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SAFETY POLICY & PROCEDURE

Return to Work

SPP# A-5

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1.0 Purpose

The purpose of this safety policy and procedure is to establish guidelines and procedures for returning injured North Carolina Department of Transportation (NCDOT) employees back to work with minimal time lost.

2.0 Scope and Applicability

Returning employees to work who have been injured in the performance of their jobs is an important component of NCDOT's loss control strategy. Benefits of a return-to-work program include:

- Faster, more effective healing
- Safer work environment
- Direct and indirect savings in lost wages, medical costs, and productivity
- Improved morale by providing support to employees with alternate assignments during recuperation in order to maintain desirable productivity levels
- Enhanced cross-training within NCDOT

Without a return-to-work program, employees have little incentive to return and the longer an employee is out of work, the less likely they are to return to work.

This safety policy and procedure includes provisions for supervisory training, a discussion of the return-to-work process, details on NCDOT's preferred provider network, information on transitional work assignments, permanent job modifications, and new position assignment requirements. This document also outlines priorities for employee placements after injury, presents Form 19-S, details on how the program should be communicated, and highlights how results of the program are tracked.

This document details the areas of responsibility for managers/unit heads, supervisors, employees, the Workers' Compensation Unit, the Division Safety Staff, Safety and Risk Management and Human Resources Technicians within NCDOT.

This safety policy and procedure does not address the entire Workers' Compensation process. (Refer to NCDOT - Workers' Compensation at Inside NCDOT portal page for those details.) This document applies to all NCDOT employees.

3.0 Reference

This safety policy and procedure is established in accordance with the North Carolina General Statute 97 (Workers' Compensation Act), the North Carolina Industrial Commission Rules and Regulations and the Americans with Disabilities Act (ADA).

4.0 Policy

It is the policy of NCDOT to provide a place of employment that is free from recognized hazards that cause or are likely to cause death or serious physical harm to employees or the public. However, when serious physical harm does occur to employees, NCDOT is committed to providing quality medical care and managing those costs associated with that medical care. NCDOT is committed to the effective return to work of injured employees while enhancing their recovery.

5.0 General Responsibilities

It is the responsibility of each manager/unit head, supervisor, and employee to ensure implementation of NCDOT's safety policy and procedure regarding Return to Work. Specific responsibilities are found in Section 6.3

6.0 Procedure

This section provides applicable definitions, establishes general provisions, and identifies specific responsibilities required by NCDOT's safety policy and procedure on Return to Work.

6.1 Definitions

Alternate Duty

Duties assigned on either a short term or permanent basis, and medically approved by the authorized treating healthcare provider, to an injured employee.

Permanent Job Modification

Jobs that are permanently modified for employees that have permanent restrictions upon return to work following an injury. With permanent job modifications, employees must still perform the position's essential job duties.

Preferred Provider

A healthcare provider that has entered into an agreement with NCDOT to provide prompt healthcare services to an NCDOT employee injured during the performance of their jobs.

Transitional Work Assignment (Limited Duty Work)

Work assignments (duties) that are short term and that employees with temporary restrictions are given upon return to work following an injury.

Workers' Compensation Leave

Period where employees are out of work recuperating from job-related injuries and during which the employee receives 66.667 % of their regular pay.

6.2 General Provisions

This section details the provisions of this safety policy and procedure. Each provision is discussed in a separate subsection. The provisions adopted by NCDOT are:

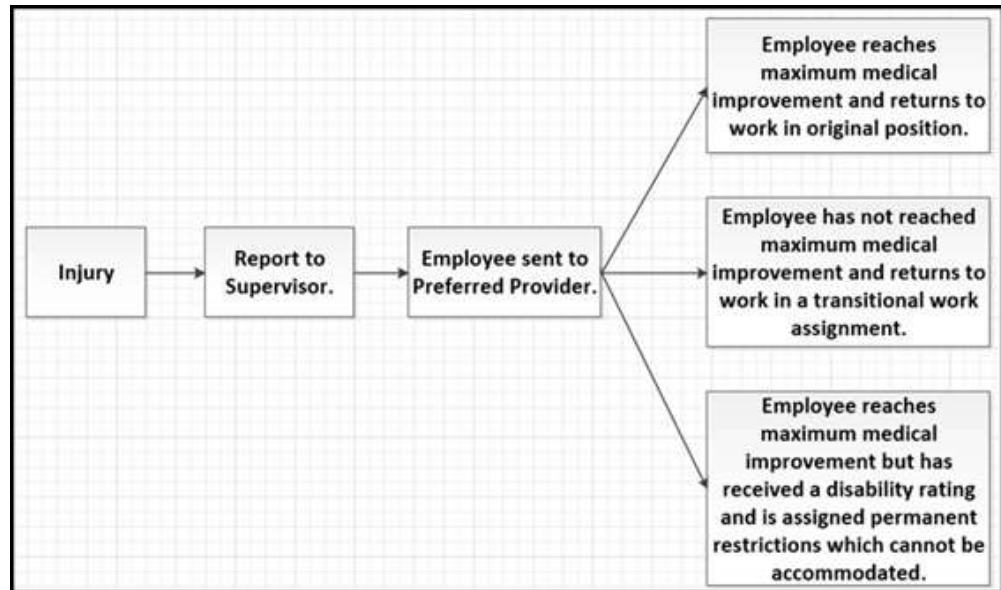
- Training
- Return to Work Process
- Return to Work Rules
- Preferred Provider Network
- Transitional Work Assignments
- Permanent Job Modifications and New Position Assignments
- Workers Compensation Unit Return to Work Form
- Program Communication
- Tracking Results of the Return to Work Program

