

## **Workers' Compensation Temporary Transitional Work Program**

### **PURPOSE**

The Temporary Transitional Return to Work Program (TTRW) has been designed to enable employees who are medically unable to perform their usual and customary jobs, due to work related injury or illness, the opportunity to gradually transition back to full duty. This program establishes the roles and responsibilities and defines the guidelines of the TTRW Program.

The TTRW Program promotes early return to work, which increases employee motivation to stay engaged and productive in their work environment. The University Office of Risk Management/Claims Management's program is designed to encourage employees with temporary work restrictions to transition back into the work environment over a specified period of time. This allows the employee to continue developing the skills and abilities that are not limited by the injury or illness while transitioning back to their regular work assignment. The duties assigned under the TTRW Program are **temporary** in nature and not considered to be permanent jobs.

### **PHILOSOPHY**

The University Office of Treasury Operations and Risk Management/Office of Claims Management's philosophy regarding early return to work is **function** and **ability** focused, not disability focused. The Office of Workers' Compensation and Claims Management will aggressively pursue returning the employee to work as soon as medically and functionally possible and will address issues arising out of, or affected by the disabling event, in order to achieve a successful return to work.

The University believes that its employees are one of its most valuable assets. In support of this belief, the Office of Workers' Compensation and Claims Management has developed a Workers' Compensation Temporary Transitional Return to Work Program to assist employees in recovering from temporary impairments which prevent them from performing their regular duties, but does not prevent them from continuing to contribute to the success of the University of Illinois.

### **OBJECTIVE**

The objectives of the Workers' Compensation Temporary Transitional Return to Work program are as follows:

- Provide a safe and timely transition back to work
- Expedite employee's return to his/her regular job duties
- Enhance employee productivity and morale
- Facilitate physical reconditioning
- Decrease work related disability time away from work
- Reduce workers compensation expenditures
- Limit departmental needs for replacement personnel

### **ELIGIBILITY**

- All active full time and part time employees
- Employee's medical condition temporarily prevents him/her from performing regular duties
- The treating physician has:
  - Certified the employee has a medical condition with work restrictions that are temporary in nature,\*
  - Determined the employee's current physical capabilities,

- Provided a written release for the employee to return to work,
- Estimated the duration of disability.

\* **Permanently disabled employees** are not eligible under this program. Human Resources will be contacted by the Office of Workers' Compensation and Claims Management when a physician has indicated the employee requires permanent modified or alternate employment in compliance with The Americans with Disabilities Act (ADA).

### **PARTICIPATION**

Absent any applicable rule for labor and collective bargaining agreements or Human Resources Policies, participation in the program is mandatory for all employees who have experienced a work related injury/illness and meet the eligibility requirements.

### **PROGRAM CRITERIA**

**Entry Criteria:** Employees will be approved for the program when the following criteria are met:

- Employee meets the eligibility requirements listed above, and
- A modified position is available within the work restrictions provided by the treating physician, and
- The TTRW duties pose no undue hardship on the University.

**Exit Criteria:** Completion of the Workers' Compensation Temporary Transitional Work Program will be accomplished by:

- The employee's ability to resume full work duties, or
- The need for continued medical care without clearance for transitional work return, or
- The employee's inability to meet existing performance expectations, or
- A medical determination, prior to maximum program length which indicates the employee will not be able to resume full work duties.

### **PROGRAM DURATION**

The maximum duration of modified duty is 90 calendar days. It is expected that the employee will return to full work status or be evaluated for a permanently accommodated position at the completion of this program.

### **PROGRAM COORDINATION**

The Worker's Compensation TTRW Program will be managed and directed by the Office of Workers' Compensation and Claims Management. The appropriate department supervisor will work closely with Claims Management in overseeing modifications to specific positions and monitoring the employee's performance in the temporary transitional position.

### **ROLES AND RESPONSIBILITIES**

#### **UNIVERSITY OFFICE OF RISK MANAGEMENT / CLAIMS MANAGEMENT:**

- Establish and follow clear, consistent return to work policies and procedures. (<http://www.obfs.uillinois.edu/risk/compensation.shtml>)
- Provide employees with orientation and training in the University Office of Risk Management/Claims Management's TTRW Program via website and/or classroom instruction, as needed or requested.
- Ensure that the University Office of Risk Management/Claims Management's Workers' Compensation policies and procedures are uniformly communicated. (<http://www.obfs.uillinois.edu/risk/compensation.shtml>)
- Make all reasonable efforts to assist departments in the identification of temporary

transitional work duties to facilitate a successful transition back to full duty status.

