



Washington Unified School District Transitional Return-to-Work Program

I. Purpose

It is the intention of Washington Unified School District to support the development, implementation, and monitoring of an Early Return-to-Work program that is consistent with the workers' compensation laws of California, Board policy, and all applicable state and federal disability and discrimination laws where applicable.

The ultimate purpose of an Early Return-to-Work program is to return employees who suffer industrial-related injuries to work as soon as possible, in a position that is within the medical restrictions outlined by the treating physician that can be accommodated. This is referred to as a "Transitional Return-to-Work Program". Washington Unified School District intends to implement a Return-to-Work program for industrial injuries.

The Transitional Return-to-Work program is designed to allow employees to return to work either in their usual and customary position with minor modifications; or, in an alternative "transitional" position that is at a level they are physically capable of performing until they can return to the regular position. It is the intent of the program for no single modified or alternative "transitional" position to exceed 60 working days.

II. Objectives

The program will benefit the employee and gradually reduce expenses for the District. The following is a list of program objectives:

- To assist in the employee's early return to meaningful work within his/her range of abilities and without danger of re-injury.
- To minimize the employee's potential financial burdens.
- To reduce the amount of lost work time and productivity.
- To meet the employer's obligation under the law (Labor Code, Education Code, and employee contracts).
- To reduce the Workers' compensation costs to Washington Unified School District
- To accomplish tasks for the employer which currently go undone or otherwise require extra help.

III. Definition of Transitional Work

Transitional work assignments are temporary or transitional assignments, which assist the injured or ill employee in returning to work, from an industrial (work-related) injury or illness, at a level they are physically capable of performing until they can return to their usual and customary position. This type of work is a “transitional” process, which enables the employee to gradually resume their full time duties as recommended by their primary treating physician.

IV. No Intention of Establishing New Positions, Assignments, or Displacing Employees

Under no circumstances does this program intend to establish new assignments, create new positions, or displace other employees.

- Its intention is to utilize the resources of an employee for the District.
- It has been experienced by numerous employers that most employees would prefer to return to their regular assignments.
- It has also been experienced that injured employees are much more inclined to recover quicker when the transitional job is in lieu of remaining at home.

V. Types of Transitional Assignments

If appropriate, the regular job duties of the injured employee should be modified to accommodate an employee’s restrictions. If this is not possible, there are numerous tasks that can be performed within the District such as: photocopying, filing, inventory activities, trash pick-up, mailing, sorting, collating, stuffing envelopes, playground supervision, answering telephones, typing, computer input, student supervision on buses, inspections, minor repairs, etc.

Consideration will be given to the job classification of the injured employee when evaluating temporary transitional positions. An employee will not be placed into classifications that are of a higher range from that for which they are being paid.

Each employee will be considered on an as-needed, one-of-a-kind basis. The assignment will be used for tasks that need to be done for which there is not enough time or extra help is needed to complete.

Participation in this program will include a review no less frequently than every 45 working days.

VI. Method of Operation

The following lists the operating procedures for a work-related injury or illness and the Transitional Return-to-Work program.

- 1) A report/packet of an employee's work injury is completed on site and forwarded to the Risk/Benefits Manager at the District Office.
- 2) The employee is sent to an approved or designated physician.
- 3) The employee receives a medical examination and/or treatment and is given a notice to return to work with or without restrictions. The employee must contact the Risk/Benefits Manager before reporting to the work site.
- 4) If the medical report and/or modified duty order lists restrictions, the Risk/Benefits Manager and employee's supervisor will determine if the employee can return to his/her regular job duties while remaining within the restrictions listed.
 - a) If the restrictions are such that the regular job cannot be modified, the Risk/Benefits Manager will assign one or more of the transitional tasks available, within the work restrictions noted, to the employee.
 - i) A "Transitional Modified Work Agreement" will be signed by the employee, agreeing to the temporary assignment, before the transitional job can begin.
 - ii) The form must also be signed by the assignment's supervisor and on file with Risk/Benefits Manager.
 - iii) The Risk/Benefits Manager will keep a "Transitional Return-to-Work Log" to monitor 45-day review mark and 60-day maximum.
 - b) If these restrictions are such that no transitional work can be found or if the employee has been on the program for longer than a maximum of 60 working days, as appropriate the employee will be placed on temporary disability, sick leave, or other available leave until such time that appropriate transitional work is available or restrictions are lifted.
 - c) If the employee refuses the transitional work offered, no temporary disability payments, including Industrial Leave, are payable and other leaves will be subject to approval by the Personnel Department.
- 5) No employee on transitional assignment is to work overtime or more than contract hours.
- 6) Employees are responsible for informing the Risk/Benefits Manager and their supervisor of all medical appointments and treatment as soon as reasonably feasible. Any changes in the employee's medical status should be reported immediately to the Risk/Benefits Manager and their supervisor.
- 7) If a physician determines that an employee will never be able to return to his/her regular duties, the Workers' Compensation Claims Adjuster may make a determination of his/her status with respect to appropriate options for vocational rehabilitation following the interactive process and after a complete review of the case.

