

Safetyline

Apartment Association of Michigan

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Understanding 'Light Duty' and TWAs Necessary for Successful Return-To-Work Program

Editor's Note: We encourage all of our members to use this information as a starting point for effective safety communication. Members should add to it based on their safety needs and work environments.

In the most basic sense, safety plans can be divided into two parts: prevention and retention. The prevention part is probably fairly clear cut for most AAM members. However, the retention component has proven to be problematic.

Retention means getting an employee back to work as soon as possible following any work comp episode. Not only does this

significantly reduce the lost time and associated cost from disabling injuries, it helps the morale of the injured worker. The injured employee often feels isolated and unwanted during his or her disability. The injured employee's supervisor often feels additional pressure to maintain production with lesser-trained people.

Workers' compensation injuries can have a very significant impact on the financial and competitive status of your company. While this is all easily understandable, the mechanism to return the worker to the workplace is not.

Specifically, there is a lack of

understanding about two of the components of "light duty," or transitional work assignments.

Employers and supervisory personnel should know that: A) The injured employee does not have to go back to his or her old job during the TWA phase of your company's return-to-work program. B) The company does not have to pay the same rate of pay for "light duty" assignments.

By way of example: A maintenance tech experiences a work comp episode. The tech has been off work, but indicators

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Transitional Work Program Q and A's

Q. Who makes the decision whether or not I'm ready to return to work?

A. The doctor makes this decision following his evaluation of you and the task analysis report of your normal job or a transitional work job if that is being considered. The doctor checks to make sure the physical requirements for the job will not exceed the restrictions he/she is placing on you.

Q. Who decides whether or not I'm eligible for the Transitional Work Program and what is the basis for their decision?

A. The doctor and the Transitional Work Coordinator work jointly to find you a job within your restrictions. However, the program may not be appropriate for all injured employees. For example, if the doctor feels you will need to be off work for six months, you

would not be placed into the program until you are within twelve weeks of returning to your normal job. Also, if the doctor and Transitional Work Coordinator cannot find a job which meets your restrictions, you could not participate in the program. Many times this is only a temporary situation. As your recovery progresses, the

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TWA

doctor typically modifies your restrictions. At this point, the doctor and Transitional Work Coordinator will again try to find you a job.

Q. What happens if I feel discomfort while performing a transition work assignment?

A. You may have some discomfort when you first return to work. Some discomfort can be expected with any physical activity that follows a period of inactivity. This discomfort may not be a medical problem. If your experience problems in your transitional work assignment, report it to the program coordinator. Since transitional work assignments are made with the approval of a doctor, your manager needs to know if you are having a problem so the doctor can reevaluate the situation. It is the doctor's responsibility to determine whether or not you are capable of performing a particular job within the restrictions he/she has issued.

Q. How long do transitional work assignments last?

A. The program has a 12 week maximum. Studies have shown most employees return to work within a few weeks following an injury. Because the goal of this program is to gradually return a person to their normal job, 12 weeks was chosen to provide ample recuperative and strengthening time.

Q. What happens when the transitional work assignment ends and I have not completely recovered?

A. It is not always necessary for you to be 100 percent recovered in order to return to your normal job.

The doctor and transitional work coordinator will be meeting periodically, tracking the course of your recuperation during the 12-week period. If it becomes apparent that you are not progressing enough during this 12- week period to resume your normal job, the doctor will

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make modifications to your treatment plan.

Q. Why have a transitional work program?

A. Research has shown that the greatest success occurs when an individual works in their own job or one with similar requirements. For those reasons, efforts will be made to temporarily modify existing jobs to best fit that employee's restrictions. The 12-week rule also prevents long-term situations that could negatively impact other employees.

Q. How does the doctor decide whether or not I can return to my normal job or a transitional job?

A. The doctor will be provided with a task analysis report for your normal job or a transitional job, it that is being considered. He/she will use this report to determine whether or not you can perform the physical requirements of the job following injury.

