

**RETURN TO WORK PROGRAM FOR  
INJURED AND ILL EMPLOYEES WITH TEMPORARY DISABILITIES**

**Eligibility**

The Return to Work program is open to all district employees who have been released by their treating physician, Agreed Medical Examiner (AME), Qualified Medical Examiner (QME), or Independent Medical Examiner (IME) with temporary work restrictions. The employee must present to his/her supervisor and the district's Return to Work Coordinator the district's medical release form on his/her work status. If the physician does not specify work restrictions, or there is any question regarding the employee's ability to perform transitional work or there is any question needing clarification of the physician to see if transitional work is appropriate.

Participation is mandatory for those employees who meet the program criteria. Employees who refuse transitional work may not be eligible for workers' compensation disability benefits (per California Labor Code) and may also be subject to disciplinary action. Mandatory participation also applies to the supervisor whose duty it is to assist the Return to Work Coordinator in identifying and placing the employee in appropriate transitional work.

The employee will enter the program following the district's receipt of medical release to return to work. The employee may remain in the program for a maximum of 60 calendar days. If an employee needs to repeat the program due to the extent of the injury or disability, total program days shall not exceed 120 calendar days.

**Identification of Employees for Referral**

Employees will be instructed by their supervisor to contact the district's Return to Work Coordinator.

**Appeals Process**

The Return to Work Committee will hear appeals under the direction of the Superintendent or designee. The Return to Work Committee shall consist of the Assistant Superintendent of Human Resources, Administrative Secretary of Business Services, Administrative Secretary of Human Resources. The Committee may request the respective employee's supervisor and any other person the committee deems appropriate to participate in the Appeals Process. The decision of the Return to Work Committee shall be final.

**Confidentiality**

Confidentiality will be assured for all medical information obtained in the process. Worker's Compensation information given to supervisor will be restricted to work status and/or restrictions only to comply with state law. Release of medical information forms will be maintained, as law requires.

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**Injured or Ill Employee Responsibilities**

1. Report all injuries, no matter how slight, immediately to your supervisor.
2. Inform medical provider of the district's Return to Work Program.
3. Return to work following medical treatment for the initial visit and all subsequent appointments providing your medical release form stating your work status to your supervisor and Return to Work Coordinator.
4. Provide your supervisor and the Return to Work Coordinator with medical release form from your doctor following each visit. Employees who are also able to participate in a transitional work assignment are still responsible for providing a doctors' Return to Work form to the Return to Work Coordinator office following all doctors' orders including participation in physical therapy and other respective responsibilities listed.
5. If it is not medically possible to return the form, call the Return to Work Coordinator's office immediately following your medical appointment at (619)258-2320 and fax or mail the form within 24 hours.
6. Report to work for your transitional assignment following notification by the Return to Work Coordinator's office.
7. Pay rate for transitional work will be at the same rate of pay of the hourly employee's regular position.
8. Follow your doctor's orders regarding your work restrictions, physical therapy appointments, all follow-up medical appointments, and prescribed medications.
9. Notify your supervisor and the Return to Work Coordinator office if you are having any difficulty performing your transitional assignment.

**Supervisor Responsibilities**

1. Complete the Supervisor's Report of Injury with all information seen or reported to you and give the injured worker the DWC Claim Form. Complete the Employer section in the employee's presence whenever possible.
2. Report all injuries to the Return to Work Coordinator (619-258-2320) within 14 hours of knowledge of injury.

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3. Understand and adhere to the district's injury reporting procedure and Return to Work policy.
4. Maintain close (weekly or bi-weekly) communication with the injured or ill employee throughout the recovery process.
5. Work with the Return to Work Coordinator in developing transitional task bank to be prepared for employees who need work duties relative to work restrictions or work capabilities.
6. Ensure that employees receive orientation in the accident reporting procedures and that they understand the return to work policy and their responsibilities.
7. Immediately report to the Return to Work coordinator any absences related to the work injury including those intermittent periods where the injured worker may start and stop transitional work.
8. All absences need to be verified with a doctor's note.
9. Supervise workers with accommodations just as you would other employees regarding work performance. Document problems as they occur.

**Return to Work Coordinator Responsibilities**

1. Establish clear, consistent Return to Work policies and procedures.
2. Ensure that supervisor's investigation report is complete and accurate to obtain information for the Employer's Report of Injury (5020 form) and submit to workers' compensation administrator within five days of report of injury.
3. Notify the workers' compensation administrator if there is any cause to delay acceptance of workers' compensation claim as soon as any doubt exists. Administrator has only 90 days to deny the claim and delay letter must be sent within 14 days of employer's knowledge of injury. Claim is presumed compensable if not denied within 90 days from date of knowledge of injury. Claim is presumed compensable if not denied within 90 days from date of knowledge of claim.
4. Provide wage statement to workers' compensation administrator if there is a lost time injury. This task may be done by payroll/benefits.

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5. Provide treating physician and workers' compensation administrator with a job description, which contains an analysis of the physical requirements of the injured workers' job. Review the description with the injured worker to insure that the duties are current and reflect what the employee actually does.
6. Establish good rapport with a selected medical facility or clinic, preferably not a hospital emergency room. Request immediate contact after the initial medical evaluation and treatment and report of workers ability to perform regular duties or his/her need for work restrictions.
7. Work with department supervisor in establishing a transition task bank.
8. Meet with the worker to arrange for transitional work, review and sign the Return to Work Agreement.
9. Ensure that the supervisor provides appropriate training for the worker.
10. Follow-up after each medical appointment to see that the worker is recovering and assign tasks according to his/her increasing capacity. Maintain contact with workers, claims administrator, and supervisor as the work restrictions change until the worker is released to full duty and released from medical treatment. Calendar worker's next medical appointment and physical therapy (PT) if possible.
11. If the worker is unable to perform transitional duty, as submitted by the Doctor's note, notify the claims administrator, place the worker on appropriate leave, and notify Human Resources (FMLA).
12. When the worker's condition is permanent and stationary, or when it has been determined that the worker has permanent work restrictions, an accommodation assessment of the essential functions of the worker's usual and customary position will be referred by the district's Risk Management firm.

**Coordination of Leave Entitlement**

It is the intent of the district to comply with all applicable Federal and State mandates.

1. Americans with Disabilities Act (ADA)
2. Family Medical Leave Act (FMLA)
3. California Family Rights Act of 1993 (CFRA)

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4. COBRA
5. Pregnancy Leave
6. AB 2222/FEHA