

Return to Work

Purpose

Fargo Public Schools (FPS) strives to assist employees to return to work as soon as possible following a work-related injury or illness. This policy is not intended to supersede or modify the procedures applicable to employees eligible for reasonable accommodation under the Americans with Disabilities Act (ADA) or leave benefits under the Family and Medical Leave Act (FMLA). Inquiries about ADA or FMLA should be directed to the Human Capital (HC) Department.

Eligibility

This policy only applies to regular full and part-time employees who are on leave as a result of a workplace related injury or illness, and who are receiving workers'-compensation benefits.

Designated Medical Provider

It is the policy of FPS to maintain a Designated Medical Provider for the District and its employees. FPS has chosen Sanford Health Occupational Medicine (Sanford Occ Med) as the District's Designated Medical Provider (DMP)

Sanford Occupational Medicine is located at:

3838 12th Ave N
Fargo, ND 58102
701-234-4700

All FPS employees are required to report to Sanford Occ Med for any work-related injury or illness requiring medical attention unless they have previously informed FPS of a different provider before an injury or illness occurred. Employees are not required to select their own DMP but may elect to do so if they wish. To notify FPS of your selection of an alternative designated medical provider, please complete the Alternative Designated Medical Provider Selection Form, located in the employee portal, and return the form to Human Capital.

Of note:

- If FPS or Workforce Safety Insurance disagrees with the employee's choice of Alternative DMP, the North Dakota law provides a process for WSI to ultimately decide.
- If an employee does not seek treatment at the DMP, or the Alternative DMP chosen before being injured, WSI may determine the claim is not eligible for payment of benefits.
- If an employee received initial treatment from the DMP and wishes to change providers, an employee must wait 30 days before making a request in writing to WSI to change providers or a referral from the treating physician.
- The North Dakota DMP law does not apply to emergency care or care the injured worker did not know was related to their injury at the time of treatment.
- Employees with a position based out of FPS's Moorhead, MN Trollwood Performing Arts School are not required to visit FPS's DMP for work-related injuries under Minnesota law. However, FPS strongly encourages these employees to seek treatment at our DMP because of the benefits and convenience to the employee.

To ensure staff can return to work as quickly as possible, FPS will collaborate with staff to create a return-to-work plan that addresses their limitations due to work-related injury or illness.

Transitional Work

FPS defines “transitional work” as temporary, modified work assignments within the worker’s physical abilities, knowledge, and skills.

When possible, transitional work assignments will be made available to injured workers, to minimize or eliminate time lost from work. FPS cannot guarantee a transitional position and is under no obligation to offer, create or encumber any specific position for purposes of offering placement to such a position.

In the event an employee refuses a transitional work assignment, and the employee is otherwise capable of performing the transitional work assignment, so long as the assignment is within the employee’s restrictions, FPS is not obligated to provide an alternative transitional position or work assignment. In such cases, FPS will notify the insurance carrier of the employee’s refusal of transitional work.

Procedures

To obtain a transitional work assignment the employee must provide a copy of their job description to the attending physician. The employee must ask the physician to provide a return-to-work recommendation form or after-visit summary detailing the employee’s restrictions, capabilities, how long the restrictions will be in place and the date of the next evaluation. If the attending physician releases the employee to return to work on modified duty, the return-to-work recommendation form or after-visit summary must be returned to HC within 24 hours following the medical evaluation, for assessment of transitional work. The employee cannot return to work without the release of the attending physician.

HC will review the recommendations and, if appropriate, work with the employee’s supervisor to determine a transitional work assignment for the employee with work that falls within business needs. A transitional work assignment job description, including physical requirements, will be prepared by Human Capital before being sent to the employee and supervisor for acknowledgement.

Transitional work assignments are developed based on the physical capability of the worker, the business needs of the district and the availability of transitional work. FPS will determine appropriate work hours, shifts, duration, and locations of all work assignments.

It is the responsibility of the employee to provide HC with a current telephone number and address, so the employee may be contacted. The employee must notify HC within 24 hours of any and all changes in medical condition.

It is the responsibility of the employee and the employee’s supervisor to notify HC immediately of any work-related injuries during the transitional work assignment, if the employee misses time from the transitional work assignment, if any concerns arise during the transitional work

assignment or of any changes to the transitional work assignment. HC will communicate with the insurance carrier or attending physician, as necessary.

Offer of Transitional Work

Upon receipt of the attending physician's return-to-work recommendation form or after-visit summary, a transitional work assignment job description will be prepared by the employer and provided to the employee. The letter will note the doctor's recommendations and assignment details such as start date, hours, wage, duration, and location of the transitional work assignment. The employee will be asked to sign the letter indicating acceptance or refusal of the transitional work assignment, then return the letter to HC. Copies of the job description, work releases and job offer letter will be forwarded to the insurance carrier.

Any employee returning to a transitional work assignment must not exceed the duties of the assignment or go beyond the doctor's recommendation. If any medical restrictions change, the employee must immediately notify their supervisor and HC and provide a copy of the new medical release to HC.

Supervisors will monitor work performance to ensure the employee does not exceed the requirements set by the attending physician.

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