



Accommodating Employees Returning To Work After Injury

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What You Will Learn

- Tracking injury and recovery process
- Work restrictions or Work Status Report, what it means and how to implement
- Importance of cross functional relationships in employee recovery
- How to facilitate return to work process

Cross Functional Relationships

- Employee
- On-Site Worker Comp Site Administrator
- Occupational Health Clinic
- Manager
- HR (Employee Relations)

Employee

- It is the responsibility of the employee to notify the site if an injury has occurred (work-related or personal).
- Once seen by physician it is their responsibility to bring work status reports back to site. Employee needs to notify site that an accommodation is needed
- Human Resources/Employee Relations (ER): Once notified by employee, Employee Relations owns the process

On-Site Workers Comp Administrator

- Filing Workers Comp (WC) Claim with insurance company or TPA (Third Party Claims Administrator).
- Referral to Occupational Health Clinic for treatment
- Contact site personnel to investigate the injury
- Communication with the treating clinic especially and then the team.
- Be sure to get work status reports from the employee
- Communication with the team (especially helpful when an employee works one against the other)

Manager

- Information necessary to understand difficulties contributing to injury, performance reviews, employee relationships with others in the department and direct supervisor
- Communicate issues with HR
- If there is lost time and the employee needs disability the manager contacts for Leave Of Absence (LOA) to start the claims process.

Occupational Health Clinic

After physician evaluation good communication helps progress Work Status Reports not always provided. It is the employee's responsibility to bring it to the onsite WC administrator. The work status report tells you many things:

1. When the appointment was, how long the employee was at the clinic
2. When the return appointment is
3. Any restrictions or need for modified job duty.

Information on Work Status Report

Work Status

Name:	Date/Time of Injury:
Address:	Claim Number:
	Clinic Case Number:
Phone:	MRN:
DOB/Age:	SSN:
Occupation:	

Employer

Issues with WebEx

CONTACT:	
PHONE / FAX:	PHONE / FAX:

Diagnosis

ICD 10 1) _____ 2) _____

Visit Date:	Visit Type:
Time In: _____	Next Appointment: _____ @ _____
Time Out: _____	

WORK STATUS Full Duty

From: _____

 Modified Work

From: _____

To: _____

 Temporary Disability

From: _____ To: _____

 Discharge**CAPABILITIES:**

	HRS		HRS
WALKING/STANDING		SITTING	
REPETITIVE BENDING/STOOPING		REACHING ABOVE SHOULDER	
KNEELING OR SQUATTING		USE OF:	
PUSHING/PULLING LBS.		DRIVING FOR WORK	
LIFTING LBS.		REPETITIVE USE HAND/WRIST	
OTHER:			

THERAPY: OT _____ PT _____**REFERRAL:** SPECIALTY _____ TESTS _____

First Aid? Y N Pending

Medication Given: Y N

Patient care info given? Y N

 Back Sheet Nsaids Wound Sheet Eye Injury Sheet Sprain / Strain Sheet* Other: _____**After Care Instructions** Take Medication as Directed Apply hot cold packs to injury site. Elevate the wound. Keep wound clean and dry. Change dressing every _____ day(s) or if soiled or wet

Date _____

Human Resources/Employee Relations

- ER will work with the health care provider, employee and manager to understand employee request (or modified duty) and explore options.
- These conversations are confidential and only need to know information is shared with the plant/site. This can also be the case if the employee has designated a doctor or the employee has been referred to a specialist.

Ordering Recommended Equipment

- Ergonomic equipment ordering sometimes is managed by different cost centers.
- Recommend an instruction sheet or job aid for managers or approvers of purchase.
- Being clear about who owns what in the process and the steps will prevent orders being dropped.

Reasonable Accommodation

- Reasonable accommodation is a modification or adjustment to a job, the work environment, or the way things are usually done during the workday by the employee.
- Employees who are injured may need accommodation in order to heal from their injury.

ADA & Amendment Act = ADAAA

- The amendment essentially requires employers to engage and document an interactive discussions to determine what reasonable accommodations are necessary.
- This process is initiated by the employee by communicating with HR/Employee Relations
- HR sends request to physician on specifics of the request and specific limitations

Company Obligation

- The company has a legal obligation to engage in the interactive process if any representative knows or should have known based on the discussion with the employee about a possible need for an accommodation.
- <https://www.dol.gov/odep/topics/ADA.htm>

Physical Demands and Essential Functions

- The physical demands of the job and the essential functions of the job are not the same.
- The physical demand of a job reflects how the task of the job is accomplished. An essential function reflects the end result of that which must be accomplished.

Understanding Work

- Safety or Ergonomics evaluate the job. Go with the employee to the job location or if employee is on leave another employee who knows/does the job. This enables real understanding of the job demands and tasks
- Example: What else do you do? Oh yes, the pallet of 50# bags that have to be transferred.

Essential Functions of the Job Defined

- Essential job functions are **those activities which are crucial to the performance of a particular position or job**. More specifically, the position exists to perform that particular function and only employees with the appropriate skills, both physically and mentally, can perform these job functions.
- As the name suggests, essential job functions are the fundamental, not marginal, duties of a job.
- For example, an essential function of a pilot is to fly planes.
- If you are a scientist is lab work an essential job function?

While this process is occurring

- Business and ER discuss is this a reasonable request that you can provisionally approve until Accommodation process and potential Acceptance is provided to the employee?

OR

- If not, the employee effectively is letting us know they cannot reasonably complete their work expectations per the job description and essential functions. While we explore the Accommodation process the employee will need to remain off of work. Sick, personal, short term disability. If WC lost time and disability.

Accommodation Process Clarifies:

- A move to increase comfort across the organization/function/team/work area
- Approaching an employee will have an impact on the personal productivity and concentration of others and should be addressed sooner, rather than later.
- Accommodation conversation
Can be difficult as you are talking about an individual

How do you know if a person is a candidate for accommodation but does not say it directly?

- Encourage the employee to go through the accommodation process.
- **Is your condition impacting your ability to do your job?** If the answer is yes this is when you would refer the employee to HR for engagement in the interactive accommodation process to understand more about the restrictions and limitations. This is part of the ADA/AA.
- This is generally between HR, employee and MD.
- Ergonomics would be brought in if there is a need.

Accommodation

- As with any personal matter, health issues become the business of the workplace when it affects a person's ability to do the job.
- It is important to focus on the work-related aspects if there are performance issues, they need to be identified and separated from any health concerns.

Open ended questions

- Open ended questions allow the employee an opportunity to express concerns in his or her own way,
- How are you doing at the moment?
- Is there anything we can do to help?
- If there are specific grounds for concern, it is important to talk about them at an early stage.
- Ask questions in an open exploratory and non-judgmental way.
Example: I've noticed that you've ...been limping/ wearing a brace/ arriving late... is there a problem/ are you ok?

What to ask and not ask

- **Don't** ask for the employee's medical diagnosis or information on his or her medical history that might infringe on the employee's privacy rights.
- If the employee begins to discuss their specific medical issues advise them that you do not need to know this information and would prefer to have them discuss with their doctor or HR (employee relations).
- **Do** discuss the issues they are having.

Tracking Injury Recovery

- Investigating the injury and understanding causation is the first step
- Reviewing job duties and ergonomics for any injured worker should be done
- Accommodation facilitates the healing process whether modified duty or return to work
- The employee feels that they are supported in their work while they heal

Questions



References

- www.askjan.org Job Accommodation Network
- <https://www.dol.gov/odep/topics/ADA.htm>