



**Office of Human Resources
Standard Operating Procedure
HR SOP #508**

Subject: Return to Work

Effective Date: August 16, 2018

Policy Statement:

The Georgia Department of Natural Resources (DNR) will manage a Return to Work (RTW) Program to facilitate injured and/or ill employees' return to work and to full productivity as soon as they are medically able. DNR cannot provide 'light-duty' assignments, but for the benefit of the employee, DNR will temporarily modify job duty assignments (based on timeframes outlined in this procedure) during recovery and return to regular duty. The RTW Program facilitates this process through effective communication between employees, supervisors and the medical community.

Definitions:

Transitional Employment: A temporary, modified duty assignment that allows an injured and/or ill employee to return to work, and remain productive, until the employee is able to perform regular duties within established timeframes in this procedure.

Georgia Activity Analysis (GAA): A form which communicates the physical demands of the injured employee's regular job to the treating healthcare provider and allows the treating healthcare provider to describe the functional capacities of the employee who is returning to work.

Transitional Employment (TE) Plan: A written document used to communicate (to all parties concerned) the work schedule, temporarily modified duties, and/or assignments of the returning employee. The TE Plan should be revisited/updated by the supervisor each month to reflect the employee's increasing capabilities.

Procedure:

Injury/Illness:

Any injury or illness arising out of and in the course of employment should be reported in accordance with HR SOP #507, *Workers' Compensation*. In the event of an on-the-job injury, the supervisor or designee will complete the *Employee's Report of Injury* (Attachment 4 of HR SOP #507, *Workers' Compensation*), as well as the *Georgia Activity Analysis* (Attachment 1).

When possible (for occupational injury or illness), the supervisor or designee should transport the employee to receive medical attention. If possible, a completed GAA (Attachment 1) should be provided to the healthcare provider at that time. The GAA requires that supervisors identify

essential functions of the job. These are functions that are critical to the job and that the employee must be able to perform.

If the treating healthcare provider is willing to release the injured employee immediately to his/her regular job or to temporarily modified duty, the supervisor or designee will be able to facilitate the process at that time.

Communication:

If the injured or ill employee is unable to return to work immediately, the supervisor or designee must maintain regular contact (at least monthly) throughout the recovery process until the employee is able to return to modified duty or regular employment. Communication with the employee is important and should contain the following:

- Concern and support by supervisors;
- Informing the employee that you are there to help, will answer questions and will let him/her know the process of transitional employment and returning to work;
- Will provide him/her with contacts in the Office of Human Resources for benefit information and the Department of Administrative Services for Workers' Compensation questions; and
- Providing the GAA to the employee and reminding the employee that they must have a physician complete the GAA before they return to work in any capacity.

Transitional Employment Plan:

Developing a Transitional Employment Plan:

When released by the healthcare provider to return to work with restrictions from FML and/or a Workers' Compensation injury or illness, the employee should meet with the supervisor to develop a *Transitional Employment Plan* (Attachment 3). A GAA (Attachment 1), returned from the employee's healthcare provider outlining work restrictions, will provide the supervisor with the basis for the development of the *Transitional Employment Plan*. The *Transitional Employment Plan* will consist of those tasks which are of value to Department operations and therapeutic to the employee (with consideration of the healthcare provider's recommendations).

NOTE: It is the employee's responsibility to authorize release of medical information to the Department to be used for facilitating their return to duty. The employee must complete and return the *Authorization for Release of Medical Information* (Attachment 2) to DNR with the GAA. DNR is not responsible for any expense that is associated with the completion of the required medical forms by the employee's physician.

Prior to the development of the Transitional Employment Plan, the supervisor should consider the capabilities and restrictions of the employee as indicated by the physician on the GAA. Determine what activities (such as lifting or standing) must be restricted.

The employee's assigned transitional tasks should be the same or similar to his/her regular work and performed within same work unit (where the worker was employed prior to the injury or

absence). However, if this is not feasible, other alternatives should be considered using the following guidelines for modified duty assignments:

- Focus on unique skills and abilities of the employee;
- Consider duties outside of the employee's regular work (e.g., a Conservation Ranger temporarily assigned to productive administrative duty related to law enforcement);
- Explore opportunities for completing needed in-service training or other on-the-job learning experiences, which enhance the skills of the employee;
- Provide temporary assignment of the injured employee to special projects which need to be completed; and
- Consideration of accommodations that may be available such as a modified work station, a modified work schedule, working from home, a part-time work schedule, etc.

The plan will specify the following:

- Name and signature of both the supervisor and the employee;
- Start and end dates of transitional duty;
- Specific duties to be performed; and
- Time frames established for the next evaluation by the healthcare provider, and dates set to consider revisions of the plan.

NOTE: Completed *Transitional Employment Plans* must be approved and signed by the DNR Human Resources Director prior to implementation.

The intent of transitional employment is **not** to provide work that is unproductive and unrelated to the employee's job, for an indefinite period of time. If an injured worker cannot complete essential tasks, even with an accommodation, he or she cannot return to that job. In some cases, temporary modified duty is not available and a Transitional Employment Plan cannot be developed.

Monitoring and Revision of the Transitional Employment Plan:

As the employee's medical condition improves, the supervisor will meet with the employee frequently to revise the plan. The supervisor should find work activities that will help the employee gain strength and endurance, and expedite the transition to regular duty. The plan should be reviewed at least each month. Assignments and accommodations should be changed periodically to reflect improvement in the employee's physical capacities, as documented or recommended by the treating healthcare provider. Transitional Employment Plans must be no longer than 90 days.

Returning To Work:

Employees who are on a temporary modified duty assignment are required to return the *Georgia Activity Analysis* (Attachment 1) releasing them without restrictions and the *Authorization for Release of Medical Information* (Attachment 2) prior to returning to duty.

Reasonable Accommodation:

A reasonable accommodation evaluation will be initiated by the DNR Human Resources Director when it becomes necessary for the Department to comply with the Americans with Disabilities Act and the ADA Amendments Act. RTW employees will be active members of the process, especially as it relates to the interactive process to determine reasonable accommodation.

Consequences for Non-Cooperation:

The RTW program is intended to benefit the employee and DNR. Employees who refuse to cooperate with the Department's Return to Work initiatives will be subject to appropriate disciplinary action. This is true whether the injury/illness is occupational (on-the-job) or non-occupational (off-the-job).

An employee on Workers' Compensation benefits that has been released to modified duty is expected to return to work. A refusal to return to work in this situation could result in suspension of Workers' Compensation benefits. The law allows a 15-workday 'grace period' so that the employee may attempt to perform a modified duty job without fear of losing benefits.

Attachments:

Attachment 1 – *Georgia Activity Analysis*

Attachment 2 – *Authorization for Release of Medical Information*

Attachment 3 – *Transitional Employment Plan*