**EMPLOYEE:**

- Immediately report all injuries/illnesses, no matter how slight, to the supervisor. (<http://www.obfs.uillinois.edu/risk/procedures.shtml>)
- Inform your medical provider of the University Office of Risk Management/ Claims Management's TTRW Program. (<http://www.obfs.uillinois.edu/risk/compensation.shtml>)
- Plan to participate in the TTRW as advised by the medical provider and as made available by the University. Declination of modified work duty assignments as recommended by the medical provider and granted by the University may result in suspension of workers' compensation benefits.
- Anticipate TTRW work assignments will attempt to include those similar to pre-injury/illness work duties and schedule, as available, and as permitted by your medical provider. Alternative work assignments and/or departments will be determined by modified work availability and existing employment contracts.
- **Immediately** report any significant physical occurrences or discomfort associated with temporary transitional work activities to supervisor, Office of Claims Management, and physician.
- Ensure and authorize written medical information regarding recovery and work status is exchanged after each office visit with the Office of Claims Management. A work status update should be provided after each visit to the supervisor.
- If placed off of work, provide work status updates by telephone, e-mail, or other immediate method, as directed by manager.
- Schedule medical appointments before/after work, unless otherwise contractually allowed or agreed to by the University. Return to work promptly after treatments/ examinations.
- Attend all medical appointments.
- Follow all previously established work performance expectations while in a modified job assignment. Existing work conduct policies remain unchanged by the TTRW Program.
- Follow medical provider's recommendations with respect to the determined work abilities **at work and home**.
- Return to normal work duties as soon as your medical provider determines it is appropriate.
- Hours worked will be compensated in the normal fashion. When working restricted work hours, un-worked hours will be compensated by temporary total disability or temporary partial disability, if required work hours are met.
- Expect to follow all existing rules for labor and collective bargaining agreements as well as current Human Resource Policies, including but not limited to FMLA, SURS, leaves of absence, benefits, vacation, and sick time accruals.
- **NOTE: OVERTIME IS NOT CONSIDERED MEDICALLY CONDUCTIVE TO TIMELY RECOVERY AND AS SUCH, WILL NEITHER BE ASSIGNED NOR PERMITTED DURING THE TTRW PROCESS.**

**IMMEDIATE SUPERVISOR:**

- Understand and follow the University Office of Risk Management/Claims Management's Workers' Compensation TTRW Program.
- Ensure that employees receive a TTRW orientation and understand the University Office of Risk Management/Claims Management's Workers' Compensation TTRW policies, procedures, and rules.
- Assist and engage departmental safety representatives and The Office of Claims Management in the development/update of job analyses, identifying and

- quantifying the physical demand levels and safety risks of jobs.
- Participate in identifying modified work assignments, tasks, and the development of job banks.
- Direct employee to maintain communication with the manager throughout the recovery process, including weekly phone contacts regarding work status if employee is medically placed out of work.
- Ensure employee is working within medical restrictions while on TTRW.
- Promptly inform the Office of Claims Management of changes in transitional work availability and/or department limitations to temporary transitional work. Work with those involved to gradually assign job activity increases as medically advised and allowed by employee's continued recovery.
- **NOTE: OVERTIME IS NOT CONSIDERED MEDICALLY CONDUCTIVE TO TIMELY RECOVERY AND AS SUCH, WILL NEITHER BE ASSIGNED NOR PERMITTED DURING THE TTRW PROCESS.**

#### **TREATING PHYSICIAN:**

- Schedule employee examinations/appointments in a timely manner.
- Complete the appropriate medical forms including work status recommendations and provide a copy to the employee at every visit.
- Establish "Temporary Transitional Return to Work" as a recovery process goal.
- Provide clear and concise information to the employee and employer regarding plan and prognosis including **estimated length of recovery**.
- Work with internal and external professionals to facilitate timely communication.
- Evaluate the continued health of the employee *every two weeks* while on TTRW assignment.
- Upgrade and/or modify activity recommendations as recovery permits using work activity tolerance updates from the employee and supervisor.
- Ensure treatment and medical procedures pertain to the employee's report of illness/injury including report of provocative mechanism of injury.
- Upon discharge from treatment, provide a final report addressing the anticipated need for further medical care including prescription medication needs and any permanent modifications to work status.

#### **Office of Claims Management:**

- Review medical status reports and determine employee program eligibility.
- Oversee and assist departments in the development of temporary transitional return to work plans and development of job banks.
- Identify program obstacles and provide guidance with corrective action, as necessary.
- Make recommendations for implementation and follow-up on action plans.
- Assist in development, refinement, and support for the University Office of Risk Management/Claims Management's Workers' Compensation procedures, responsibilities, policies, and rules.
- Provide the first level intervention for disputes related to Workers' Compensation temporary transitional work status/return to work assignments with appropriate management.

Engage and coordinate the participation of Human Resources, Safety, Claims Management staff, University Office of Risk Management, ergonomic professionals, external medical management consultants, and vocational counselors, as needed and within existing employment and Workers' Compensation laws.

- Review, select, and monitor outside/external vendors who will participate in the TTRW process, as allowed by law.

- Develop and present training and orientation for employees, managers, and vendors, as needed or requested.
- Communicate information about the program, goals, progress, and benchmarks to appropriate groups.
- Schedule and conduct initial meeting with supervisor and employee to facilitate and initiate the placement of employee candidates in the TTRW Program, as needed or requested.

