

ODNR TRANSITIONAL WORK POLICY – PROCEDURE

Effective:	June 15, 2011
Purpose:	To set forth a uniform procedure to return employees, who have temporary limitations due to an injury or illness, to their original position performing the essential and/or modified duties or to another appropriate position as soon as possible. Upon request of the agency, employees must participate in the Transitional Work Program unless precluded from participation by their attending physician.
Authority:	<u>OAC 123:1-33-07, OAC 123:1-33-17</u> <u>OCSEA Articles 34.05 & 35.01E</u> <u>FOP Articles 42.09 & 43.01-E</u>
Reference:	<u>ODNR Disability Policy-Procedure</u> <u>ODNR Workers' Compensation Policy-Procedure</u> <u>ODNR OIL Policy-Procedure</u> TWP Job Analysis Form TWP Work Capacity Form TWP Participation Plan Form
Resource:	Office Human Resources

POLICY

It is the policy of the Ohio Department of Natural Resources to offer a Transitional Work Program to its employees. This program is geared to reduce the economic and emotional impact on an employee due to a temporary period of disability; reduce the overall agency cost associated with Workers' Compensation, Disability, and Occupational Injury Leave (OIL) to the agency; improve the relations between the employer and the employee through the development of a cooperative approach to returning the employee to work; and promote a greater awareness of safety and on-site work practices. The goal of the program is that the employee returns to his/her original position and full duties with the written approval of the employee's attending physician.

ELIGIBILITY CRITERIA

1. Employee who has incurred an illness or injury, which is expected to hinder the performance of one or more of their assigned job duties for no more than 90 days for the Workers' Compensation, Occupational Injury Leave, and/or Disability claim.
2. Employee's attending physician has released him/her for participation in the program.
3. Employee has the ability to return to his/her original position through job modification.

PROCEDURE

The Office of Human Resources (OHR) receives/processes all benefit programs including Workers' Compensation, Disability and Occupational Injury Leave (O.I.L.) claims. Upon being notified of a qualifying claim, OHR will coordinate the individual's transitional work plans with

the employee's attending physician, the Division/Office designee, the OCSEA TWP Team (if applicable), FOP representative (if applicable), and the Managed Care Organization (MCO) case manager (if applicable). The OCSEA TWP Team shall be comprised of one central coordinator and four geographic representatives. The following outlines the specific procedures.

1. The OHR designee will review all Workers' Compensation, O.I.L. and Disability to determine employee eligibility for the Transitional Work Program. Upon determining if an employee meets the eligibility criteria, the OHR designee prepares the Job Analysis Form detailing the essential job functions of the position in accordance with the Americans with Disabilities Act guidelines and any other available duties to be used for transitional return to work. The OHR designee shall provide a monthly report to the appropriate Union representative(s), identifying each transitional work request, the disposition of the request and the justification for those requests denied.
2. The OHR designee will forward the Job Analysis and position description to the employee's attending physician in order to determine what duties the employee is able to perform safely and for what duration. If the physician does not release the employee to return to work, the employee will continue to receive the applicable benefits paid by either the Bureau of Workers' Compensation or the Department of Administrative Services.
3. If the attending physician releases the employee with approved duties, the MCO Case Manager (if applicable), the Division/Office designee, OCSEA or FOP Representative(s) and the OHR designee will develop a Transitional Return to Work Plan (TRW Plan).
4. The OHR designee, the respective Division/Office designee and the OCSEA or FOP representative(s) will coordinate the transitional work assignment (work schedule, type of position, duties, progress to original job duties, etc.). If a less than full-time schedule is approved, those hours in which the employee remains eligible for the applicable benefit will count toward the employee's yearly entitlement of FMLA.
5. The employee, the immediate supervisor, the Division/Office designee, the OCSEA or FOP representative(s) and the OHR designee will sign off on the individual TRW Plan to acknowledge receipt of the plan. In signing the participants agree to abide by the specific restrictions as outlined in the TRW Plan.
6. The transitional return to work plan will include the following:
 1. All participants in the Transitional Work Program will comply with all personnel policies, procedures, and safe work practices.
 2. All participants in the Transitional Work Program will be paid at their current level of pay and shall receive all future and applicable increases in benefits.
 3. Participants in the Transitional Work Program will be allowed to attend physical therapy treatment utilizing "Transitional Work Program" (TWP) leave. Physical therapy and use of transitional work leave will be clearly outlined in the individual transitional return to work plan for participants who meet the following criteria:
 - Physical therapy must be medically necessary and prescribed by the employee's attending physician;
 - A licensed practitioner must perform the physical therapy;
 - Physical therapy appointments, when possible, should be scheduled for non working hours. If not possible, these appointments will be scheduled

for the first or last two hours of the workday (whenever possible) and may not exceed three times per week.

DURATION

The employee's performance will be reviewed by the supervisor in conjunction with the respective Division/Office designee, the OCSEA or FOP representative(s), OHR designee and the attending physician during the transitional work assignment. This will assist in determining whether the employee has progressed as outlined in the individual TRW plan. The evaluation will be conducted bi-weekly or more often as deemed appropriate. A transitional work assignment may be made in thirty (30) day increments for up to (90) days. If the time limitation of the TRW plan has been exhausted and a physician's review determines the employee is unable to return to his/her original position, the transitional return to work program will end and he/she will return to the applicable benefit program which he/she was previously receiving.

TERMINATION

An individual's participation in the program may be terminated through the evaluation process (listed above) due to a lack of medical necessity, lack of progress, or change in the employee's medical condition, as jointly determined by OHR and the employee's attending physician.

ACRONYMS

1. Transitional Work Program (TWP)
2. Managed Care Organization (MCO)
3. Transitional Return to Work Plan (TRW plan)
4. Occupational Injury Leave (OIL)
5. Office of Human Resources (OHR)
6. Ohio Civil Service Employee's Association (OCSEA)
7. Fraternal Order of Police (FOP)

Office of the Director: Approve Disapprove

David Mustine

Date

David Mustine 6/1/11