**KWORCC Policies for Counties**

**Return to Work and Modified Duty Policy**

**Explanation:**

When an employee is injured on the job, the employer and employee both benefit when the injured employee returns to work. Studies have shown that employees who return to work quickly heal faster and have fewer permanent disabilities than those who remain off work for extended periods of time.

The purpose of a return-to-work and modified-duty policy is to establish a framework for quickly returning injured employees to the job.

Modified duty can be a valuable tool to achieve this goal for injured employees temporarily unable to safely perform their duties. Modified duty can include many tasks that the injured employee can undertake. It may be simply a temporary alteration of the employee’s regular job duties. Jobs may be modified in terms of 1) task (regular duty with another employee picking up tasks the injured employee is unable to perform) 2) time (work schedule more flexible to allow rest periods or reduced time to allow work hardening) 3) equipment (equipment restructured to enable employee to perform the job) and 4) work performed (an alternative job the employee can do – preferably in the employee’s current department).

**Therefore, KWORCC recommends that each Member adopt the following policy:**

It shall be the policy of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ to work with KWORCC’s claims adjusters and the employee’s health-care providers to return employees to work as quickly as possible after an injury.

If the injured employee’s health-care providers impose limitations or restrictions to the employee’s ability to perform normal job duties, the county may offer the employee modified duty including modifications to these job duties and work accommodations to encourage the employee’s return to work. While the county is not obligated either to offer modified duty or create new positions to accommodate employees, it will be the county’s policy to take reasonable steps to return injured employees to work.

The county shall require a statement from the injured employee’s health-care provider approving the employees' return to normal duty or assignment to modified duty.

If the injured employee returns to work under restrictions, the employee shall receive at least 90% of the regular salary for full-time service or a proportional reduction if the employee returns to work only part time. Any injured employee returning to work will receive employee benefits consistent with the county’s personnel policy.

To ensure that this policy is implemented consistently, throughout all departments, the following procedures will be used:

* The county will communicate promptly to the injured employee its policy to encourage the return to work either on a full-time or part-time basis and request a report from the employee’s health-care provider showing all restrictions and limitations on duties the injured employee is authorized to perform. The county will determine if the injured employee should be allowed to return to regular or modified duty and communicate that decision to the injured employee.
* If the injured employee refuses to return to work when the opportunity is presented, the county immediately shall notify KWORCC.
* If the county determines that the restrictions prevent the employee from performing regular or modified duty, the county will ask the injured employee to be reevaluated by his or her health-care provider periodically to determine any change in restrictions that will allow for the return to work on a regular or modified basis.
* Any modified duty program will only include duties designed to prevent re-injury.