

		<b>Policy # 404</b>
<b>Subject:</b> Early Return To Work		
<b>Responsible Department:</b> Personnel Services		
<b>Effective Date:</b> 10/1994		<b>Revision Date:</b> N/A
<b>David Devine</b> <b>Director of Personnel Services</b>		<b>Navdeep S. Gill</b> <b>County Executive</b>

**1. Purpose**

To return eligible employees to the County work force at the earliest medically allowable date and in accordance with their medical treatment plan.

**2. Authority**

The County has the authority to require participation in the program under Labor Code Sections 4650, 4653, & 4654.

**3. Scope**

This policy covers all regular County employees, as defined in the Personnel Ordinance.

**4. Policy**

Employees who are temporarily unable to perform their usual and customary duties because of an occupational illness/injury and are receiving Worker's Compensation temporary disability benefits will be utilized to fill temporary assignments and continue to be paid their regular earnings and special pay allowances of a permanent nature while working in such assignments.

## Early Return To Work, Policy # 404

### PROGRAM ELIGIBILITY CRITERIA

In order to be considered eligible for the program, an employee must:

- Be determined medically unable to perform the usual and customary duties of their class or position on a temporary basis.
- Be determined medically able to perform the duties of a temporary assignment.
- Be expected to remain in the aforementioned status in excess of 20 working days from the date notice of such status is received by the Worker's Compensation Office.

### ELIGIBILITY PERIOD

Medical eligibility will be evaluated every 30 days and continue until the employee is no longer temporarily disabled and/or is able to return to his/her pre-injury position, separates from County service, begins vocational rehabilitation, or is assigned to another position.

### COMPATIBILITY

All reasonable efforts will be made to assure a temporary assignment is compatible with the employee's interests and temperaments.

### FAILURE TO PARTICIPATE

Failure to participate in the Worker's Compensation Early Return-To-Work-Program will result in the loss of temporary disability/LC4850 benefits.

### THE PROCESS

The following table describes the process for the Early Return-To-Work-Program

<b>Stage</b>	<b>Who Does It</b>	<b>What Happens</b>
1	Operating Department	<ul style="list-style-type: none"><li>• Submits Personnel Requisition Form (Attachment A) to DPM Program Coordinator.</li></ul>
2	Worker's Compensation Office (WCO)	<ul style="list-style-type: none"><li>• Determines employee's eligibility for ERTW.</li><li>• Notifies employee's dept. of need to TA.</li></ul>
3	Employee's Department (at time of injury)	<ul style="list-style-type: none"><li>• Attempts modification of current position,</li><li>• Attempts identification of TA.</li><li>• Notifies WCO regarding action taken.</li><li>• Retains financial responsibility for employee.</li></ul>

## Early Return To Work, Policy # 404

4	Worker's Compensation Office (WCO)	<ul style="list-style-type: none"><li>• Schedules and notifies employee for evaluation appointment with DPM.</li></ul>
5	DPM Program Coordinator	<ul style="list-style-type: none"><li>• Meets with employee.</li><li>• Matches employee to a temporary assignment.</li><li>• Notifies WCO of assignment.</li></ul>
6	Worker's Compensation Office	<ul style="list-style-type: none"><li>• Instructs employee to report to TA(s).</li><li>• Stops/adjusts WC benefits.</li><li>• Notifies concerned parties.</li></ul>
7	Operating Department (other than time of injury)	Accepts employee as TA. Cooperates with former dept. in processing time sheet.
8	Employee	Reports for evaluation appointment Reports for TA. Completes TA. Returns to regular position as soon as medically able.

## RESPONSIBILITIES

### OPERATING DEPARTMENTS

Operating Departments have the responsibility to:

- Designate an Early Return-To-Work-Program Coordinator.
- Submit Personnel Requisition to DPM Program Coordinator when temporary assignment vacancy occurs.
- Coordinate handling of time sheets.
- Pay employee's regular and special pay allowances of a permanent nature.
- Consider impact on total work force when identifying temporary assignments.
- Assure temporary assignments are not a position within a class.
- Notify DPM of any changes in a temporary assignment.
- Notify WCO of any problems with an employee's performance in a temporary assignment.

