

Return-To-Work Program

Line of Business: Workers' Compensation

Risk Control Strategy/Key Issues: Establish a return to work modified or light duty program to provide cost containment for workers' compensation.

Suggested Policy Elements:

1. Pre-Injury:

- Develop policy outlining implement injury handling process (See "Injury Handling Process" document)
- Develop written return-to-work procedure
 - ✓ assignment of responsibilities
 - ✓ assignment of accountability
 - ✓ outline of procedures

2. Training:

- Train supervisors on Return-To-Work procedures and their role
- Educate employees to report injuries to their supervisor regardless of severity.

3. Post Injury:

- Provide prompt medical attention, ideally with Primary Medical Physician / Clinic
- Follow procedures as outlined in Injury Handling Process.

4. Maintain Employee Contact:

- Maintain weekly contact with the employee during the recovery process
- Get medical updates from both the employee and the physician as often as possible
- Demonstrate care about the employee's well-being

5. Identify Return-To-Work Date:

- Workers' Compensation / Injury Management Coordinator to contact physician's office to discuss target date for Return-To-Work if not already identified.
- Frequent contact is critical in keeping track of the employee's progress toward return to work.

6. Identify Alternative Productive Work Assignments:

- Determine who is responsible for developing an alternative or modified job.
- When identifying tasks to be included in an alternative work assignment, consider:
 - The value of the alternative work to the total work unit and to other employees.
 - Whether or not the alternative assignment is meaningful to the injured employee.
 - Taking a positive approach.
 - Focusing on what the employee can do rather than those tasks he/she cannot perform.
 - Avoiding "make-work" or menial tasks.
 - Tasks not being done by anyone now.
 - Jobs being done only occasionally
 - Tasks now being done, which if assigned to someone else, would free other employees to do other work.

- Obtain an agreement from the physician stating that the employee is capable of performing the tasks designated in the alternative work assignment.
- Make sure the doctor completely understands the alternative work assignment.
- Consider videotaping the job. (Videotaping is not expensive and is certainly less costly than having the physician review the job at the location.
- Emphasize the abilities the returning employee is displaying rather than dwelling on the remaining disabilities.

7. Monitor Progress:

- Daily Follow Up Documented
- Note Progress with Physician
- Follow Up with Physician on Return-To-Work Timetable
- The supervisor should monitor the injured employee's progress and coordinate with the organization's workers' compensation office to see that the employee returns to his/her regular job in a timely manner per physician directives.

8. General Information:

- Stay flexible and do not force the situation -- it defeats the purpose if the employee tries to return to his/her regular job before he/she is ready. But if an employee that you and the physician feel is ready to work at his/her original job resists returning to that job, use resources within your organization to help resolve the problem.
- Make sure the entire work unit understands the alternative productive work approach and the specific assignment.
- Emphasize that the injured employee is not receiving any different treatment from what they would get.
- Members of the organization's workers' compensation team should demonstrate their interest and concern as they come in contact with the employee.
- Remember that the goal is to get the employee back to his/her regular job and feeling good about his/her recovery.
- Do not terminate an injured employee who has not yet received a full duty release from the doctor and has not yet returned to the job in a full duty capacity. If termination is inevitable, consult your corporate attorney.

Program Activities Calendar:

- Weekly Individual Progress Checks
- Weekly/Monthly Physician Contact on employee's Return-To-Work dates
- Quarterly Program Review
- Annual Program Evaluation

Trident Insurance Services provides the above program information in order to reduce the risk of insurance loss and claims. The information provided is not intended to include all potential controls or address any insured specifically. Trident also does not warrant that all loss and/or claims will be avoided if the program information is followed. By providing this information, Trident in no way intends to relieve the insured of its own duties and obligations, nor is Trident undertaking, on behalf of or for the benefit of the insured or others, that the insured's property or operations are safe, healthful, or in compliance with any law, rule or regulation. Insureds remain responsible for their own efforts to reduce risks and should consult their own legal counsel for appropriate guidance.

