

CHAPTER 6.00 - PERSONNEL

6.2411

WORKERS COMPENSATION – RETURN TO WORK

POLICY:

I. Definitions

- A. Transitional Duty – When an employee’s physical requirements are modified by the workers’ compensation Authorized Treating Physician resulting from a workplace injury. Transitional duty is temporary.
- B. Lost Time – When an employee is taken off of work by the Workers’ Compensation Authorized Treating Physician or when an assessment by the injured employee’s supervisor and/or designee, Risk Manager, and/or Director of Personnel conclude that the employee’s work restrictions cannot currently be accommodated.

II. Reporting and Treatment of In-Line-of-Duty Injuries

- A. When an employee is injured at work, he/she shall notify his/her supervisor within 24 hours.
- B. If the injured employee refuses treatment, the supervisor will document the injury on the “Accident/Incident Form.” This documentation protects the employee in the event that he/she desires to receive treatment at a later date.
- C. If the injured employee wants medical treatment, the employee’s supervisor will ensure treatment is provided, documented, and reported in accordance with the “North East Florida Educational Consortium Claims Manual”

III. Follow-Up

- A. The injured employee shall attend all scheduled medical appointments. If an injured employee cannot attend an appointment, he/she shall notify his/her supervisor and the medical provider at least 24 hours before the appointment.
- B. The injured employee should schedule appointments before or after his/her normal working hours. If this is not possible, the employee can attend the medical appointment during work hours utilizing “illness-in-the-line-of-duty” leave in accordance with the District’s policy. Only the actual time for the travel

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and the appointment will be allowed. The employee must return to work, if the work day has not ended, otherwise the employee may be subject to progressive discipline that may include termination.

- C. Following any appointment for treatment of a workplace injury, the employee will immediately contact his/her supervisor and provide current work status documentation (DWC-25). The supervisor/designee will send the work status and any medical documentation to the Risk Management Office.

IV. Transitional Duty

- A. Injured employees are often returned to work on modified duty with specific restrictions. If an employee is returned to work, the supervisor will not assign duties that are beyond the employee's restrictions. If an injured employee willfully violates his/her work restrictions, he/she may be subject to progressive discipline that may include termination.
- B. Transitional duty only relates to the employees whose illness or injury was job related.
- C. Supervisors shall evaluate the restrictions placed on the employee and determine the ability of the employee to perform any needed work. If the supervisor feels that the employee's restrictions cannot be reasonably accommodated, they will immediately notify the Risk Management Office. The Risk Management will assess the employee's work capabilities.
 - 1. The injured employee's supervisor, the Risk Manager, and/or Director of Personnel and/or designee will conduct the assessment.
 - 2. If the assessment concludes that the employee's restrictions cannot be reasonably accommodated, they will place the employee on "lost time" status pending further assessment of restrictions or another position becomes available within his/her restrictions.
- D. The transitional duty program requires the participation of all injured employees who are released to perform modified duty work by the Workers' Compensation Authorized Treating Physician. If an injured employee refuses to participate in the program, workers' compensation benefits may cease and the employee may be subject to progressive discipline that may include termination.
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- F. While on transitional duty, the injured employee will receive his/her normal hourly rate of pay and benefits. Scheduled hours of work and/or work location may be adjusted.
 - G. Transitional duty is temporary and is not considered a permanent accommodation to a workplace injury.
 - H. A transitional duty assignment may not extend beyond 120 days. When an employee has been in a transitional duty assignment for 120 days, an assessment will be made regarding the employee's progress.
 - I. When an employee has reached Maximum Medical Improvement (MMI) as determined by the Workers' Compensation Authorized Treating Physician; or, when the Authorized Treating Physician determines the employee's restrictions are permanent and the employee can no longer perform the essential job functions of his/her position, an assessment will be made regarding the employee's ability to return to his/her regular job duties.
 - J. The injured employee's supervisor, the Risk Manager, and/or the Director of Personnel and/or designee will conduct an assessment.
 - 1. If after assessment it is determined that the employee cannot perform his/her regular job duties with or without reasonable accommodation, posted jobs will be reviewed to determine the employee's ability to work in other positions. If the employee is qualified and meets the minimum physical requirements for a posted job, he/she will be considered for that job. If selected for the job, salary will be determined according to the transfer guidelines.
 - 2. If an employee refuses to accept an offered job, the employee will be terminated.
 - 3. If a position is not available for the employee, the employee will be terminated.
- V. Lost Time
- A. The injured employee shall or must contact his/her supervisor a minimum of once per week (not including weekends and holidays), to update the supervisor on his/her condition.

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- B. The injured employee in lost time status may be required to return all district owned equipment and vehicles to his/her supervisor.
- C. Once the employee has been released to return to work, he/she will notify his/her supervisor immediately. Failing to do so may subject the employee to progressive discipline that may include termination.
- D. Injured employee will not accumulate sick or vacation while on workers' compensation.
- E. FMLA will run concurrent.

STATUTORY AUTHORITY: 1001.41; 1012.22; 1012.23, F.S.

LAWS IMPLEMENTED 1001.43; 1012.22; 1012.66; 1012.69, F.S.

History:

Adopted: October 10, 2017 Revision Date(s): Formerly:
