

LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

SECRETARY'S POLICY AND PROCEDURE MEMORANDUM (PPM) NO. 58

SUBJECT: Transitional Return to Duty Program for Workers' Compensation Cases

EFFECTIVE DATE: January 1, 2001

INSTRUCTIONS: This memorandum supersedes all other memoranda and manuals.

1. PHILOSOPHY

The health and well-being of all employees is of great importance to the Louisiana Department of Transportation and Development (DOTD). DOTD recognizes that the facilitation of return to work for employees injured while on duty, or who are absent because of work-related illnesses, is not only beneficial to its employees, but also to the State and the Department. Therefore, in accordance with Louisiana Revised Statute 39:1547, DOTD will make every effort to return these employees to work as expeditiously as possible. DOTD cannot, however, guarantee placement and is under no obligation to create or encumber specific positions for the purpose of offering placement.

2. APPLICABILITY

This policy applies to all DOTD employees who are absent from duty as a result of work-related injuries or illnesses, who are receiving Workers' Compensation benefits and who have not reached maximum medical improvement.

3. POLICY

It is the policy of DOTD to return to work on restricted or light duty any employee who is receiving Workers' Compensation benefits when meaningful assignments are available. Any such assignments must serve legitimate business needs and must comply with the employee's medical/physical restrictions. A Transitional Return to Work Team has been established at Headquarters and in each District to coordinate and monitor this process. The Team consists of representatives from Human Resources and Loss Prevention; an Appointing Authority; the Office of Risk Management's (ORM) Return to Work (RTW) Coordinator and Third-Party Administrative (TPA) staff; and a Vocational Rehabilitation Counselor as needed.

4. CLASSIFICATION AND PAY PROVISIONS

In accordance with Civil Service Rules, employees may be detailed to special duty for a period not to exceed 6 months. Extensions of these details are not authorized. These details may be lateral or downward (with no reduction in pay). Details to a higher position will also be allowed and approved on a case-by-case basis when justified. When an employee is temporarily detailed to special duty to a position with a higher pay grade, his/her pay shall be set in accordance with PPM 52 (DOTD Pay Policy), Section 2, A. Pay Upon Promotion.

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5. RESPONSIBILITIES

A. EMPLOYEE

- (1) Must, when absent from work as the result of a work-related injury or illness, provide supervisor with updates, on at least a monthly basis, regarding his/her medical status as it relates to his/her ability to return to work.
- (2) Must immediately notify supervisor when released by his/her physician to return to work, with or without restriction(s), and provide written documentation of such release.
- (3) Upon offer of a transitional duty assignment, must obtain a completed Transitional Duty Plan, Physician Certification Form, and Job Analysis Form from the Appointing Authority for the treating physician's approval. The employee must return the completed documents in the time period specified by the Appointing Authority.
- (4) If offered a transitional duty assignment, the employee must return to modified duty status or modified work schedule which is within medical restrictions as set by the treating physician.

B. APPOINTING AUTHORITY

- (1) Must maintain monthly contact with employees absent from duty as a result of work-related injuries or illness.
- (2) Must provide assistance, or designate an appropriate supervisor to provide assistance, to the Return to Work Team when making a reasonable effort to return the injured employee to meaningful work activities consistent with the employee's physical limitations.
- (3) Upon finalization of the Transitional Duty Plan, must complete a Job Analysis Form for the job to be performed and forward to the Return to Work Team for review and approval.
- (4) Must advise the employee of the transitional duty assignment or work schedule chosen and the stated period of the temporary assignment. Must present the Transitional Duty Plan, Physician Certification Form and Job Analysis Form to the employee for physician's approval.
- (5) Upon approval by the physician, must secure the signature of the employee on the Transitional Duty Plan, indicating his/her acceptance of the

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transitional assignment offer.

- (6) Must notify the HR Discipline Supervisor when an affected employee's sick leave balance is reduced to 100 hours.

C. HUMAN RESOURCES

- (1) Assists the Appointing Authority and the Return to Work Team in the development of transitional duty assignments, identification of specific job tasks and determination of appropriate job modifications.
- (2) Reviews the Transitional Duty Plan and Job Analysis Form to ensure proper completion.
- (3) Advises the injured or ill employee of benefit options, rights and responsibilities.
- (4) Provides information and assistance to the Appointing Authority on proper procedures.
- (5) Maintains contact with the Loss Prevention Section and the Appointing Authority to monitor progress of employee's transitional return to duty.
- (6) Maintains records of all transitional duty assignments.

D. RETURN TO WORK TEAM

- (1) Coordinates and monitors the transitional return to duty process.
- (2) Reviews employee's medical restrictions and, where feasible, identifies or modifies meaningful work assignments consistent with the employee's medical restrictions.
- (3) Meets monthly, or as needed, to review all active Workers' Compensation cases.
- (4) Completes a Transitional Return to Work Audit Form (DA WC4000) on a monthly basis. This form can be found on the Loss Prevention Intranet webpage in the Forms section.

6. PROCEDURES

- A. The Appointing Authority will immediately notify the Loss Prevention and Human Resources Sections, either at Headquarters or in the District, upon being made

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aware that an affected employee has been released to return to work on light or restricted duty.

- B. When an employee has been released to return to work on light or restricted duty following an on-the-job injury, the Appointing Authority will initiate an investigation into the employee's ability to perform the essential duties of his/her position. The Appointing Authority will:
  - (1) Complete the Job Analysis Form relative to the employee's position and obtain the employee's signature.
  - (2) Provide the Job Analysis Form and Physician Certification Form to the employee, requesting the return of the completed forms within 15 days of the employee's receipt of the documents.
- C. The Return to Work Team will review the impact of the employee's medical restrictions on his/her ability to perform the essential functions of his/her current job.
  - (1) If the employee cannot perform the essential functions of the usual job, it will be determined whether meaningful job assignments, consistent with the employee's medical restrictions, exist within the employee's original work location.
  - (2) If there are no suitable assignments within the employee's original work location, a meaningful attempt to locate a suitable position in other districts or sections within the employee's geographical area will be made.
- D. When an appropriate modified or transitional duty assignment has been identified, the Transitional Duty Plan will be developed. The Appointing Authority will:
  - (1) Complete the Transitional Duty Plan Form and Job Analysis Form for the transitional or modified duty assignment and attach both completed documents to the Physician's Certification. (All forms are available on the Human Resources webpage under Forms and Job Aids.)
  - (2) Inform the employee of the transitional or modified duty assignment; have the employee sign the Job Analysis Form; provide the Transitional Duty Plan, Job Analysis Form, and Physician's Certification Form to the employee for physician's approval.
  - (3) When approved by the physician, have the employee sign the Transitional Duty Plan Form and inform the employee of the date he/she is expected to return to work.

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- E. Any employee refusing to return to work under a Transitional Duty Plan approved by his/her physician will be reported to the Office of Risk Management for appropriate action, which may include termination of Workers' Compensation benefits.

7. FURTHER INFORMATION

Any questions regarding this policy should be directed to the Human Resources Section.



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Secretary