SAMPLE RETURN-TO-WORK PROGRAM

PURPOSE:

- To get the injured employee back to work in a modified or light duty capacity.
- Provide cost containment for workers' compensation.
- Maintain control of the injured employee's medical progress by staying in touch with the injured employee during the course of recovery.

BENEFITS:

- Ensures that the employee gets prompt and appropriate medical treatment.
- The employer demonstrates genuine concern for the employee's well being.
- The employer helps the injured employee return to the workplace as quickly as possible.

OBJECTIVES:

1. Provide approaches to manage the loss situation in order to contain cost and return the injured employee to work as quickly as possible.
2. Illustrate to managers/supervisors the skills and information they need to play their part in getting the injured employee back to work.
3. Employees should be treated with dignity and respect.
4. Employees should be given the best practical medical care in order to speed recovery and return to work.
5. Injuries should be treated as legitimate unless investigation reveals otherwise.
6. Maintain employee contact.
7. Identify Return-to-Work Date.
8. Identify Alternative Productive Work Assignments.

WHEN AN INJURY OCCURS

The first action when an accident with injury occurs is to provide prompt medical attention, ideally with the organization selected physician or clinic. Immediately notify the Workers' Compensation Office/Insurance Organization and obtain information for filing the Employer's Report of Occupational Injury or Disease which should be received by the organization's Workers' Compensation Office no later than 7 days after the accident.

Supervisors should comply with any other organization rules pertaining to handling accident reporting and accident management.

MAINTAIN EMPLOYEE CONTACT

During the recovery period, it is important to maintain weekly contact with the employee and get medical updates from both the employee and the physician as often as possible. This can be by telephone or by personal visit. Try not to make this seem as though you are "checking up" on the employee.

Demonstrate that you genuinely care about his or her well-being, and that you are naturally anxious to see the employee back to work as soon as he or she is able.

IDENTIFY RETURN-TO-WORK DATE

Once the injury has occurred, helping the employee get back to work becomes the objective of the entire team (the organization's workers' compensation office, the supervisor, etc.) It is important to maintain contact with the employee during the at-home recovery period. This contact should be made on a weekly basis.

It might feel awkward, but go out of your way to demonstrate to the employee that you care. Getting the employee back to work as quickly as possible is in everyone's best interest and frequent contact is critical in keeping track of the employee's progress.

IDENTIFY ALTERNATIVE PRODUCTIVE WORK ASSIGNMENTS

The injured employee's immediate supervisor usually has the responsibility for developing an alternative or modified job. This responsibility can vary in the organization. In identifying tasks to be included in an alternative work assignment, things to keep in mind include:

- The value of the alternative work to the total work unit and to other employees.
- Whether or not the alternative assignment is meaningful to the injured employee.
- Take a positive approach.
- Focus on what the employee can do rather than those tasks he/she cannot perform.

Alternative productive work can be full or part-time, one-time or ongoing, and it is important to avoid make-work or menial tasks, both for the injured employee's sense of worth and for the morale of your entire work unit. Consider:

- Tasks not being done by anyone now.
- Jobs being done only occasionally.
- Tasks now being done, which if assigned to someone else, would free other employees to do other work.

Work together with the organization Workers' Compensation Office/insurance organization to obtain an agreement from the physician stating that the employee is capable of performing the tasks designated in the alternative work assignment. Make sure the doctor completely understands the alternative work assignment. One effective tool is to video-tape the job. (Videotaping is not expensive and is certainly less costly than having the physician review the job at the location.)

Do not overlook the importance of making certain your entire work unit understands the alternative productive work approach and the specific assignment. Each time it becomes necessary, make certain that the returning employee's co-workers understand the situation and the purpose of the alternative productive work assignment. Emphasize that the injured employee is not receiving any different treatment from what they would get.

The supervisor should also be responsible for monitoring the injured employee's progress and coordinating with the organization's workers' compensation office to see that the employee returns to his/her regular job as quickly as possible. Remember that recovery periods vary with individuals. Stay flexible and do not force the situation. It defeats the purpose if the employee tries to return to his/her regular job before he/she is ready. If an employee that you and the physician feel is ready to work at his/her original job resists returning to that job, use resources within your organization to help resolve the problem.

