



Policy No.	40005
Effective Date	Aug. 2001
Revision Date	Feb. 2017
Revision No.	2
Approved: John J. Sygielski, President	
Date: August 2001	

Return to Work Policy

1.0 Purpose

LFCC strives to assist employees to return to work at the earliest date following an injury or illness. We desire to speed recovery from injury or illness and reduce insurance costs. This policy applies to all employees and will be followed whenever appropriate.

2.0 Revision History

Original Policy: August 2001

Revised: February 2006

Revised: February 2017

3.0 Applicability

The policies and procedures provided herein apply to all employees of LFCC who are restricted in the performance of their essential functions due to compensable work-related injuries and non-occupational injuries/illnesses.

4.0 Policy

LFCC believes it is in the best interest of the agency and its employees to facilitate the expedient return of employees to full duty after they have been absent due to injury, illness, or other medical condition. This policy shall be applied in situations when an employee is restricted in the performance of their regular duties due to personal injury, illness or medical condition or due to a work-related accident/injury. This policy may, at supervisor discretion, be applied in situations when an adjunct faculty or wage employee is restricted in the performance of their regular duties due to personal injury, illness or medical condition. LFCC provides for the use of transitional duty assignments and shall, to the extent possible, assist employees by temporarily modifying work assignments, duties or arranging for a temporary transfer until the employee is medically released to resume regular duties.

5.0 Definitions

Occupational Injury – an accident arising out of and in the course of employment.

Occupational Illness – a disease arising out of and in the course of employment, but, unless otherwise provided by the Virginia Worker’s Compensation Act, not an ordinary disease of life to which the general public is exposed outside of the employment.

Transitional Duty – accommodating an injured employee with work restrictions as set forth by the attending physician. The Chief Human Resource Officer (CHRO) and the employee’s supervisor will decide if the agency is able to accommodate the medical restrictions.

6.0 Responsibilities

An employee must immediately notify his or her supervisor of any work-related injury.

The supervisor is responsible for contacting the Return-To-Work Coordinator (RTWC) in human resources to jointly complete the Employer’s Accident Report (EAR) within 24 hours of the incident.

The human resources office, who will serve as the agency’s RTWC, will review the EAR and submit it to the Workers’ Compensation Program (WCP), administered by the Department of Human Resource Management, within 10 days from the date the agency receives notice of the work-related injury. As required by Virginia Workers’ Compensation law, the RTWC will also offer the employee a listing of a panel of at least three physicians skilled in the handling of work-related injuries. This panel shall be obtained from the listing maintained by the Commonwealth’s Office of Workers’ Compensation.

7.0 Procedures

For non-occupational injuries, an employee shall notify his or her supervisor as soon as possible after the personal injury or onset of the illness or medical condition that restricts the performance of the employee’s regular duties. Within a reasonable period after the incident or injury, the RTWC will communicate with the attending physician. This communication shall include a discussion of return-to-work options, such as transitional duty, which is a temporary situation when an employee returns from a work-related or non-occupational injury or illness to medically restricted or modified duties. Under transitional duty, duties assigned can be those identified in the employee’s current Employee Work Profile with restrictions or another assignment entirely. The RTWC will submit the employee’s Work Profile and the Physical Demands form (attachment), if necessary, to the attending physician to be used in the evaluation of a transitional duty recommendation.

Return-to-Work Options

Released to Return to Work with No Restrictions: If the employee is released to return to work and can perform the essential functions of his or her pre-injury position, the physician's office or the employee will give the release to the RTWC, who will coordinate a start date for the employee to report to work. The RTWC will submit a supplemental report indicating this return to work to the WCP and will notify the Virginia Sickness and Disability Program (VSDP), if applicable.

Released to Return to Work with Restrictions: If the employee is released to return to work with restrictions, the CHRO and the employee's supervisor **will review the restrictions set forth by the attending physician and will decide if the agency is able to provide transitional duty for the employee.** Transitional duty must meet the agency's staffing needs and accommodate the employee's medical restrictions while taking into consideration the welfare and safety of the employee, co-workers, and customers.

The CHRO will schedule an initial return-to-work meeting with the employee and the employee's supervisor to coordinate the return to work. They will develop transitional duties, which will focus on the employee's abilities as well as comply with the employee's medical restrictions and the College mission.

The RTWC will complete the Transitional Employment Plan (attachment), which serves as documentation of the duties the employee will perform during the transitional duty period. The CHRO will review the Transitional Employment Plan with the injured/ill employee and the employee's supervisor, obtain their signatures, and then submit it to the attending physician for approval.

The RTWC will submit a supplemental report indicating this return to work to the WCP and also will notify (VSDP), if applicable, of the employee's return to work.

During transitional duty, the RTWC will meet with the injured/ill employee to discuss concerns and to evaluate his or her progress every month. Transitional duty may be altered, upgraded, or changed in a manner consistent with medical restrictions and in accordance with an individual's improved condition. Human resources, in coordination with the employee's supervisor, may amend the Transitional Employment Plan should the employee demonstrate improvement or regression. Any amendments must be resubmitted to the attending physician for approval and a copy forwarded to WCP and (VSDP), if applicable.

If the employee cannot return to work in his or her pre-injury department, the CHRO will attempt to coordinate a return to work within another department.

No Release to Return to Work: If transitional duty is not possible for an employee within the agency or if the employee is not released to work, the RTWC will maintain communication with the employee, WCP, (VSDP) (if applicable), and the attending physician in order to obtain the employee's prognosis for recovery and the employee's

functional capacity. The RTWC will forward this information to Worker's Compensation for approval and possible placement of the employee at another agency.

Length of Transitional Duty

Transitional duty shall be made available to those employees who are expected to return to their pre-injury position and may not normally exceed 90 days. At the conclusion of 90 days, the supervisor in consultation with the CHRO may terminate the transitional duty assignment. If it is determined that the employee has permanent restrictions that result in his or her inability to perform the essential functions of his or her primary position, the provisions of the Americans with Disabilities Act (ADA) and other applicable laws will be applied to determine suitability for employment.

8.0 Sanctions

Failure to report an on-the-job injury or illness may result in the denial of a claim.

9.0 Interpretation

The authority for interpretation of this policy rests with the CHRO and the Department of Human Resources Office of Worker's Compensation.

10.0 Authority/Reference

- Department of Human Resource Management, Policy 4.57, Virginia Sickness and Disability Program
- Department of Human Resource Management, Policy 4.60, Workers' Compensation
- Governor's Executive Order 94 (05) Workplace Safety and Health

President