributes of the program
 - Tracking Lost Workday claims, keeping in contact with the injured employees
 - Communicating with Claims personnel at Highland Claims
- Education of existing employees regarding the program. Orientation of new employees**

Grass-roots involvement of employees is important for program success. New and existing employees need to be aware of your Return-to-Work Program **prior to** an accident. The first time an employee learns of Return-to-Work options should not be after he/she has incurred a claim.
- Support by Departmental Supervisors and Managers**

Departmental supervisors and managers will be the first to know of a Lost Workday accident within their department. They may accompany the injured employee to the designated Medical Care Provider. They should know Return-to-Work options within their department and should suggest them to the Medical Care Provider.
- Panel List of Physicians**

A list of possible Medical Care Providers can be obtained from Highland Claims. You may make additions to the list if you are aware of providers in close proximity to your Public Entity that support your Return-to-Work efforts. The providers should consist of a cross-section of specialties and you should strive to send all injured employees to them initially.
- Regular Communication with Highland Claims Personnel**

Highland Claims will assist you every step of the way. This assistance includes a list of Medical Care Providers in your region, options for Return-to-Work positions, and communication with the injured employee and attending physician. Highland Claims should be informed of all claims, particularly Lost Workday claims, immediately. Also, make Highland Claims aware of any pertinent information that comes to your attention relating to any existing claim.

Basic Points

The following are basic points to follow in an effort to implement a Return-to-Work Program at your Public Entity:

1) Identify and name a Return-to-Work Coordinator.

This individual would most likely be responsible, not only your Return-to-Work Program, but also for your overall Safety Program. The individual would:

- a. Communicate the status of the Return-to-Work program and goals with Public Entity management
- b. Communicate with Highland Claims on Claims and Loss Control issues
- c. Communicate with Departmental Managers on past or current claims and discuss possible light / modified – duty options for departmental employees
- d. Communicate with any injured employees who may be out-of-work or who may have returned in a light / modified – duty position
- e. Supervise communication of the Program to all existing employees and assure communication takes place with all new employees.

2) Return-to-Work Policy Statement

The Policy Statement explains the purpose of the Return-to-Work Program, identifies top management backing of the program, and explains that the Program will be applied consistently to all employees involved. The Policy Statement should be signed by the designated head of the Public Entity (Mayor, Commissioner, etc.). A sample Policy Statement has been included in this packet to assist you in Program development.

3) Determine your Current Loss Scenario

Where do you currently stand regarding your % Indemnity payments versus your % Medical payments? How do your percentages compare to the PAIC average percentages? Also, what is your Lost Workdays Case Rate and your Lost Days Rate? Before you can establish goals, you need to determine where you currently stand with these numbers. You can obtain this information from your latest Loss Analysis Report from Highland Claims, or you can contact your Loss Control Coordinator.

4) Goals

The Goals for your Return-to-Work Program should follow the SMART acronym – Specific, Measurable, Attainable, Relevant, and Trackable

- a. Specific – keep your goal very specific and related directly to the topic at hand, in this case, return-to-work. Avoid goals that may be too general in nature. Avoid trying to accomplish multiple items with one goal. If there are multiple items you want to accomplish, set up multiple goals.
- b. Measurable – make sure what you are trying to accomplish can be measured numerically. This allows you to start at a specific point and also allows you to realize when you have attained your goal.
- c. Attainable – try not to accomplish too much in too short a time-span. One year is generally a good time span to use. Try to determine what you feel you can reasonably accomplish within that time-span. The goal should not be too easy to accomplish or too difficult to attain.
- d. Relevant – keep the goal related to the problem at hand. Do not use the Return-to-Work issue as the reason you try to accomplish non-related goals involving other topics.

- e. Trackable – be able to identify a starting point and an ending point for your goal. Also, monitor the data periodically (i.e. monthly) to determine how well you are doing along the way toward accomplishing your goal.

Example: Reduce the %Indemnity Paid for claims by 20% from a 42% ratio to a 34% ratio during the period from 1/1/06 to 1/1/07.

Example: Reduce the Lost Workday Claims Rate by 20% from the current rate of 1.2 to a rate of 0.96 during the period from 1/1/06 to 1/1/07.

Example: Reduce the Lost Days Rate by 25% from the current figure of 65 Lost Days to 49 Lost Days.