6.2.1 Training

The critical link in NCDOT's Return to Work Program is supervisors accurate understanding their key role in this process. Therefore, supervisors should receive training that includes specific details on the Return-to-Work process and their responsibilities under this program. This training will be conducted as a one-time training with re-training every two years.

6.2.2 Return to Work Process

The following chart illustrates the major components of the return-to-work process.



When an employee, who has been injured on the job and placed on workers' compensation leave, has been released to return to work by the treating physician, there are three possible return to work scenarios:

- Scenario 1** An employee has reached maximum medical improvement and has been released to return to full duty work by the treating physician.
- Scenario 2** An employee has not reached maximum medical improvement and is ready to return to a transitional work assignment (limited or modified work duty) with approval of the treating physician but is unable to completely return to full duty work.
- Scenario 3** An employee has reached maximum medical improvement and has been released to return to work by the treating physician but has received permanent restrictions which prohibit employment in their previous position.

For scenario 1, when an employee has reached maximum medical improvement and has been released to return to full duty work by the treating physician, NCDOT shall return the employee to the original position they held prior to workers' compensation leave.

For scenario 2, when an employee has not reached maximum medical improvement and is ready to return to a transitional work assignment,

NCDOT shall provide work suitable to the employee's restrictions which is meaningful, productive, and advantageous to the employee and NCDOT. This work reassignment shall be a temporary assignment and shall not exceed 90 days without approval from NCDOT personnel. When the employee reaches maximum medical improvement, they will return to full duty work, should they receive permanent restrictions, review scenario 3.

For scenario 3, when an employee has reached maximum medical improvement and has been released to return to work but has received permanent restrictions, NCDOT shall attempt to place the employee in a permanently modified job or, if available, another position suitable to the employee's capacity which is meaningful, productive, and advantageous to the employee and NCDOT. Permanent modifications must allow for employees to still perform all essential job functions.

For scenario 3, work placements shall abide by the following:

- If a position is not available for work placement, NCDOT shall appoint the employee to the first suitable vacancy which occurs. During the interim period, the employee shall be referred to the Office of State Personnel for reemployment assistance and a possible return to work in another agency.
- Work placement efforts shall continue for a period not to exceed 12 months from the date the employee first went out on workers' compensation leave except with the approval of NCDOT personnel section.
- In some cases, the extent of disability may be such that vocational rehabilitation will be necessary. If so, NCDOT shall make the necessary arrangements for such training which may assist the employee to obtain suitable employment consistent with their performance capabilities.

6.2.3 Return to Work Rules

The general rules of NCDOT's Return to Work Program include:

- Every employee should be entered into NCDOT's Return to Work Program once their treating provider says they can return to work with or without restrictions.
- Written return to work authorization must be obtained from the preferred provider.
- Every attempt should be made to modify the employee's current job to meet restrictions. (See [Appendix A](#) for Guidelines in Matching Employees to Alternate Duty.)
- An injured worker should not be placed in a job that pays more than the regular job.

- An injured worker should not be placed in a job that has environmental advantages over the regular job except for short term modified duty assignments.
- Injured employees should be under the direct supervision of the supervisor in the area in which they are working. However, supervisors should understand their responsibility and be willing to work with employees not normally under their control.
- The employee's work unit (supervisor and staff) along with their treating physician shall make the final decision (with input from the Workers' Compensation Claims Administrator and Safety & Risk Management Personnel) as to when an employee returns to work in either their original position, a transitional work assignment, a permanently modified job or a re-assigned position.

6.2.4 Preferred Provider Network

NCDOT's preferred provider network is a list of physicians that have agreed to treat injured NCDOT employees when such injuries arise out of the performance of their job duties. The preferred provider list is maintained by the Third Party Administrator and the provider lookup can be accessed through the Inside DOT Workers' Compensation portal page.

