

Facilities Management Operating Policies and Procedures Manual

Effective Date: 9/1/2009
Policy Number: 07-12-002
Section: Facilities and Services
Subject: Light Duty / Return to Work Program

Purpose:

This policy establishes the guidelines for full-time employees to help enable a healthy recovery and resumption of full capabilities by injured or ill employees whose injury or illness initially restricts their ability to perform their normal job functions. The intent of this program is to develop a system of returning employees to the workplace quickly and safely after an injury or illness has occurred. This program will allow an employee to perform temporary transitional work until he or she can perform his or her normal job functions or until the light duty assignment(s) is terminated due to lack of assignments, whichever happens first.

This program is designed to decrease loss of time from work, support employee recovery, protect employee income, reduce Worker's Compensation costs and promote employee goodwill. Employees are one of the university's most important assets, and the university strives to ensure the best possible safety, health and performance for every employee.

Policy:

Facilities Management sets forth guidelines for any full-time employee requesting light duty work whether it is work related or non-work related. It is the supervisor's responsibility to inform the FM Training/HR Coordinator or designee set forth by the ASU Safety Supervisor upon receiving information of initial assessment of an employee's restricted ability to perform normal job functions due to an injury or illness. The FM Training/HR Coordinator will notify the ASU Safety Supervisor by email of all light duty requests along with a monthly updated status report. Employees requesting light duty work will be required to provide a completed *Release/Physical Capabilities* form from the diagnosing Health Care Provider. This documentation will be reviewed and agreed upon by the light duty committee and the employee. The light duty committee will consist of the director of the department of the requesting employee, supervisor of the employee and FM Training/HR Coordinator. The employee must

return updated documentation (*Work Release/Physical Capabilities* form and diagnosing Health Care Provider's excuse) each time he/she visits the diagnosing Health Care Provider (in relation to the injury or illness).

Initial Return to Work Process:

1. Any full-time employee requesting light duty assignments will need to obtain a *Work Release/Physical Capabilities* form from their supervisor. This form requests that the diagnosing Health Care Provider submit in writing the exact medical restrictions of the patient.

Employees injured at work **MUST** take the *Work Release/Physical Capabilities* form with them to the Worker's Compensation diagnosing Health Care Provider. Both a completed *Work Release/Physical Capabilities* form and a diagnosing Health Care Provider's excuse **MUST** be returned to their supervisor before he/she is able to return to work. Failure to provide the required documentation could affect his/her Worker's Compensation benefits. Disciplinary action may be required if in violation of the FMOP: Attendance Policy and ASU Staff Handbook requirements.

Employee's requesting light duty assignments for a non-work related injury or illness **MUST** have a diagnosing Health Care Provider complete a *Work Release/Physical Capabilities* form and return to their supervisor.

2. The supervisor will give both the completed *Work Release/Physical Capabilities* form and a diagnosing Health Care Provider's excuse to the FM Training/HR Coordinator. Upon receipt of these documents, a copy will be sent to the supervisor (for determining light duty assignments) and to the insurance company carrier (if applicable). Employees unable to perform light duty assignments (designated by the diagnosing Health Care Provider) will be required to take leave until re-evaluated by physician and deemed able to perform light or regular duty.
3. When the diagnosing Health Care Provider states that the employee can perform light duty assignments, then the light duty committee will meet to decide if the employee meets the qualifications to participate in the program and determine if accommodations are available. The employee's supervisor will be required to schedule the meeting and gather a list of light duty assignments available for the employee prior to this meeting. The FM Training/HR Coordinator will provide the documentation to the light duty committee for review.
4. The supervisor will contact the employee, inform them of the light duty assignments within their capacity based on medical restrictions and schedule a meeting to sign the *Acknowledgement of Light Duty Restrictions and*

Assignments form. This form informs the employee of the restrictions set forth by the diagnosing Health Care Provider, agreement to participate in safety training (including training on the FMOP: Light Duty/Return to Work Program) and agreement to perform the light duty assignments designated by the supervisor. The employee has the choice to accept or decline the light duty assignments. Employees that decline light duty assignments will be required to take leave until able to perform regular job functions.

Once the employee signs the *Acknowledgement of Light Duty Restrictions and Assignments* form, the employee will go through a light duty training program. This training will cover the FMOP: Light Duty Program Policy, Worker's Compensation procedures and various safety trainings on Blackboard. After the completion of training, the employee will then perform the light duty assignments assigned by their supervisor. When the employee completes the light duty assignments, he/she is to notify his/her supervisor. The employee will be given more assignments if available. If there are no assignments available, his/her supervisor will notify the employee in writing with an explanation of the denial (no light duty assignments available; employee does not have the appropriate skills, knowledge; and capabilities needed to perform the assignment(s) available or assignments not within the limitations set by the employee's diagnosing Health Care Provider). The employee will be required to take leave.

