
 **MCIT**

Return to Work Programs



PRESENTED BY


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The information contained in this document is intended for general information purposes only and does not constitute legal or coverage advice on any specific matter.

What Is a Return to Work Program

- A proactive process to help injured employees return to their previous status
 - Economic
 - Social
 - Vocational
- Required by workers' compensation statute



Why Do We Need Return to Work Programs?

- Reduces costs
- Maintains productivity for employees and employers
- Reduces litigation



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Employer Costs

WHEN INJURED EMPLOYEE IS OFF WORK

- Cost of replacing workforce
 - Paying overtime
 - Hiring temporary help
- Cost of replacement workers:
 - Recruiting
 - Hiring
 - Training
- Loss of productivity
- Lower morale or disgruntled co-workers because of extra work
- Cost of mandatory workers' compensation coverage for employees is higher

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Employee Financial Costs

WHEN INJURED AND OFF WORK

- Potentially lose earning ability and career prospects
- Lose function because he/she is not working
- Workers' compensation pays two-thirds of wage at time of injury
 - Over time, this hurts his/her economic standing
- Workers' compensation pays medical for injury only
- No contributions to pension (PERA)



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Employee Emotional Costs

WHEN INJURED AND OFF WORK



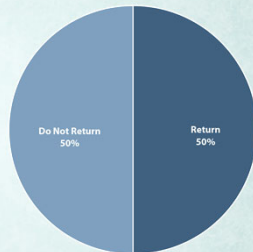
- Loss of identity if he/she is off of or separated from job for an extended period
- Could suffer depression, anxiety
- Experience fear of what the future holds, especially if healing process is long

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RTW Contributes to Employee Retention

- The longer injured workers are off work, the more difficult it is to return
- 50% of injured workers who do not return to work for 6 months do not ever return

Chance of Injured Employees Returning to Work After 6 months

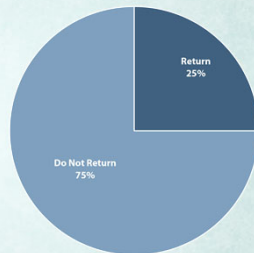


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RTW Contributes to Employee Retention

- The longer injured workers are off work, the more difficult it is to return
- 75% of injured workers who do not return to work for 1 year or more never go back

Chance of Injured Employees Returning to Work After 1 Year or More

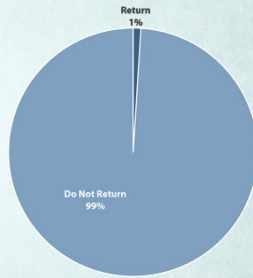


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RTW Contributes to Employee Retention

- The longer injured workers are off work, the more difficult it is to return
- Only 1% of injured workers who do not return to work after 2 years ever go back

Chance of Injured Employees Returning to Work After 2 Years or More



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Principles of Effective RTW Program

- 1 Management commits time and resources
- 2 RTW coordinator designated; committee created
- 3 Training for all employees
- 4 Early contact with injured workers
- 5 Communication with health care providers
- 6 Availability of transitional work
- 7 Individualized plan

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1 Management Commits Time, Resources for Return to Work

- Meetings with unions
 - Modify collective bargaining agreement to provide for light duty assignments if needed
- Written policy developed
- Committee meetings
- Trainings



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② Return to Work Coordinator Designated



- Communicate with all stakeholders
- Gatekeeper of all work restrictions
- Provide training to supervisors
- Develop and maintain pool of transitional duty assignments

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③ Training for All Employees

- All employees are trained about return to work process
- Supervisors receive additional training
 - Be empathetic, positive in early contacts with injured employee
 - Contribute to success of RTW due to proximity to employee and ability to manage immediate environment



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④ Early Contact with Injured Employee

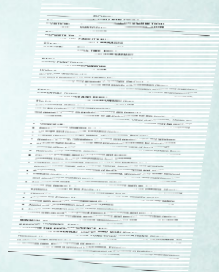
- First or second week after injury, depends on circumstances
- Focus on employee's well-being, not accident/injury
- Injured employees can feel like employer does not care about them; can also worry about job if gone too long



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⑤ Communication with Health Care Provider

- Ensure physician understands job duties and physical requirements of job
- Ensure supervisor understands medical restrictions
- RTW coordinator or HR contacts provider (be aware of FMLA rule)



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Review Report of Work Ability (ROWA)



- Review treating physician's report on injured worker's ability to do his/her current job or transitional work

- Functional limitations, restrictions are identified by authorized treating physician based upon objective relevant medical findings
- Ask questions if ROWA is not detailed enough
- Ask MCIT to intervene with medical provider if needed to get information

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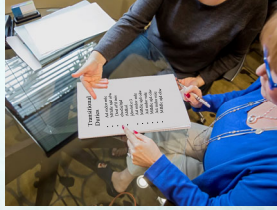
⑥ Availability of Transitional Work

- Transitional work must be suitable
- Consider employee's functional capacity, functional impairments, medically based restrictions
- Return employee to practices with which he/she is familiar
 - Use ergonomic assessments
- Ensure assignments comply with ADA and workers' compensation

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7 Individualized Plan

- Develop individualized plan for each employee after injury
- Individual RTW plan supports returning employee without disadvantaging others



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Challenges to Return to Work Program

- Ability to deal with life's problems varies among individuals
 - Lack of motivation to return to job
 - Bad relationship with supervisor
- When people are under stress, they do not function as well, are more susceptible to injury and illness
- All or nothing attitude of supervisors
- Fear of re-injury
- Imperfect communication about job duties to medical providers
- Secondary gain to employee by being "disabled"
- Situation-specific obstacles
 - How does employee get to work if cannot drive but can do other functions of the job?
 - One-handed work

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Other Actions to Think About

- Avoid certain activities that may be perceived as adverse to an employee on workers' compensation
- An employee injured at work may have cause to bring other actions against the employer
 - Discrimination
 - Retaliation

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Be Aware of Legal Protections

- Those eligible for workers' compensation are not automatically presumed disabled under Americans with Disabilities Act but could be
- Review applicability of Family and Medical Leave Act and ADA with each work-related injury or illness



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Risk Management Recommendations

- Update job descriptions
 - Essential v. marginal functions
- Understand scope of what could be a covered disability
- Consult with employee; identify barriers to perform job
 - May need medical information
- Identify potential accommodations to enable employee to do job
- Assess "reasonableness" of each possible accommodation
 - Analyze effectiveness and cost of each

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Discussion

Ask Questions and Share Experiences

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