## Early Return To Work, Policy # 404

The following table explains how Operating Departments will administer the Worker's Compensation Early Return-To-Work-Program.

<b>Stage</b>	<b>Description</b>
1	Identify an Early Return-To-Work Coordinator.
2	Submit Temporary Assignment Personnel Requisition(s) (attachment A) to DPM Program Coordinator.
3	Accept eligible employee(s), from own or other Operating Department, as assigned by DPM Program Coordinator to fill temporary assignments.
4	Coordinate with each other to assure payment of wages to an employee filling a temporary assignment in a new operating department.
5	Train employee(s) to perform the duties of the temporary assignment.
6	Notify DPM Program Coordinator of any changes in the essential duties of the temporary assignment.
7	Notify WCO Vocational Rehabilitation Counselor of any problems with the employee's performance.

### WORKERS' COMPENSATION OFFICE

The Worker's Compensation Office has the responsibility to:

- Inform employee of the program.
- Determine if an employee is eligible for the Early Return-To-Work-Program.
- Schedule the employee for an evaluation appointment with DPM and provide the necessary forms.
- Stop/adjust WC benefits when an employee is placed in a temporary assignment.
- Notify accepted parties of any changes in the employee's ability to participate in the program.
- Stop WC benefits if employee fails to participate in the program.
- Monitor and evaluate the program.

The following table explains how Worker's Compensation will administer the Early Return-To-Work-Program.

<b>Stage</b>	<b>Description</b>
1	Send program description (attachment B) with initial benefits explanation to employees.

## Early Return To Work, Policy # 404

2	Cause Work Status Report (attachment C) to be sent to and completed by a physician who will usually be the treating doctor.
3	Receive Work Status Report (attachment C) from physician.
4	Determine if the employee is eligible for the program.
5	Schedule employee for evaluation appointment with DPM Program Coordinator.
6	Notify DPM Program Coordinator of scheduled appointment
7	Send notice of evaluation appointment (attachment D), and Employee Date sheet (attachment E) to eligible employees.
8	Reschedule conflicting and/or missed appointments.
9	Stop temporary disability payments if evaluation appointment is missed for non-medical reasons or if employee fails to participate in the program.
10	Adjust WC benefits when employee is placed in a temporary assignment.
11	Notify all effected parties of any changes in an employee's eligibility for the program.
12	Monitor and evaluate the effectiveness and cost-savings of the program.

### PERSONNEL MANAGEMENT

The Department of Personnel Management has the responsibility to:

- Designate one employee to serve as coordinator for the program.
- Maintain a list of the temporary assignments available.
- Maintain a list of eligible employees available to fill temporary assignments.
- Meet the eligible employees to assess knowledge, skills, and abilities.
- Notify WCO and employee of match and start date.

The following table explains how DPM will administer the Worker's Compensation Early Return-To-Work-Program.

<b>Stage</b>	<b>Description</b>
1	Receive Temporary Assignment Personnel Requisitions from operating departments.
2	Maintain a list of vacant temporary assignments.
3	Match eligible employees to vacant temporary assignments based on information available from employee, physician, Temporary Assignment Personnel Requisitions and Vocational Rehabilitation Counselor.

## Early Return To Work, Policy # 404

4	Mail "Order to report for Work" (Attachment F) to temporary assignments.
5	Maintain a list of eligible employees currently filling temporary assignments.
6	Make reports and recommendations to appropriate management.

### ELIGIBLE EMPLOYEES

Eligible employees have the responsibility to:

- Participate in the program.
- Notify Worker's Compensation Office and supervisor(s) of any change in their ability or need to participate in the program.
- Work within their medically defined abilities.

The following table explains how eligible employees will participate in the Worker's Compensation Early Return-To-Work-Program.

<b>Stage</b>	<b>Description</b>
1	Appear for scheduled evaluation appointment with DPM Program Coordinator.
2	Bring completed Employee Data Sheet to evaluation appointment with DPM Program Coordinator.
3	Report to the temporary assignment as instructed by the Worker's Compensation Office.
4	Work within medically defined abilities.
5	Complete and submit time and work distribution sheets, and other required forms.
6	Notify Worker's Compensation Vocational Rehabilitation Counselor and supervisor(s) of any changes in medical status effecting ability to work.

### **5. Review** Not Applicable