**VENDORS:**

(MEDICAL OR VOCATIONAL CASE MANAGEMENT AND COUNSELING)

- Provide expertise on medical and vocational issues as assigned by Office of Workers' Compensation and Claims Management.
- Facilitate and coordinate timely, appropriate medical, or vocational interventions.
- Provide effective communication between the employee, employer, medical providers, and vocational resources, as allowed by law.
- Support and facilitate timely and safe return to work activities.
- Participate as part of the TTRW team, as requested.

**PROGRAM PERFORMANCE AND BENCHMARKING**

The Workers' Compensation TTRW Program will be monitored by Claims Management based on information from Department Management information. These monitoring processes will gather, document, evaluate, and report:

- Achievement of the program's objectives.
- Identify TTRW program growth and improvement opportunities.
- Utilization of the program by the workforce and management teams.
- Satisfaction of those who use the program (employees, supervisors, physicians, etc.) as permitted by law.
- Summary Outcome Data including:
  - Number of TTRW eligible employees
  - Number of TTRW participants
  - Number of TTRW days worked—total and average per claim
  - Length of TTRW assignments—maximum, minimum, and average per claim

**CONFIDENTIALITY**

Personal medical information is protected by the Health Information Portability and Access Act, a federal law protecting an individual's medical record release. The Illinois Workers' Compensation Act provides employer access to medical information related to an employee's claim for benefits. Provisions of the Workers' Compensation Act pertaining to information release will be strictly adhered to and are unchanged by the Workers' Compensation TTRW Program.

**DEFINITIONS**

**Americans with Disabilities Act (ADA):** Federal law enacted in 1990 which protects against discrimination to Americans with disabilities. It affords similar protections as the Civil Rights Act of 1964. Under the ADA, disability is defined as "a physical or mental impairment that substantially limits a major life activity". Disability considerations are made on a case by case basis. Disabilities can be a result of personal health issue or Workers' Compensation injury/illness.

**Medical Case Management:** Medical Case Management is a systematic approach to identify, coordinate, implement, and evaluate the delivery of healthcare to an individual to

meet both quality of care and cost containment objectives.

**Employee Assistance Program (EAP):** An employer-sponsored program designed to assist employees whose job performance is being affected by personal problems such as alcoholism, drug abuse, family or financial issues, or other psychological conditions. EAP can be used to address the impacts of disabling injuries and illnesses.

**Ergonomics:** The scientific study of human beings in relation to their work environment which results in the restructuring of the work environment through engineering and/or administered controls to safely accommodate employees' physical capabilities. Such restructurings may include redesigning tools, equipment, office furniture, and job tasks/habits.

**Essential Job Function:** As defined by the ADA, the fundamental job duties of the position that an individual with a disability holds or seeks. Essential job functions are activities that every incumbent given a job must perform (with or without reasonable accommodation).

**Family Medical Leave Act (FMLA):** Federal law enacted in 1993 and entitles **eligible** employees to take up to 12 weeks unpaid, job protected leave each year for specified family and medical reasons. The law contains provisions on employer coverage; of employee benefits, leave entitlement, job restoration after leave, certification of the need for leave/recordkeeping and protection for the employees who request or take FMLA Leave.

**Health Insurance Portability and Accountability Act (HIPAA):** A federal law enacted by Congress in 1996 requiring the protection of health insurance coverage for workers and their families when they lose their jobs. In addition, it established national standards for electronic health care transactions and national identifiers for providers, health insurance plans, and employers. This act is intended to address the security and privacy of health data. A waiver of HIPAA rights is allowed and may be a condition of service for providers and health insurance plans. Illinois Workers' Compensation information including medical records does not fall under HIPAA and does not require a waiver.

**Job Analysis:** Identification of the primary duties and activities of an occupation to determine the skills required for successful job performance. These functions include the physical and mental demands of the job, stress factors, work environment, and physical hazards.

**Job Modification:** Medically and ergonomically advisable work task adjustments which allow employees with physical and/or work time restrictions to perform work and job functions.

**Temporary Transitional Return to Work Program (TTRW):** Limited, temporary work assignments designed to support, encourage, and assist an employee's timely, safe return to full duty work. Such work is either a portion of a regularly assigned job or a combination of multiple, individual tasks from more than one job. The program coordinates the efforts of physical therapists, physicians, department supervisors, occupational health nurses, and disability management services. Modifications may include job restructuring, assistive devices, workstation modification, reduced hours, or reassignment.

**Work Hardening / Work Conditioning:** A program that offers an individual with a defined degree of impairment, graduated introduction of increasing greater workloads to allow the participating individual to increase his/her capacity to meet targeted job demands.

**Vocational Case Management:** Vocational Case Management involves the delivery of vocational counseling and guidance relative to either temporary or permanent job assignments or reassignments. These efforts can include: skills testing, resume preparation, labor market surveys, job interview assistance, and assessment of retraining potential.