

Salinas City Elementary School District

All Personnel

Regulation #4013.4

TEMPORARY MODIFIED DUTY AND RETURN TO WORK PROGRAM FOR WORK INJURIES

In order to implement a modified duty to Return-To-Work program, the following procedures shall be in effect.

1.0 Preliminary Organizational Procedures:

- 1.1 A Return-To-Work Coordinator shall be designated to coordinate the operation of this program. This function has been assigned to the Business Dept. for administrative purposes.
- 1.2 The Salinas City Elementary School District shall inform all employees of the availability of the Return-To-Work program. The supervisor shall inform the return To-Work Coordinator immediately of individuals who are suffering lost time as the result of accepted injuries. The Return-To-Work Coordinator shall inform the Monterey County Schools Workers' Compensation Claims Dept. The Coordinator shall act as liaison between the Claims Dept., the injured worker, the CSEA and SETC representatives, and the individual department supervisor in regard to the Return-To-Work program.
- 1.3 The Coordinator shall contact the department heads and program supervisors who are charged with the responsibility of identifying possible modified work assignments and/or implementing appropriate job modifications.

2.0 Operating Procedures:

- 2.1 When an injury occurs, the employee and supervisor shall complete a Report of Injury form. The employee is then sent to a designated medical facility. The report is forwarded to the Business Office. The claim process is initiated by the Coordinator.
- 2.2 As soon as practicable, the injured employee and the Monterey County Schools Workers' Compensation JPA Claims Dept. will be furnished by the Coordinator a copy of the employee's job description and a description of the essential job functions, together with a Return-To-Work 1-Limitation form. This form will be completed by the attending physician.
- 2.3 The Return-To-Work Limitation form shall be immediately faxed to the Monterey County Schools Workers' Compensation JPA Claims Dept. If the modified duty orders are unclear or if the employee was unable to have the physician complete the Return-To-Work certification at the time of treatment, the Claims Dept. will contact the physician's office for clarification and/or completeness. The Claims Dept. will immediately transmit the information by fax to the Coordinator.

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- 2.4 The first priority for modified duty assignment will be in the employee's permanent work unit. Consideration will be given to the employee's skills and knowledge. If no appropriate temporary modified assignment is available in the employee's work unit, the Coordinator will attempt to place the employee in another department within the organization. If no modified assignment can be found anywhere in the organization, the employee will be placed on temporary disability industrial leave until one of the following occurs:
- a. Appropriate work can be found;
 - b. The condition is found to be permanent and stationary;
 - c. There is a return to unrestricted work.
- 2.5 The Coordinator shall discuss with the Monterey County Schools Workers' Compensation JPA Claims Dept. the proposed Return-To-Work plan and provide them with a job description of the modified work. The Claims Dept. will obtain the treating physician's approval. The Claims Dept. shall communicate the physician's approval or modification to the Coordinator.
- 2.6 The Coordinator shall immediately schedule an appointment with the employee to present the job offer and job description in writing to the employee. If the employee accepts the offer, the Coordinator shall monitor and facilitate the modified work plan until the return to regular work is accomplished or the employee's condition becomes permanent and stationary.
- 2.7 If the employee refuses an offer to return to modified duty, the Coordinator shall immediately report such refusal to the Monterey County Schools Workers' Compensation JPA Claims Dept. Refusal to accept a bona fide offer of modified or alternative work may result in the loss of temporary disability benefits and/or industrial accident leave benefits. The Claims Dept. shall seek a legal opinion immediately regarding cessation of benefits.
- 2.8 If the employee receives an "Off Work Order" from the treating physician, and is unable to assume any jobs, the Return-To-Work Coordinator will maintain contact with the Monterey County Schools Workers' Compensation JPA Claims Dept, which will in turn make regular contact with the physician's office to facilitate a possible return to modified work duty or otherwise at a later date.

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- 2.9 The employee's status shall be evaluated at least monthly by the Coordinator unless the restrictions are scheduled for a shorter duration. The Monterey County Schools Workers' Compensation JPA Claims Dept. shall maintain communication with the physician to facilitate return to full job status as soon as possible and shall communicate with the same frequency with the Coordinator.
 - 2.10 Since the work assignment means the modified duty program is temporary, the employee shall be compensated in their regular pay schedule regardless of the classification of temporary assignment.
 - 2.11 The Salinas City Elementary School District may choose to return an employee to work on a part time basis, if appropriate, as a part of the Return-To-Work program.
 - 2.12 If it does not appear that the injured employee will return to full duty at the end of ninety (90) days, the Return-To-Work Coordinator shall initiate contact with the Monterey County Schools Workers' Compensation JPA Claims Dept. to request consultation and evaluation of the employee's Return-To-Work status.
- 3.0 Supervisors' Responsibilities:
- 3.1 Supervisors are responsible for providing the employees and the Coordinator with a complete orientation to the department.
 - 3.1.1 Introduce the employee to other workers and outline duty work routines.
 - 3.1.2 Ensure that appropriate job and safety training takes place. A Safety Orientation form must be completed.
 - 3.1.3 Review the job restrictions with the employee and Coordinator to ensure that the physician's orders are followed.
 - 3.1.4 Explain to other workers that the injured employee is helping out the department by giving a little extra help on a temporary basis.
 - 3.1.5 When advised of prospective medical appointments, the supervisor shall inform the Coordinator.

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- 3.2 The supervisor shall maintain communication with the Return-To-Work Coordinator regarding the progress of the injured employee. Modified duty time sheets shall be filled out and sent to the Coordinator for processing and distribution.
- 4.0 Type of Modified Duty:
- 4.1 If the work restrictions are minor, regular duties may easily be modified to accommodate the employee. However, as restrictions become more specific, the task assignment must also become more specific and defined. Each case is to be evaluated on an individual basis.
- 4.2 The purpose of the Return-To-Work program is not to establish new jobs or displace other employees. It is an opportunity for a department to accomplish tasks on a temporary basis which ordinarily might not be accomplished due to lack of time, manpower, or funds.
- 4.3 Some examples of modified duty tasks include: Inventorying, filing, cleaning tools, safety inspections, telephone duty, painting, photocopying, collating and sorting, yard duty, bus monitor, classroom aide duty, dusting re-writing procedures, etc.