Throughout this period, positive reinforcement concerning the progress the employee is making is vital. Emphasize the abilities the returning employee is displaying rather than dwelling on the remaining disabilities. In addition to the supervisor, members of the organization's workers' compensation team should demonstrate their interest and concern as they come in contact with the employee. Remember that the goal is to get the employee back to his/her regular job and feeling good about his/her recovery.

NOTE: If the organization's employees are represented by a union, it may be advisable to involve the union in assessing and identifying alternative work assignments. At the same time, it is beneficial to communicate your philosophy and plan for alternative productive work to employees.

SITUATIONS TO AVOID

The following situations are those that should either be avoided or may be indicative of problems that exist within the organization and a source of increased claim frequency, length of disability, or legal involvement:

1. **Bringing an employee back to work before he/she is ready.**

By bringing an employee back to work before being ready (not using an "early return program" which identifies "Alternative Productive Work"), the length of disability may increase substantially.

For example, when physical restrictions are not followed, there may be a worsening of the injury or a re-injury resulting in more medical treatment. Physicians then become very reluctant to allow a second job retrieval. Also, the worker loses motivation because of fear of additional injury and may not want to try a modified work program.

Injuries require time to heal. Short-cutting recovery time may cause a worsening of the injury or re-injury resulting in more medical treatment.

2. **Establishing a confrontational environment to a workers' compensation claim.**

Any workers' compensation claims should be treated as legitimate unless proven otherwise by careful investigation by the organization's workers' compensation office. If an injured employee feels that he/she is being denied what is entitled, the employee may seek legal representation. Attorney representation may not only complicate matters, but may increase the cost of a claim. If employees know that cases are investigated, and if a few questionable claims are uncovered, the number of questionable claims should diminish.

3. **Keeping employees in the dark about their benefits or claim process.**

Most employees do not understand the workers' compensation system. If it is not clear to the injured employee what the organization provides in terms of wage replacement, medical cost coverage, rehabilitation and Return-To-Work efforts, the employee is likely to seek outside counsel. Questions about benefits should be referred directly to the organization's workers' compensation office.

4. **Not contacting employees on a regular basis during extended disability.**

Take an active interest in an injured worker's recovery. Make him/her feel that you truly care about his/her rapid return to work. Don't let the employee feel cut off from the events at the organization. Keep him/her informed as to what is being done to modify a position for him/her.

5. **Establishing a negative attitude towards a workers' compensation claimant.**

Even though you have an active safety program, some injuries may occur. Don't blame an employee for his/her injury. Instead, take the opportunity to involve the injured person in making changes to prevent similar injuries. Try to head off negative attitudes by co-workers who may assume workers' compensation claimants are only wanting a few days off. Work to maintain a positive environment in the department to speed a successful and complete return to the job.

6. **Not willing to make concessions for a permanently partially disabled employee.**

Employees who know that an employer is making a good faith effort to modify a job to meet work capabilities tend to maintain a better attitude about returning to work. Such efforts by the employer go a long way to improve department morale and productivity when employees know that if they have the misfortune to be hurt, the organization should look out for their interests.

7. **Pushing an employee beyond work restrictions or allowing him/her to perform tasks which would complicate or delay recovery.**

The restrictions set forth by the treating physician are important in the recovery process. If either the supervisor or the employee ignores them, recovery would be delayed or additional complications could develop.

SAMPLE INITIAL MEDICAL TREATMENT AUTHORIZATION FORM

Employer: _____ Contact: _____

Address: _____

City, State, Zip Code: _____

INFORMATION

Patient Name: _____

Date of Injury/Illness: _____

Nature of Injury/Illness: _____

DISPOSITION

Date of Treatment: _____

Type of Treatment: _____

Returned to Work Date: _____ Time: _____

Injury Will Result in Lost Time: Yes No

Employee Can Return to Modified Duty Date: _____

Capabilities - Please complete attached form: _____

Employee Sent to Hospital – Address: _____

Follow-Up Visit Required: Yes No

Follow-Up Visit is Scheduled for Date: _____

REMARKS: _____

Physician's Signature

Date