A printout of this list shall be maintained by the division safety officer or the unit's safety representative. The preferred provider list (network) shall be updated annually.

6.2.5 Transitional Work Assignments

As applicable, employees may be provided with transitional or temporary work assignments during their recuperation to maintain desirable productivity levels. These assignments (sometimes called limited or modified duty) should be short term in nature (no greater than 90 days) until the employee is able to return to their original job assignment.

Ideally, these transitional work assignments should be already defined prior to an injury. Ideas for defining transitional work assignments include:

- Getting a list of jobs that may be performed on an annual, monthly, weekly, or daily basis. Examples may include rainy day jobs, jobs that would require overtime or temporary help to complete or any jobs that employees may do on an occasional basis.
- Supervisors identifying tasks that do not come under any specific job title. These tasks could then be assigned as part of a transitional work position.
- Discussing and documenting jobs/tasks that would be good for transitional work assignments or modified jobs as a topic during a safety meeting.

– [Appendix B](#) lists some common restrictions associated with different injuries that could be used to develop transitional work assignments.

6.2.6 Permanent Job Modifications and New Position Assignments

Permanent job modifications and new position assignments are used for employees who receive a permanent job restriction because of an injury. In many instances, permanent job modifications may be the same as transitional work assignments except the transitional work assignments are temporary in nature. Permanent job modifications require the employee to still perform their essential job duties.

If an employee cannot be placed in a permanently modified job, then that employee may be assigned to another position that meets the restrictions imposed upon the employee by the treating physician.

6.2.7 Workers Compensation Unit Return to Work Form

Appendix C (WC Return to Work Form) which must be completed upon the return to work of the employee. Copies of this completed form must be forwarded to the Workers' Compensation Unit and Safety and Risk Management.

6.2.8 Program Communication

NCDOT's Return to Work Program must be effectively communicated to injured employees, affected supervisors, and preferred providers.

Program communication will be achieved by the training of supervisors, safety orientation training for employees and the distribution of program literature.

For injured employees and affected supervisors, the Workers' Compensation Injury Packet should be completed by the employee's supervisor and uploaded to the SharePoint site [NCDOT Workers' Comp Data - Home \(sharepoint.com\)](https://sharepoint.com). The injured employee shall also receive a Workers' Compensation (WC) packet from their supervisor.

For preferred providers, will receive as needed verbal communication from the Workers' Compensation Unit staff and from Safety and Risk Management personnel.

6.2.9 Tracking Results of the Return to Work Program

Results of NCDOT's return to work program shall be tracked by annually compiling trends and statistical reports from the database derived from the Forms.

6.3 Specific Responsibilities

6.3.1 Managers/Unit Heads

Managers/Unit Heads will be responsible for:

- Providing resources and support to supervisors in the return-to-work process.

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- Assisting in the employee placement decisions as applicable.
- Encouraging proper and ethical practices in all phases of the return-to-work process.

This training will be conducted as a one-time training with re-training every two years.

6.3.2 Supervisors

Supervisors will be responsible for :

- Completing and WC packets to injured employees as soon as practical following the injury.
- Pre-determining alternate duty options (transitional work assignments [Limited or modified duty] and permanent job modifications) for the positions under their supervisory control.
- Providing job descriptions and alternate duty options to the Workers' Compensation Unit, Safety and Risk Management personnel and preferred providers to secure employee placements after injuries.
- Completing Workers' Compensation Unit Return to Work form upon the return to work of the injured employee.

6.3.3 Employees

Employees shall be responsible for promptly reporting any injuries to their supervisor and going to the preferred provider as directed by their supervisor. They will also cooperate with the Workers' Compensation Unit staff, preferred providers and Risk Management personnel in the treatment, recovery and return to work phases of the process.

6.3.4 Workers' Compensation Unit

The Workers' Compensation Unit will be responsible for:

- Administration of NCDOT's Return to Work Program.
- Coordinating with preferred providers, Risk Management personnel, NCDOT personnel section and supervisors in the placement of employees into transitional work assignments, permanently modified jobs, or new positions.
- Coordinating the program communication aspects by ensuring that timely mailouts of program materials are performed within the criteria of this safety policy and procedure.
- Coordinating vocational rehabilitation training for employees who have received a permanent disability because of a job injury
- Maintaining access to central.

6.3.5 Division Safety Staff

The Division Safety Staff will be responsible for:

- Ensuring that employee's supervisor completes workers' compensation injury packet.
- Communicating with Workers' Compensation Unit when issues arise relating to return to work.

6.3.6 Safety & Risk Management

Safety & Risk Management will provide prompt assistance to managers/unit heads, supervisors, or others as necessary on any matter concerning this safety policy and procedure. Safety & Risk Management will assist in and develop the appropriate training associated with this document. Also, SRM will annually compile trends and statistical reports for tracking results of NCDOT's return to work program.

