



THE UNIVERSITY of  
NEW ORLEANS

ADMINISTERED BY: Office of Vice  
President for Business Affairs

**Policy No:** AP-BA-56.2  
**TITLE:** Transitional Return to Work for  
Employees on Workers'  
Compensation  
**EFFECTIVE DATE:** February 1, 2016\*  
(\*Policy Revised, see below)  
**CANCELLATION:**  
**REVIEW DATE:** Spring 2018

#### PURPOSE

The health, well-being, and safety of all employees is of great importance to the University of New Orleans. Therefore, it is the purpose of the University to establish a Transitional Return-to-Work Policy and make a reasonable effort to return to the workplace those employees of the University who have sustained job-related injuries or illness, and as a result, are temporarily prevented from returning to their full former employment.

#### AUTHORITY

[Louisiana Revised Statute 39:1547](#) and [Office of Risk Management Transitional Return to Work Policy](#)

#### DEFINITIONS

**Injured Employee:** A University employee injured, eligible for, and receiving Workers' Compensation benefits through the University.

**Transitional Duties:** Any assignment for which the employee possesses the required qualifications, conforms to the medical restrictions set by the medical care provider, and is meaningful and productive to the University.

**Transitional Return to Work:** Employment which allows injured employees to return to work at the University of New Orleans, where they were injured, for up to six months, within the physical restrictions determined by their physician, until they are capable of returning to full duty.

**Transitional Return- to- Work Team:** The individuals who in collaboration, establish modified duty tasks for an employee who has been released to return to work by a treating physician following a Worker's Compensation Injury.

**Treating Physician:** The medical care provider of the employee's choice who is treating the employee for the injury associated with the Worker's Compensation Claim.

## **GENERAL POLICY**

The objective of the University is to return injured employees to gainful employment as soon as medically possible after a job-related injury or illness. The goals of the Transitional Return-to-Work Program are as follows:

1. Provide for an employee's earliest possible safe return to work for occupationally related injuries or illnesses.
2. Give employees more options in returning to work, other than only being able to return with a full duty release.
3. Retain qualified employees within state government thus utilizing their training and expertise.
4. Facilitate a safer working environment by taking more responsibility for injured workers.
5. Reduce medical costs of Worker's Compensation claims due to extended work absences.
6. Reduce the duration of time needed for the employee to transition back to full duty.

This Policy shall apply to University employees who are eligible to receive and are receiving Workers' Compensation benefits from the University; are off work as a result of work-related injuries, illnesses, or diseases; and have their treating physician's approval to return to transitional duty.

### **A. Transitional Return-to-Work Team**

Once the release for return to work with restrictions is given by the treating physician, the initial consideration for returning to work will be made by the employing department. In many cases, the employee's own department should be able to find a suitable fit. However, where the employing department cannot make a suitable fit or cannot return the employee to work, a Transitional Return-to-Work Team made up of personnel listed below will assist in trying to help injured employees during the recovery process.

The University's Transitional Return-to-Work Team is composed of a Return-To-Work Coordinator, representatives from the departments of Human Resource Management, Environmental Health & Safety, the Office of Risk Management, and Departmental Management. The object of the Team is to return the injured employee to meaningful work as quickly as possible.

The Transitional Return-to-Work Team will identify job tasks and physical requirements for those tasks that can be considered transitional duties in the work environment. An effort will be made to place the employee in his/her original work, at a suitable work station, and/or on an appropriate work schedule.

The Transitional Return-to-Work Team shall measure its effectiveness using the [Transitional Return-to-Work Audit Form – DA WC4000](#).

### **B. Return to Work**

When reviewing an individual worker's eligibility for return-to-work options, the Return-to-Work Team will use the following criteria:

1. Assess the job description of the worker's pre-injury position.

2. Identify transitional tasks that can be performed with the employee's current physical restrictions and qualifications.
3. Review other services or tasks that can be performed which would improve the overall function of the agency.
4. Review tasks that can be performed that would return an employee to gainful employment.

Once an Offer of Modified Work is created, the employee will receive and sign the written offer. This offer shall contain a copy of the Physician's Modified Work Information Sheet, or the physician's work status indicating release with restrictions, the return to work date, the duties required to perform, the hours of work, and the duration of the modified work placement.