In addition, you may want to break your accidents and figures down by department (i.e. Administration, Department of Public Works, Parks & Recreation, Police Officers, Fire Department, etc.) and concentrate your efforts on one or two specific groups that are having frequency or severity issues .

5) Action Steps

Once you have established the goals you desire to accomplish, you need “Action Steps” as a method to accomplish those goals. “Action Steps” are similar to the directions you would follow on a map to get from “point A” to “point B.”

Many of the items discussed so far would be considered “Action Steps.”

Examples of Action Steps include:

- Obtain top management support for a Return-to-Work Program
- Establish a Return-to-Work Policy Statement
- Communicate the Program to all employees and review the major points of the program, reasons for the program, Medical Care Providers being used, etc.
- Revise the New Employee Orientation Manual to include the Return-to-Work Program material
- Meet individually with each new employee to review the main points of the program, reasons for the program, Medical Care Providers being used, etc.
- Track the data on a monthly basis to determine the level of goal accomplishment

Other items that may be used to accomplish the goals may be more specific to particular claims. Examples include:

- On a weekly basis, speak individually to any employee out a leave due to a workers’ compensation claim to check his/her status
- On a weekly basis, assess employees brought back to work in modified – duty positions to determine if additional hours can be taken on by the employee
- Speak to the Claims Adjuster handling each Lost Workday incident twice per month regarding the status and anything more that can be done by the Public Entity.

Be creative in developing “Action Steps” to address your outstanding problem areas. If one idea does not seem to be having a positive impact on your goal, try something different. Solicit input from Department Managers on their thoughts for possible “Action Steps.”

6) Communication

Develop a communication program for both new and existing employees. New employee communication should be part of an employee's orientation program. Review what currently makes up a new employee's orientation packet. Make sure provisions are made to add Return-to-Work information to the orientation packet. Ideally, actually discussing accident procedures with new employees is highly recommended. It is up to the Public Entity on how best to handle communication of the Return-to-Work Program for existing employees. This can be addressed during general employee information meetings or during smaller departmental meetings.

7) Panel List of Physicians

Develop a list of designated Medical Care Providers. In the event someone is injured, the injured employee should be examined by a designated provider. Highland Claims will assist you in identifying various types of medical providers in close proximity to your Public Entity who can not only provide quality medical care, but also have an understanding of Return-to-Work Program fundamentals. You may also be aware of a physicians group in the area that can provide a similar service and are not identified on the list. We urge you to discuss the physicians group with Highland Claims personnel to determine if it would be appropriate to add the group to your list. Ideally you would like a cross-section of services (i.e. general practice, ophthalmologist, dentist, physical therapist, chiropractor, etc.). Each Medical Care Provider should be familiar with your operation and facility, understand your Return-to-Work Program, be aware of light / modified – duty positions you have available, and be open to communicate regularly with you on various claims. It is in your best interest to physically visit and speak with each of your Medical Care Providers prior to any loss occurring. Review with them your policy Statement, light / modified – duty positions, telephone numbers they can reach you at, your Public Entity's Return-to-Work goals, what you are looking for from them, etc.

8) Develop Light / Modified-Duty Positions

Prior to any accident occurring, brainstorm with Departmental Supervisors and Managers on what activities could be handled by individuals who have been injured.

Ideally, bring all injured employees back to work 40 hours per week, in their own department, performing similar activities they are familiar with. It is also possible to modify an employee's current job to allow the job duties to be aligned with the employee's physical restrictions. When this is not possible, other options include:

- Bring the individual back to work 40 hours per week in a different job and in a different department
- Bring the individual back to work less than 40 hours per week in their current job
- Bring the individual back to work less than 40 hours per week in a different department

Key points you want to remember:

At a minimum, bring the individual back to work at least one hour per day, five days per week. This is far better than bringing someone back to work one day a week for five hours. You want to maintain that personal contact between the individual and their workplace and friends. You want to keep the individual accustomed to getting up and coming to work every day.

Once someone is coming to work at least one hour per day, five days a week, you can physically speak to the individual to see how they are doing and personally monitor the

individual's progress. Stay in contact with the attending physician and try to expand the modified – duty work to 2 hours per day, 3 hours per day, etc.

What types of light / modified – duty work can individuals do?