Additionally, Safety and Risk Management Personnel will:

- Provide consultative and audit assistance to ensure effective implementation of this safety policy and procedure.
- Assist supervisors in returning employees back to work.
- Communicate with preferred providers as needed on relevant aspects of NCDOT's Return to Work Program.
- Coordinate placement decisions between the Workers' Compensation Unit, the preferred providers, division/unit staff and supervisors.
- Meet with injured employees to explain alternate duty position(s).

6.3.6 Human Resources Technicians

Personnel Section will be responsible for :

- Assisting the Workers' Compensation Unit and the Risk Management Personnel in placement decisions that require new position assignments.
- Providing consultative services in wage and salary grade equity issues.
- Approving temporary assignments greater than ninety days.

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Appendix A: Guidelines for Matching Employees to Alternate Duty

Alternate duty includes transitional work assignments (limited and modified duty), permanently modified jobs and new position assignments.

1. The supervisor should list all restrictions provided by the physician.
2. The supervisor should then list all alternate duty jobs, including regular jobs with modifications available.
3. The doctor's restrictions should then be matched to the best possible alternate duty. In the case where there may be a unique restriction from the physician, check the alternate duty job chosen to make sure it meets with the restrictions or can be modified to meet the restriction.
4. Take the identified and available job description(s) that meets restrictions.
5. Forward the job description(s) to the Worker's Compensation Administrator who will work with the Third-Party Administrator to ensure the physician reviews it. The physician will sign off on all jobs that are appropriate and make comments as necessary for this case. The physician will forward them back to the Third-Party Administrator and WCA.
6. If the physician has identified more than one job as appropriate, the best alternate duty position should be chosen to best meet NCDOT needs.
7. Workers' Compensation Unit personnel will meet with the injured employee and physicians as needed to explain the alternate duty position.

Appendix B: Guidelines fro Matching Employees to Alternate Duty

Lower Back	<ul style="list-style-type: none">• No lifting over _____ lbs.• No repetitive bending.• No prolonged sitting.• No prolonged standing.
Wrist and Hand	<ul style="list-style-type: none">• No forceful gripping.• One arm work only.• Break every hour to stretch hands for 1 – 2 minutes.• No lifting with hands over 5 lbs.• Work at own pace – no production.
Elbow	<ul style="list-style-type: none">• No forceful gripping.• No reaching with elbow extended.• No repetitive twisting of forearm.
Shoulder	<ul style="list-style-type: none">• No reaching over head.• No reaching with extended elbows.• No reaching across body.• No lifting over _____ lbs.
Knee	<ul style="list-style-type: none">• No kneeling.• No crawling.• No squatting.• Limited walking.• No climbing ladders.• No lifting over _____ lbs.

Appendix C: Workers' Compensation Return to Work Form

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION RETURN TO WORK FORM WORKERS' COMPENSATION ONLY



NCDOT Workers' Compensation Unit
1594 Mail Service Center
Raleigh, North Carolina
27699-1594
Phone (919) 814-2226
Fax (919) 771-2742
Email Workerscompensation@ncdot.gov

**A Return to Work Interview must be completed after every absence related to Workers' Compensation on the 1st day of return. It should be confidential, informal, structured and factual. The interview should essentially be carried out in a positive and supportive way.*

Employee

Date of Injury

Personnel Number
(Beacon/SAP)

Cost Center

Date and time employee Returned To Work:

Date: _____ Time: _____

RETURN TO WORK

- ☐ Employee reached Medical Maximum Improvement.
- ☐ Employee transferred to another job due to restrictions.
- ☐ Employee is being placed on modified duty.
➤ If yes, please estimate duration of Restrictions.

Notes:

Supervisor's Printed Name

Supervisor Title

Phone Number

Signature

Date

INSTRUCTIONS

This return to work (RTW) form must be completed and forwarded immediately upon employees' return to work. E-mail or fax completed form to the workers' comp unit. All questions must be fully answered. (print clearly or type)

Please attach:

Physician's Work Status Report
Return to Work Interview

☐ "Welcome back" - tell them how they have been missed.

☐ State the reason for the Return to Work Interview:

"The Purpose of this interview is to determine how we can support your transition back to work".

☐ How are you feeling?

☐ Clarification of any changes in the employee's role, responsibilities and work practices if on Modified Duty. Explain New Tasks and what accommodations may be made if applicable.

Send a copy of this form to:

- o HR Tech for your Division
- o Workers' Comp Service Account: Workerscompensation@ncdot.gov
- o Third Party Adjuster: CCMSI 217-477-6631

NCDOT_WC_RTW FORM/2019