**C. Return to Work Options**

1. The individual employee's situation for determining return to work options will be considered by assessing the job description of the employee's pre-injury position and ascertaining what transitional tasks are available within the constraints of post injury abilities. If no tasks in the position or positions in the immediate work section are available, then the next related area within the department will be reviewed for transitional duty. Further analysis of job descriptions will be made to determine if the job duties and responsibilities should be expanded to provide additional services for the department which could be performed by the injured employee.
2. Any type of tasks that would be productive in providing a service for meeting the department's and/or the University's objectives and which will be of benefit to the department's/University's students, employees, and/or the general public is preferred, rather than not having any duties for the injured employee to perform. However, the employee must meet the required qualifications to be considered for the task.
3. If necessary, classified state employees may be detailed to special duty with Civil Service approval for a period not to exceed six months (usual time required for an employee to remain on Worker's Compensation.) No extension of this type of detail shall be authorized. The detail to special duty may be lateral or downward. Details to a higher position may also be approved on a case-by-case basis, when justified. A position may be double encumbered, if necessary. The employee's base pay cannot be reduced during the detail to special duty.
4. Transitional duty will last until the injured employee has reached maximum medical improvement or is returned to their previous job. If at six months, the employee reaches maximum medical improvement and is unable to resume the full duties and responsibilities of the pre injury position, additional vocational rehabilitation, ADA provisions, and/or disability retirement options will need to be addressed. If the employee is unable to return to work, with or without reasonable accommodations possibly including an extension of leave, then the University may end employment.
5. In the event the employee refuses an Offer of Modified Work which is within the employee's restrictions and ability to perform, the University is not obligated to provide alternatives. The employee must sign the rejection of the Offer for Modified Work. An employee who refuses to return to transitional duty for which he or she was medically cleared will be reported to the

Louisiana Office of Risk Management for appropriate action, including possible employment termination.

The University cannot guarantee placement and is under no obligation to offer, create, or encumber any specific position for the purpose of offering placement.

This policy does not limit employees' rights under the Americans with Disabilities Act (ADA) or the Family and Medical Leave Act (FMLA). Inquiries about eligibility under the ADA or FMLA should be directed to the Department of Human Resource Management.

## **RESPONSIBILITIES**

In the event that a University employee sustains a job related illness or injury, there are responsibilities for the employee, the immediate supervisor/department head, the Safety Officer, the Department of Human Resource Management, and the Office of Risk Management.

### **A. Employee Responsibilities**

- i. Maintain periodic contact with supervisor and the Department of Human Resource Management, and provide an update of return to work status, including any on-going treating physician documentation required by leave policies.
- ii. Presents a Job Description and Physician's Modified Work Information Sheet to physician for completion.
- iii. If offered, returns to a transitional duty or transitional work schedule which is within medical restrictions as determined by the treating physician for the transition period.
- iv. If necessary, cooperates with Transitional Return-to-Work Team to assist in development and understanding of the transitional duty.

### **B. Immediate Supervisor/Department Head Responsibilities**

- i. Maintains contact with the injured worker and the Department of Human Resource Management.
- ii. Serves on the Transitional Return-to-Work Team as needed.
- iii. Provide job description to the employee with the [Physician's Modified Work Information Sheet](#) to be completed by employee's physician.
- iv. When appropriate, finds or develops transitional duty/work schedule for the employee within medical restrictions.
- v. Meets with Human Resource Management to determine specific job tasks, appropriate job modifications, and create an Offer of Modified Work.
- vi. Focuses on returning the employee to work activities that are based on physical restrictions and based on transferable skills to other areas.

**C. Safety Officer Responsibilities**

- i. Serves on the Transitional Return-to-Work team as needed.

**D. Department of Human Resource Management Responsibilities**

- i. Facilitates all return-to-work procedures and acts as liaison for all interested parties.
- ii. Reviews for completion all necessary documentation for ORM.
- iii. Maintains injury records and history.
- iv. Informs the injured employee of benefit options, rights, and responsibilities.
- v. Maintains contact with injured employee, immediate supervisor/department head, Safety Officer and Office of Risk Management.
- vi. Serves on the Transitional Return-to-Work team as needed.
- vii. Assists with the development of modified duty assignments.
- viii. Meets with the immediate supervisor/department head to determine specific job tasks, appropriate job modifications, and create an Offer of Modified Work.
- ix. Focuses on returning the employee to work activities that are based on physical limitations and transferable skills.
- x. Audits and records any Transitional Return-to-Work cases on a monthly basis for the Louisiana Office of Risk Management.



John W. Nicklow  
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*\*Policy Updates:  
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