RTW

show he or she is ready to return to work. The tech's supervisor does not have to wait for the employee to be recovered enough to fully assume the responsibilities of the job title. The tech can come back and, let's say, track work orders; file purchase orders for his department; or review and maintain mechanical/maintenance logs specific to his or her property. Because this work is clerical in nature, it may fall into a lower rate of pay than a maintenance tech classification.

This is not a "deal stopper" in returning the tech to work, nor does the tech lose money by working in the TWA position. The company pays the tech at the rate for a clerical position. If this is a lower rate of pay, the work comp carrier will make up the difference in the salaries.

Remember the above is just an example. Other ways to bring an employee back to work might call for a reduction in regular hours, a modified job description or modification of duties. Because these actions may call for new components in company policies and procedures it is important to make a return-to-work program an official part of your company's human resources profile.

Consider the following suggestions to better understand how to establish viable return-to-work programs.

Commitment of Management to Total and Immediate Accommodation:

- Management must make an absolute commitment to employees to provide them the means to return to work as soon as their abilities allow. This will help your company define its corporate culture and work ethic in a positive manner.

Analyze Existing Jobs:

- Each job in your organization should be analyzed according to the necessary physical requirements, abilities to carry out the job, what body

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parts are needed and what limitations would not affect performance on the job.

Focus on Ability, Not Disability:

- Concentrate on what the employee can do. Once an employee's abilities have been identified, it is much easier to match task with abilities.

Appoint a TWA Coordinator:

- A TWA Coordinator can serve as the point person for the completion of modified job descriptions. The descriptions need to identify the essential characteristics, the required skills plus mental and physical abilities necessary to perform the job. A word to employers: You are the expert on your company's personnel programs and policies. It remains your duty to confer as needed with your corporate counsel for proper compliance with all federal, state, and local laws and requirements. This includes compliance with the "Americans with Disabilities Act." Please be assured that the ADA normally encourages providing work to disabled workers.

Your CMI loss control and claims department can assist you with developing a RTW program and provide some ideas tailored to your business. All of us at CMI and Smith-Peabody-Stiles support efforts to make the workplace a safer and more productive place. For concerns and questions contact Brenda Boomer or Jim Peabody at Smith-Peabody-Stiles, 1-800-467-6645. We welcome your calls and questions concerning safety in the workplace. Gary Smith, loss control representative with Citizens Management, will work with properties and management companies to establish viable safety programs and to fine tune existing plans. Contact him at: 517-540-4132.

SAFETY MEETING

FOR THE APARTMENT INDUSTRY

COMPANY NAME _____ JOB NAME _____ DATE _____

Light Duty and Transitional Work Assignments

Appoint a subcommittee to analyze jobs in your department that might be modified for light duty or Transitional Work Assignments.

Poll members of your department for individuals who would be willing to become a Transitional Work Coordinator.

Outline training and in-service programs for the Transitional Work Coordinator.

Invite the head of your human resources department to your safety meeting. Find out if modified or light duty jobs are part of your company's corporate culture.

Ensure that all modified or light duty assignments are in compliance with federal and state laws. This includes compliance with the Americans with Disabilities Act.

Remember: Focus on ability, not disability.

SPECIAL TOPICS FOR YOUR PROJECT: _____

EMPLOYEE SAFETY RECOMMENDATIONS: _____

Meeting attended by:

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Supervisor's Signature: _____

Fax this page to the head of your safety team

You're Invited

The Agenda:
Return to Work
Reporting a Claim,
Including Timeliness
Accident Investigation

Loss control seminars are designed to enhance existing safety programs, bring members new information for their changing industry and heighten their safety awareness.

Association Members: **You're Invited to a** **Loss Control Seminar** **September 26, 2008** **9:00 to 10:30 a.m.**

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Farmington Hills, Michigan 48334
Contact Brenda Boomer at
bboomer@spsinsurance.com for details



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