

MEMORANDUM

To: All District Workers' Compensation Contacts

From: Kelly Cook, Return to Work Specialist - RESIG

Date: August 25, 2010

Re: Industrial Injuries and Modified Duty Allotments

September 1, 2010 we will be changing the way in which modified duty days will be calculated. The allotment of modified duty time will change from 90 days to 12 weeks.

The use of 12 weeks is consistent with several other JPA's and their Return to Work Program. As well, we feel that 12 weeks is fluid for both full time employees as well as part time employees. For example, if you are a 4 hour per week employee – you will still receive 12 weeks (at 4 hours per week) of modified duty. If you are a 40 hour per week employee – you will also receive 12 weeks (at 40 hours per week) of modified duty.

Studies show that employees who are away from work for 12 weeks or more have less than a 50% chance of return to work. The RTW program aims to reduce lost productivity by helping your employees return to productive work sooner, speeding their recovery and reducing lost work days.

A very integral part of the Return to Work Program is the Interactive Process. Please be sure that you are meeting with your employees to brainstorm on ways to accommodate and ultimately return the employee back to work. It is unlawful for employers to fail to engage in a timely, good faith, interactive process whether or not the interactive process would have resulted in an obligation to provide a reasonable accommodation. The civil fines associated with failure to engage in the Interactive Process are unlimited if heard before a jury.

Return to Work Agreements are an invaluable piece of documentation. If you are unable to accommodate temporary work restrictions for an employee, you still need to complete the Return to Work Agreement appropriately and fax it to RESIG at 836-8374. These agreements are a crucial element to the program as they are a form of documentation that the interactive process has taken place.

If you have any questions or need assistance with this program, please contact me, I am available to visit your district and assist you with the Return to Work process. I can be reached at 836-0779 ext. 117.

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