

MANAGED RETURN TO WORK PROGRAM

FREQUENTLY ASKED QUESTIONS

REVISED AUGUST 3, 2017

1. What is Managed Return to Work program (MRTW)?

MRTW is a proactive, comprehensive program for individuals with work related injuries and illnesses. MRTW provides meaningful and productive temporary transitional duty as a bridge back to full normal employment, as quickly as medically possible.

2. How is MRTW different from other return to work programs?

MRTW provides transitional work that is meaningful to both the employee and the employer. The employer will not create busy work just to bring the employee back to work. Meaningful work provides the employer with productivity by the employee in ways that are useful to the employer's operations, and allows the employee to progressively assume more demanding tasks until he/she is able to return to full normal duty. Both the employer and employee are active participants in the MRTW program.

3. What benefits do employees get from a MRTW program?

Providing employees with suitable transitional work facilitates recovery of the employee, assists in maintaining job skills, and reduces the impact of the injury/illness on the employee's family. While performing a transitional duty assignment, the employee receives his/her full normal salary.

4. Who is eligible for participation in the MRTW program?

Employees with work related injuries and illnesses who are medically able to perform some type of work may participate in the Program. To participate, the employee's prognosis must indicate that the employee will be able to assume full, normal duties when fully recovered.

Employees who have reached maximum medical improvement and cannot resume full normal duties are **not** eligible to either assume or continue a transitional duty assignment.

5. Will the injured/ill employee be assigned busy work just to get them back on the job?

No. Transitional work must be meaningful, and allows the employee to progressively assume more demanding tasks until he/she is able to return to full normal duty. When identifying whether suitable

transitional duty is available, the employer will consider the medical restrictions of the employee, staffing needs, fiscal constraints, and geographic accessibility of available work.

6. What types of work activities can be included in transitional duty assignments?

Transitional assignments may include normal work activities that have been modified to accommodate medical restrictions, job functions that are not routinely performed, and duties of equivalent or lower job classifications.

7. How long can an employee be on transitional duty?

Transitional duty assignments are **temporary**. The initial assignment may be for up to 45 consecutive calendar days. If supported by medical documentation, the transitional assignment may be extended for up to an additional 30 consecutive calendar days. Employees may not be on a transitional assignment longer than a total of 75 consecutive calendar days.

8. Is there any latitude for a further extension of time for the transitional assignment to be applied beyond the 75 day restriction?

No. There is no latitude to extend the transition assignment beyond 75 calendar days.

9. Does the time period allowed for transitional duty start over for each absence?

If the employee performs transitional duty and must stop that assignment due to medical reasons prior to assuming full normal duty, the employee may subsequently be given another transitional assignment when medically able as certified by a physician. The subsequent assignment may be for the remainder of the 75 consecutive calendar days as described in the answer to question # 7.

If an employee who returned to full normal duty after completing a transitional duty assignment subsequently becomes injured/ill, a new transitional assignment period begins when suitable transitional work becomes available.

10. What happens if the employee sustains further injury while on a transitional duty assignment or is medically unable to continue on a transitional duty assignment?

With supporting medical documentation, the employee may be placed back on accident leave or Temporary Total Disability (TTD) payments, whichever applies.

11. Can employees telework while recovering from a work related injury or illness?

Employers are encouraged to be creative and flexible when determining whether suitable transitional work is available. If the employee's medical restrictions and the employer's business needs can be best accommodated through teleworking, the employer may allow it.

12. Can the employer assign the injured/ill employee to transitional duty at a geographic location other than the location of the employee's normal job?

Yes, but the transitional duty assignment must be geographically accessible. In other words, the employer must consider the employee's limitations on ability to travel, the travel distance to the assignment, transportation hardships, internal agency policies, and provisions of any applicable collectively bargained Memorandum of Understanding.

13. If an employee who normally takes public transportation to work is temporarily unable to drive and is not medically able to take public transportation, can the employer make an offer of transitional duty?

The employer must consider the employee's medical restrictions when determining whether suitable transitional work is available. The employer and employee must be creative and flexible to accommodate the employee's medical restrictions. If the employee's medical restrictions cannot be accommodated, suitable transitional work is not available.

14. Will the employee's pay be affected by transitional duty?

The employee's base salary will not be changed during transitional duty assignments. If the employee is medically able to only work part-time hours while on transitional duty, the employee will be paid the full normal pay rate for hours worked and be paid accident leave wages or Temporary Total Disability (TTD) benefits, whichever is applicable, for hours not worked.

Depending on the hours worked, shift differential may be affected.

15. Can the employee's regular days off, holiday leave, and work hours change during transitional duty assignments?

Yes, provided that the employee's medical restrictions are accommodated.

16. Will the employee's medical benefits be affected by transitional duty?

The employee's medical benefits will not be affected during transitional duty assignments.

17. Can an employee be required to perform duties of a higher job classification?

No. The employee may be assigned duties of equivalent or lower job classifications.

18. If an employee is assigned duties of a lower classification, will the employee's pay be reduced?

No. The employee will be paid at the normal pay rate for hours worked.

19. What happens if an employee declines an offer of suitable transitional work?

The employer will terminate accident leave and disallow all other paid leave that requires supervisory approval for the period that the employee is able to work. Temporary Total Disability benefits also may be suspended.

If the employee is medically able to work part time hours only, the employee may qualify for accident leave or TTD benefits for the hours he/she is unable to work as certified by the treating physician. The employee will be on leave without pay for the remaining hours.

20. Can the employee work part-time on transitional duty?

Yes, the employee may work part-time or full-time based upon the employee's medical restrictions.

21. If the employee works part-time on transitional duty, how is the employee's pay affected?

The employee is paid the normal pay rate for hours worked and accident leave wages or TTD, whichever is applicable, for hours not worked.

22. Can the employer require the injured/ill employee to be medically assessed by the State Medical Director?

Unless the employee is on leave that is designated as Family and Medical Leave Act (FMLA) qualifying, the employer may require assessment by the State Medical Director. If the employee is on leave that is designated as FMLA-qualifying, the employer cannot require that the employee be evaluated by a physician appointed by the State. The employer or the State's Third Party Administrator (TPA) for Workers' Compensation (IWIF) may refer the employee for assessment by a TPA panel physician.

23. What should the injured/ill employee do if he/she has medical problems while performing assigned transitional tasks? What should the employer do?

The employee should immediately discuss such problems with his/her immediate supervisor to determine if the employee's medical restrictions can be further accommodated.

The employer should refer the employee for further medical assessment and consult with the physician as necessary to determine how the employee's medical condition can be accommodated. If the employee is unable to continue the transitional duty assignment, the employee may be placed on accident leave or TTD benefits as applicable (with appropriate medical documentation).

24. Under what circumstances are transitional duty assignments terminated?

There are 3 conditions under which the transitional assignment may be terminated:

- The employee has been released by the treating physician as able to fully resume normal work functions; or
- The employee has used the allowed number of days for transitional work; or
- The employee has reached maximum medical improvement and is unable to return to full normal duties.

25. Can an employee in the MRTW program work overtime?

Yes, an employee in the MRTW program can work overtime as long as the overtime has been approved through the normal channels and there are no medical restrictions prohibiting it.

26. If an employee in the MRTW program works 8 or 16 consecutive hours of overtime, does that count towards the MRTW program 75 calendar day maximum?

No. Overtime does not count towards the 75 calendar day maximum.

27. Are contractual employees eligible to participate in MRTW program?

No. The MRTW program is only available to permanent employees.