

X BOARD OF EDUCATION EARLY RETURN TO WORK POLICY

Contents:

1.0 Background:

1.1 Workers' compensation laws provide lost wages and medical expenses to an employee who has an injury as a result of an on-the-job accident, injury, or occupational disease. Workers' compensation is designed to protect employees and their dependents against the hardships from injury or death arising from the work environment. All permanent and temporary employees of the Generic Board of Education ("Board") are covered by workers' compensation insurance.

1.2 In an effort to continue to provide innovative and quality service to its employees, the Board is pleased provide an Early Return To Work Program (the "Program"). The Program is designed to assign duties and responsibilities to injured employees which are consistent with specific medical restrictions, which will provide the Board with increased efficiency from its work force, as well as provide higher self-esteem for injured workers.

1.3 The Program is intended for those employees who have been injured on the job, but who are not permanently disabled.

1.4 Issues arising under the Americans with Disabilities Act ("ADA") or the New Jersey Law Against Discrimination ("LAD") are not covered by this policy. Those issues shall be handled in accordance with law.

2.0 Description of Program:

The Program is designed to enable injured employees to return to work in a limited capacity until such time as the employee is released by a physician for regular duty. The Program is designed to keep an injury from becoming unduly expensive and to help employees return to meaningful work. The Program will also be administered and interpreted in order to increase productivity and increase employee morale.

3.0 Objective of the Program:

3.1 To return employees to work who have been injured on the job. These employees may temporarily perform duties, which may or may not be within their job description, or may or may not be within their department. The job duties must have requirements consistent with the employees health limitations as certified by a physician.

3.2 To save the Board money. It is estimated that invoking this Program will save the Board \$ X per year in workers' compensation insurance premiums.

3.4 To lower the absenteeism rate.

3.5 To minimize the negative psychological impact due to being out of work, and provide a transition and adjustment for returning to work.

3.6 To discourage malingerers (people who abuse the system to their personal benefit by acting ill).

3.7 To reduce lost work days and disruptions of work schedule.

3.8 To expeditiously return employees to their regular job duties at full capacity.

3.9 To increase the productivity of the Board's work force. The Board pay's employees 100% of their salary when they are out of work due to a job related injury. It is sound business policy to have these employees, who are not totally disabled, to come to work, and perform those functions or tasks that they are able to perform so that the Board's salary expenditure is not wasted.

4.0 Benefits of the Program:

4.1 *Loss Control:* The Program keeps employees off of the compensation payroll, which will reduce premiums.

4.2 *Fewer accident repeaters:* The Program places employees on notice that they will likely be required to come to work, even if they have an injury. This reduces the likelihood that a person will attempt to abuse the system.

4.3 *Increased morale:* The program allows the injured worker to feel needed in their job. This increases morale. In addition, where abuse of the system is prevalent, co-employees who do not abuse the system, and who have to do the abusers' work, become disenchanted.

4.4 *Productivity:* The Program allows people on limited duty to perform tasks that would have to be performed regardless of whether there are limited duty personnel available to do them. This enables employees without restriction to perform their primary duties.

4.5 *Self esteem:* The program keeps employees motivated, mobile, makes them feel productive and facilitates the healing process.

5.0 Administration of the Program:

5.1 The Program shall be administered by the Assistant Superintendent in Charge of Personnel.

5.2 At a minimum, employees who have filed a claim that they have been injured on the job, and will need to be out of work, or have their work restricted, are required to be examined by a Board approved physician so the physician may determine and report in detail the employees job limitations as well as indicating the job functions the employee may perform. Employees may be required to report to the doctor with their job description to enable the doctor to provide this report.

5.3 The Human Resources Department shall review the doctors' reports, and, where required, follow up with the employee and the doctor where more information is required describing what the employee can and cannot do, and the estimated duration of the limitation.

5.4 There shall be regular communication among the Human Resources Department, supervisors, the employee, the doctor(s), and the workers' compensation carrier and administrator throughout the course of treatment and recovery

5.5 A tracking system shall be established for documenting employees' status in the Program.

5.6 In the event an employee is on restricted duty for 60 days, a complete review shall be performed to determine the appropriateness of continuing the restricted duty assignment.

5.7 Employees who file a claim that they were injured on the job shall be given a copy of this Policy. They should sign an acknowledgment that they have received the Policy, and the acknowledgment shall be placed in their personnel file.

5.8 The Human Resources Department, in conjunction with the workers' compensation carrier or administrator, must notify doctors about the Program.

5.9 There is no permanent modified or light duty. All modified duty positions are temporary in nature.

5.10 The Board reserves the right to require an employee returning from modified duty to submit to a fitness-for-duty examination.

6.0 Employee Requirements:

6.1 Employees are required to perform the job tasks they are assigned pursuant to this program.

6.2 Employees are required to cooperate with and follow their supervisors' directions and directions from the Human Resources Department, including, but not limited to, directions regarding job assignments, attending doctors appointments, requesting that doctors fill out forms completely, and bringing proper documentation to doctors.

6.3 Employees are required to attend all doctor appointments with Board approved doctors.

6.4 Employees are required to notify their supervisor, in writing, when they have been on restricted duty for 60 calendar days.

6.5 Employee must provide all doctors notes and reports to the Human Resources Department.

6.6 Employees who fail to meet the requirements of this Program will be subject to disciplinary action, including withholding of increment and termination.

7.0 Assignment of Job Tasks

7.1 Job tasks will be determined and assigned within the limitations set by Board approved doctors. Job tasks will be assigned by the Human Resources Department, or the employees supervisor(s) in consultation with the Human Resources Department.

7.2 Job assignments will be handled on a case by case basis.

7.3 There shall be regular communication between the Human Resources Department and the employee's supervisor(s). Supervisors shall notify and coordinate with the Human Resources Department regarding the tasks that have been assigned to an employee. Supervisors shall also provide status reports to the Assistant Superintendent in Charge of Personnel, detailing, at a minimum, whether the employee is still performing restricting duty tasks and whether there are still restricted duties within the department that the employee can perform in order to be a productive employee for the Board.

7.4 Upon request by the Human Resources Department, supervisors shall provide a list of assignments that are in need of being done which feasibly may be completed by an employee on modified duty.

7.5 There is no restriction on the location or the type of assignment, provided it is consistent with the limitation detailed by the Board approved doctor.

8.0 Compliance With Laws:

The Program shall be interpreted to be consistent with the ADA and the LAD, and all other laws. To the extent any provision in the Program conflicts with any federal or State of New Jersey law, that law shall control, but the balance of the Program shall remain in effect.

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