If the light duty committee does not approve for the employee to participate in the light duty program, his/her supervisor will notify the employee in writing with an explanation of the denial (no light duty assignments available; employee does not have the appropriate skills, knowledge and capabilities needed to perform the assignment(s) available; or assignments not within the limitations set by the employee's diagnosing Health Care Provider). The employee will be required to take leave.

5. If the employee's injury or illness is work related and the employee does not return as requested, the supervisor will repeat attempt to contact and reiterate request. Employees with active Worker's Compensation claims that choose to decline light duty assignments may be denied Worker's Compensation payments for time off of work, which may result in unexcused leave and/or disciplinary action if in violation of FMOP: Attendance Policy and ASU Staff Handbook and ASU Staff Handbook- Personal Conduct.

Light Duty Assignments:

It is the supervisor's responsibility to find light duty assignments for the employee. A supervisor's main goal is to find light duty assignments with the employee's current department. If light duty assignments are not available in the employee's department, the supervisor is required to seek out light duty assignments from other departments. The employee will then be placed in another department where these assignments are

available. The employees will be notified by their supervisor of any department or assignment changes.

While the goal of this program is to return all employees to gainful employments as quickly as possible, the workload needs of the university must be considered. Light duty assignments may not always be available. Available light duty assignments will be carefully designed to be appropriate for the skills, knowledge and capabilities of the employee so that the work can be accomplished safely. When administering light duty assignments, the employee's supervisor will ensure assignments stay within the limitations set by the employee's diagnosing Health Care Provider. It is the employee's responsibility to work safely. If an employee is asked to perform an assignment that they feel they cannot do within their limitations, he/she should not perform the task and contact his/her supervisor. If an employee feels that they do not need the restrictions set forth by the diagnosing Health Care Provider, they must obtain a release from their diagnosing Health Care Provider. Failure to follow the restrictions set forth by the diagnosing Health Care Provider may result in disciplinary action.

Light duty assignments are limited. If certain limitations do not allow an employee to perform light duty assignments that are available, he/she will be required to take leave status.

The maximum duration of the light duty program is 90 days (3 months), excluding Worker's Compensation injuries or illness. An employee will be paid their regular hourly pay for the time they participate in the light duty program.

Review of Employee Light Duty Status:

The light duty committee will review light duty status of the employee participating in the program every two weeks or each time the employee visits the diagnosing Health Care Provider. The employee must return updated documentation (*Work Release/Physical Capabilities* form and diagnosing Health Care Provider's excuse) each time he/she visits the diagnosing Health Care Provider (in relation to the injury or illness). This informs the light duty committee of the restriction status set forth by the diagnosing Health Care Provider. The committee will then decide whether the employee qualifies to continue to participate in the light duty program and if accommodations of light duty assignments are available. The light duty committee will decide if the employee is approved to continue participating in the light duty program. The supervisor will notify the employee of the decision.

Taking a Leave Status:

Employees placed on leave due to restrictions or unavailability of light duty assignments will be issued FMLA or Non-FMLA forms from their supervisor to determine if he/she has a qualifying event according to FMLA standards. If the employee is approved, the

employee will be protected from disciplinary action. If the injury or illness is work related, the employee will be protected under the Worker's Compensation policy. If the employee has a non-work related injury or illness and does not qualify for Non-FMLA or FMLA, he/she may be subject to disciplinary action if in violation of the FMOP: Attendance Policy and ASU Staff Handbook.

Departmental Responsibilities:

While an employee is on leave status, the supervisor should maintain regular contact with the employee at least once a week. The purpose of such contact is to:

1. Assure the employee is obtaining appropriate medical attention in a timely and effective manner.
2. Assist employee with any problems that have arisen concerning medical care, compensation, etc.
3. Answer any questions relevant to light duty assignments.
4. Facilitate continued communication between the university and the medical provider.

Employee's Responsibilities:

As an employee, participation in the program is important. The employee is responsible for:

1. Providing weekly information about health status.
2. Participation in alternate duty assignments if unable to perform normal job functions.
3. Providing updated written reassessments- *Work Release/Physical Capabilities* form- when requested by supervisor.

Resumption of Original Job

Resumption of original job occurs when a written release from the doctor indicates the employee is able to return to regular job functions of original job at time of injury, and the Safety Supervisor has designated the employee's supervisor to contact the employee in reference to returning to work.

Forms

All forms relating to this FMOP can be found on the internal Facilities Management Web site.