The type and amount of work is only limited by your imagination. Periodically sit down with Departmental Managers and discuss options. Examples include:

- PEOSHA requires safety surveys be conducted of the premises to identify potential hazards. Have injured employees walk around each building with a clipboard and a PAIC inspection form to identify hazards.
- Conduct vehicle inspections each day. Make sure all safety items are in proper working condition (i.e. lights, turn signals, horn, tire air pressure, fluid levels for oil, water, and windshield washer, defroster, windshield wipers work properly, etc.).
- Check that all emergency lighting units in a building are operating properly by pressing the "test" button on each unit
- Make a tour of the facility and verify all interior and exterior lights are operating properly
- Fill out work-orders for items needing repair
- Playground Monitor
- Library Aide
- Replace someone on vacation (assuming the duties fit in with physical limitations)
- Assist in parking lot traffic control
- Photocopying or faxing duties
- Inspect and initial fire extinguisher inspection cards to verify the units are properly mounted and charged on a monthly basis
- Pick up the mail or deliver the mail to the Post Office each day. Handle mail delivery to the various departments.
- Check incoming shipments to verify what was supposed to be delivered by vendors was actually received
- Check outgoing shipments to departments to make sure what was requested was actually being sent
- Make telephone calls to vendors to order new supplies. Handle Purchase Orders.
- Read "Safety Talk" literature to employees during safety meetings.
- Attend a Safety Committee meeting
- Handle the filing of paperwork in various departments
- Answer and record telephone messages for various departments
- Empty paper waste baskets
- Greet visitors and handle the "sign-in" book. Direct and walk visitors to the room they are visiting

Allow individuals to handle various job duties in different departments in an effort to come up with a total of 40 hours per week.

9) Employee Benefits of a Return-to-Work Program

- Feeling of job security
- Recognition that management is concerned about employee welfare
- "Bond" between the injured employee and co-workers is maintained
- Knowledge that the employee can still perform the tasks of the position
- Work hardening allows for a quicker recovery process
- Better employee image of one-self

10) Employer Benefits of a Return-to-Work Program

- Indemnity costs are reduced, thereby reducing overall workers' compensation claims costs
- Necessary jobs within the organization are being handled through modified-duty positions
- Employees understand everyone will be treated equally and Modified-Duty positions are "standard procedure"
- Sends out a statement to possible malingers and accident repeaters
- Idea that the employer is "taking care of injured employees" permeates to all employees
- Active involvement in a Return-to-Work Program reduces the chance of litigation
- Long term, a better work ethic and better morale is cultivated
- Work-hardening reduces the chances for employees becoming re-injured
- Less dependence on temporary workers who do not know your operation and who may be less efficient

11) Forms to Assist Program Implementation

- Sample Policy Statement
- Accident Investigation Form

12) What to do in the Event of an Accident?

Some Lost Time accidents will still occur. When they do, try to follow these steps:

Accompany the injured employee to the doctor. Should an accident occur, have the employee's supervisor accompany the injured individual to the doctor's office. This serves a few important purposes.

- Any injured individual should not drive himself or herself to the doctor. They could go into shock, the injury could be more severe than you think, and the employee could be involved in an auto accident. Accompanying an injured employee shows the employee you consider them so important that you are willing to stop whatever you are doing and attend to their needs.
- You can verify that the injured employee goes to the doctor you have specified on your Doctor's Panel. The employee should not be going to their personal physician. The Medical Care Provider is aware of your Return-to-Work Program and can better assess what the employee can and cannot do.
- After the Medical Care Provider has examined the employee, the supervisor can have a discussion with both the medical provider and the employee present in the same room at the same time. This allows for **parity of information**. The medical provider knows the injury and the patient's limitations. The supervisor can suggest Modified Duty positions. The medical provider can approve or disapprove of the positions. The patient, supervisor, and medical provider can then agree upon what the employee can and cannot do, duration of the work day (i.e. 1 hour / day or 8 hours / day), duration of the work week (i.e. 1 day /week or 5 days / week).
- In the event a supervisor cannot accompany the injured employee to the Medical Care Provider, have another employee provide the transportation. We assume the injury is not life threatening and an ambulance is not needed. The supervisor can still identify what Medical Care Provider should be visited and the supervisor should have a telephone conversation with medical provider afterwards to discuss Return-to-Work options.

