

PPM #14

Policy Name: *Transitional Return to Work Plan*

Effective Date: *August 16, 1999*

Revision Date: *August 1, 2008; December 1, 2011; October 1, 2014; May 1, 2018;
July 01, 2024; February 25, 2025*

Authorization: 
Nancy Watkins, Undersecretary

POLICY

In accordance with Louisiana R.S. 39:1547 and the Office of Risk Management's *Insurance Information Notice 2025-3*, this policy is designed to facilitate, if possible, the expedient return to work of injured OLG/DCRT employees, provided that the Department can identify meaningful and productive tasks in furtherance of its mission and business needs that can be performed by such employees within their physical restrictions. Although OLG/DCRT has an obligation to all employees, regardless of the cause of their medical condition, to provide reasonable accommodations to facilitate their expedient return to work, it cannot guarantee placement.

All OLG/DCRT employees shall be provided training on this policy in association with new hire orientation, and annually thereafter during safety training.

APPLICABILITY

This policy applies to all employees of OLG/DCRT, regardless of status.

PROCEDURES

The Human Resources Manager will serve as the RTW Coordinator and has been delegated to over-see this program for all employees of OLG/DCRT.

The following procedures shall be utilized to evaluate, facilitate and document efforts to provide transitional duty to injured OLG/DCRT employees:

A. INJURY REPORTING

All work-related employee injury reports, as completed in accordance with the "Accident/Injury Reporting" section of the OLG/DCRT Safety Manual, shall be provided immediately, but not later than five days after the injury or knowledge of, to the Safety Risk Agency Director, which is responsible for reporting such injuries to the Office of Risk Management's third-party administrator (TPA) via the TPA's online claims system.

B. PHYSICIAN'S MODIFIED WORK INFORMATION SHEET

The applicable site manager/supervisor is responsible for providing the injured employee with the Physician's Modified Work Information Sheet, which must be completed by the employee's treating physician and returned to the employee's supervisor prior to the start of his/her next scheduled work shift. Under no circumstances may a supervisor allow an injured employee to return to work until the completed form has been received. Upon receipt, the supervisor shall forward the completed form to the Safety Risk Agency Director.

C. VOCATIONAL REHABILITATION

ORM, through its TPA, provides a Return to Work Coordinator who is a licensed vocational rehabilitation specialist to serve as a liaison between employees and agencies, if warranted, on matters related to disability management and return to work planning. This RTW coordinator works with the employee (or legal representative) and agency representatives to facilitate the employee's return to work, to include communicating with medical providers and providing progress reports to agency personnel. The RTW coordinator is responsible for ensuring that vocational rehabilitation standards are adhered to as required by law.

D. TRANSITIONAL RETURN TO WORK (RTW) TEAM

As the department's Transitional Return to Work (RTW) Coordinator, the Safety Risk Agency Director shall coordinate the transitional duty program. Additional RTW team members include the following: Human Resources Director or Human Resources Staff member; applicable Deputy Assistant Secretary; injured employee's supervisor and any other personnel as needed.

Ultimately, the final determination regarding the employee's return to duty status, consistent with identified medical restrictions, shall be made by the Appointing Authority. This determination will be made in accordance with ADA requirements and considerations including: the employee's ability to perform the essential functions of the job; the nature, extent and duration of accommodation(s) needed; and whether such accommodation(s) are reasonable or would impose an undue hardship on OLG/DCRT.

- NOTE: The ADA does not require the removal of essential functions, displacement of an existing employee, or the creation of a new position as a reasonable accommodation for an employee with a disability.

Upon receipt, OLG/DCRT shall consider a completed Physician's Modified Work Information Sheet to be an ADA accommodation request. Such documentation

shall substitute for any department-specific Request for Accommodation and/or Medical Inquiry forms. Based on such documentation, OLG/DCRT shall initiate the interactive process with the employee in order to fully understand their functional limitations and to discuss possible accommodation(s), if available, that would facilitate the employee's return to duty status. The accommodation analysis and procedure shall be in accordance with the agency's ADA policy mandated by La. R.S. 46:2594, which is PPM #2: Americans with Disabilities Act (ADA).

E. TRANSITIONAL RETURN TO WORK PLAN

If deemed appropriate, a Transitional Return to Work Plan shall be prepared and approved by the RTW team outlining the following:

- Modified or alternate job duties to be performed by injured employee;
- Assigned work schedule, to include specific days and hours to be worked each week;
- Designated supervisor to whom the injured employee shall report;
- Assigned duty location;
- Duration of transitional duty;
- Specific return to work date and time;
- List of physical restrictions with which injured employee must comply, as stipulated by treating physician.

Once developed, the Safety Risk Agency Director shall notify the injured employee, or his/her legal counsel if represented, that the Department is prepared to accommodate the injured employee with transitional duty. Upon such notification, the Safety Risk Agency Director will coordinate a meeting between the injured employee (or his/her legal counsel) and the employee's supervisor in order to present/discuss the Transitional Return to Work Plan.

F. ACCEPTING TRANSITIONAL DUTY

Once presented, the injured employee has 24 hours to accept or reject the proposed Transitional Return to Work Plan. If accepted, the injured employee must:

1. Sign and return the Transitional Return to Work Plan to his/her supervisor within the above-identified time period.

If the injured employee fails to timely provide such documentation, the transitional return to work plan shall be rescinded.

G. EMPLOYEE RESPONSIBILITIES DURING TRANSITIONAL DUTY

Upon acceptance of transitional duty, it is the injured employee's responsibility to:

- Report to work as outlined in the Transitional Return to Work Plan;
- Work within the restrictions provided by his/her physician;
- Comply with prescribed medical treatment and attend all scheduled medical appointments;
- Advise immediate supervisor and RTW Coordinator if transitional work is physically too difficult.

H. RTW COORDINATOR RESPONSIBILITIES

As the RTW Coordinator, it is the responsibility of the Safety Risk Agency Director to:

- Facilitate the transitional duty program;
- Maintain all appropriate documentation related thereto, to include: efforts to identify transitional RTW tasks, whether successful or failed, for an injured employee; transitional return to work plans, whether accepted or rejected, for an injured employee; barriers that prevented the Department from being able to offer transition duty to an injured employee; and business necessity related to the termination of an injured employee for exhaustion of sick leave.
- Coordinate RTW efforts with the TPA, to include: notification when transitional duty has been offered, amended, or rescinded; notification when an injured employee is separated from employment; or to request that the TPA contact the injured employee's treating physician(s) for additional information.
- Ensure the periodic evaluation of the transitional duty program through the completion of the Transitional Return to Work Audit Form (DA-WC4000) by each OLG/DCRT agency.

I. LOSS PREVENTION AUDITS

For purposes of the annual loss prevention audit, OLG/DCRT must maintain the following documentation throughout the audit year for all work-related injuries:

- A completed Transitional Return to Work Audit Form (DA WC4000) to record the status of its Return to Work program for each month; and
- All completed Physician's Modified Work Information Sheets received by the department.

QUESTIONS

Questions regarding this policy should be addressed to the Human Resources Manager at (225) 342-1675.

Summary of Changes: Added policy number (December 1, 2011); Renamed policy from Early Return to Work to Transitional Return to Work Plan, removed Philosophy section, added new Policy section, removed Requirements/Procedure section, added new Procedures section, referred questions from Human Resources Division to Safety Risk Agency Director (October 1, 2014); delegated the responsibilities of this policy to the Human Resources Manager and refers any questions to the Human Resources Manager as well (July 01, 2024); various changes to ensure compliance with ADA (February 25, 2025).