Act Quickly!

- The Coordinator should establish a communication plan that informs them whenever any individual has incurred an accident that involves at least one lost workday. The supervisor, for example, should contact the coordinator as soon as possible. The Coordinator should make every effort to follow up and determine what possible jobs may be available for the injured individual, within his limitations.

What is preferred – 5 hours one day / week versus 1 hour / day 5 days per week?

- Naturally, it would be preferred to bring someone back to work in a Modified Duty position 40 hours / week. When this is not possible, work with the doctor to determine the maximum number of hours the individual can work. Every effort should be made to bring an individual back to work at least one hour / day every day. The goal is to maintain the “bond” between work and the individual. This is accomplished through daily interaction with employees. It becomes much more difficult to return an individual to full productive capacity after the individual has become accustomed to sleeping late and watching soap operas. Gradually increase the hours worked to two hours per day, three hours per day, etc.

What can you do if the individual is medically unable to return to work in any capacity?

- Maintain regular contact with the individual. Have a supervisor or other employees call the individual at home at least twice a week and bring him or her up-to-date on the latest news.
- Send a card or flowers signed by all co-workers periodically.
- Stop by the house and determine if there is anything you can do to help (i.e. obtain groceries or re-fill a prescription).

Light / Modified Duty Return-to-Work Procedure

The Modified Duty Early Return-to-Work Program shall be administered by the _____; the Public Entity's designated Workers' Compensation Coordinator.

A. Filing a Claim Report

- 1) The employee must file a written Workers' Compensation Report if they have been injured in the performance of their job. This Report will be available in the administrative office of the Public Entity.
- 2) Upon sustaining an on-the-job injury, the employee shall immediately report the injury to their immediate supervisor. The injured employee, and/or the supervisor, shall also immediately contact the Coordinator's office. The Coordinator, or designee, will direct the injured staff member to the designated Medical Care Provider.
 - a) In the event the injury requires immediate medical treatment, the staff member may be directed to the designated Medical Care Provider or to the hospital emergency room. In this case, the Report shall be completed by the staff member whenever practical.
 - b) In the event the injured employee is injured when the Public Entity's administrative offices are closed and the injured employee believes the injury requires immediate medical treatment, the staff member shall:
 - (1) Go to one of the designated Medical Care Providers. If the Medical Care Provider's offices are closed, the employee should seek treatment at the nearest emergency room.
 - (2) Notify their immediate supervisor as soon as possible after the injury.
 - c) In the event the injured employee goes to the hospital emergency room when the Public Entity's offices are closed, the injured employee must report the injury to their immediate supervisor and the Coordinator the next business day. The Coordinator may direct the injured employee to one of the designated Medical Care Providers. All future medical treatment for the injured employee shall be scheduled through the Coordinator's office.
 - d) In the event the employee becomes injured when the public entity's administrative offices are closed or after business hours, and the injured employee believes the injury does not require immediate medical treatment, the injured employee shall:
 - (1) Immediately notify their immediate supervisor; and
 - (2) Notify the Coordinator's office the next business day.
- 3) The Workers' Compensation Report shall be forwarded to the Coordinator's office as soon as it is completed by the injured staff member.
 - a) In the event the injured employee requires a physician's examination and evaluation, the Coordinator's office will schedule the appointment with the workers' compensation physician's office and the staff member.

- 4) Any employee injured on-the-job and the injury causes the employee to miss work time or prohibits the employee from fulfilling all of their job responsibilities must be examined by the Medical Care Provider. The Coordinator will authorize workers' compensation time off from work for the employee injured on-the-job only after the employee has been examined by the Medical Care Provider. The Coordinator may, upon certain circumstances, authorize workers' compensation time-off from work without requiring an examination by the Medical Care Provider.
- 5) The Modified Duty Early Return to Work Policy will be attached to the Workers' Compensation Report and this Regulation will be provided to the injured employee upon request.

B. Physician's Workers' Compensation Examination and Evaluation

- 1) The Coordinator will provide the Medical Care Provider a job description and a list of required tasks for Return-to-Work options in the Public Entity.
- 2) Upon completing the medical examination and evaluation, the Medical Care Provider will prepare a report indicating the staff member's physical limitations, if any, that prevent the staff member from completing the staff member's job responsibilities. The Medical Care Provider's report will also include a diagnosis, to the best of the physician's ability, on the length of recovery for each limitation. The physician's report will be forwarded to the Coordinator.
- 3) The Coordinator will review the workers' compensation physician's report and follow-up with the Medical Care Provider and the injured employee if the Coordinator needs more information to make a determination if modified duty is an option for the injured employee.

C. Modified Duty Restriction

- 1) There is no permanent modified duty and all modified duty positions are temporary.
- 2) Upon reviewing the Medical Care Provider's report, the Coordinator will determine if temporary modified duty is appropriate for the staff member. The Coordinator may determine the staff member should be out of work until such time the staff member is able to return to work to assume all their job responsibilities. The Coordinator may also determine a date in the future for the staff member to return to work to assume temporary modified duties.
- 3) A medical review and examination by the Medical Care Provider may be required to continue a modified duty assignment beyond sixty calendar days.
- 4) The Coordinator reserves the right to require a staff member returning from modified duty to submit to a physical examination before returning to their position to assume all the job responsibilities of their position.
- 5) There will be communications among the Coordinator, the injured employee's supervisor, the injured employee, the Medical Care Provider, and the workers' compensation insurance provider throughout the course of treatment and recovery of the injured staff member.
- 6) A tracking system will be established for documenting the injured employee status in the Modified Duty Program.

D. Assignment of Job Tasks

- 1) Assigning modified duty to injured employees will be decided on a case-by-case basis.
- 2) Job tasks for injured employees on modified duty will be determined and assigned within the limitations established and approved by the Medical Care Provider.
- 3) The injured employee's immediate supervisor shall provide periodic status reports to the Coordinator for any staff member assigned modified duty.
- 4) There is no restriction on the physical location of the modified-duty work or the type of modified duties assigned to the injured employee, provided it is consistent with the limitations detailed by the Medical Care Provider. These modified duties may be assigned to a full or partial day schedule depending on the injured employee's limitations.
- 5) The modified duties and/or responsibilities will be within the injured employee's capabilities and an injured employee will not be assigned any modified duties and/or responsibilities that require any certifications/licenses that are not possessed by the injured staff member.

E. Staff Member Requirements

- 1) Injured employee shall perform the job tasks designated by the Medical Care Provider in the physician's report and assigned by the Coordinator. In the event these job tasks cause discomfort, the injured employee shall discontinue the specific activity and inform their immediate supervisor. The immediate supervisor will report this information to the Coordinator, who will schedule a medical appointment for the injured employee.
- 2) Injured employees are required to follow the Coordinator's directives regarding:
 - a) Job assignments and tasks;
 - b) Attending scheduled doctors' appointments; and
 - c) Completing and transmitting reports to and from the Medical Care Provider, their immediate supervisor, and the Coordinator's office.

F. Compliance with Laws

The Modified Duty Early Return to Work Program shall be administered consistent with the applicable federal and State laws and in accordance with provisions of collective bargaining agreements within the Public Entity.

Sample Policy Statement

_____ believes that a Return-to-Work Program, combined with a commitment to accident prevention, can have positive long term attributes for both the employee and this organization. For the employee, an effective Return-to-Work Program:

- Provides a sense of long-term employment security
- Demonstrates management's concern for employee well-being
- Aids in work-hardening
- Maintains a relationship with fellow employees
- Creates a can-do self-image of oneself, allowing the employee to realize he/she can perform the work required

For our organization, the Return-to-Work Program:

- Reduces workers' compensation assessments, allowing the funds to be spent in alternative areas of need
- Reduces the cost for the need for temporary / substitute employees
- Allows needed work activities to be completed by the injured employee, freeing up uninjured employees to complete other physically demanding tasks
- Promotes employee morale and a good work ethic
- Reduces litigation costs

We will work within the physical constraints of the employee, the requirements of our Medical Care Providers, and the limitations of the law to create a work environment that is mutually beneficial to both the employee and this organization. Any injured employee who has received medical approval for a modified-duty position will be required accept the position.

Signed by Public Entity Commissioner or Mayor

This document should be placed on the organization's letterhead. It should be reviewed and distributed to all existing employees. The document should be incorporated in New Employee Orientation packets. It should also be visibly mounted in prominent locations around the organization for employees to review.