VII. Employee Guide to Transitional Return-to-Work Frequently Asked Questions

What is a “Transitional Return-to-Work” program?

The District recognizes that being disabled from a work-related injury can be unsettling. Often, as a result of an industrial injury, an employee is unable to physically handle all aspects of his/her normal job. Recognizing that all employees provide valuable contribution to the District, we have established a program that enables the employee to return to work in a capacity that will be helpful to the employee’s recovery process and helpful to the District.

What is “Transitional Work”?

In partnership with your treating physician, a temporary job is one that provides a benefit to the District and is identified within your physical capabilities. This job is “temporary” to allow the District, and your treating physician, the flexibility to adapt to your physical needs as you recover.

How does a “Transitional Job” help my recovery?

Many times employees, injured on the job, remain at home during part of their recovery process. Medical studies have shown that individuals who return to work recover quicker and return to their regular jobs sooner.

Who at the District do I send my return to work (RTW) note from my physician?

Upon receipt of a return-to-work release by your treating physician, you are required to immediately, no later than the next working day, contact to the Risk/Benefits Manager. It is the employee’s responsibility and duty to keep the District informed of their work status.

If I cannot do an essential function of my job, what happens? What is the next step?

If you are unable to do an essential function of your job, every effort will be made to find a transitional position that complies with the recommendations of your physician. If a transitional position is not available, you will be entitled to Industrial Accident Leave and/or Temporary Disability, as appropriate, until a transitional position is identified or until you are released by your treating physician.

Can I choose not to participate in the “Transitional Return to Work” program?

Participation is not required if your authorized treating physician feels successful recovery requires you to be at home. Your physical capabilities, as indicated by your treating physician, will be the basis for determining participation. If your treating physician feels it is medically appropriate for you to return to work, either to your full duties or with restrictions, and if the District has an appropriate position (if restrictions are noted), you will be required to participate.

If I chose not to participate, will I still be entitled to Industrial Accident Leave and/or Temporary Disability?

If your authorized treating physician has determined that you are able to return to work in a modified capacity and the District has an appropriate position for you, Industrial Accident Leave and/or temporary disability will not be paid. You do have the option to utilize other available leaves and should contact your Personnel Specialist in the Human Resources Department.

How will I obtain medical treatment if I'm back at work in a "Transitional Job"?

Your medical treatment plan will continue as indicated by your treating physician. Participation in this program is not designed to interfere with your treatment but to be an added element in your recovery. The district does ask that treatments are arranged before or after your work hours whenever possible. If a physician visit, physical therapy, or testing is required during regular work hours, please let your supervisor know.

How long can I participate in the "Transitional Job"?

Length of participation will vary based on individual needs as indicated by your treating physician. Participation in any single transitional job cannot exceed 60 working days. If you are unable to return to your regular job within those 60 working days, and if another appropriate transitional position is not available, you will be eligible for Industrial Accident Leave and/or Temporary Disability.

What if, during my participation, my medical condition changes or I feel unable to continue working the "Transitional Job"?

As you recover, and your medical condition changes, the District will be working closely with your treating physician to ensure the temporary transitional job is appropriate to aid in your recovery. If, at any time, you feel unable to continue the transitional job, please contact the supervisor and the Risk/Benefits Manager.

I've had a work-related injury, why am I receiving FMLA/CFRA paperwork?

An injury or illness that occurs at work may meet the definition of a qualifying medical condition under FMLA/CFRA. It is important that you know your rights and responsibility if your work-related injury/illness is covered by these two laws. Employees with questions about what illnesses are covered under this FMLA/CFRA policy or under the District's sick leave policy are encouraged to consult with their Human Resource Specialist.

If I have sick time, am I required to take the FMLA/CFRA leave unpaid?

No. FMLA/CFRA leave runs concurrently with your Industrial Accident leave and workers' compensation benefits. While disabled from a work-related injury, you will be eligible for all benefits under the Education Code and as provided statutorily by workers' compensation. If, however, all benefits are exhausted and you still have sick time available, that will be utilized.

What is disability retirement and where do I go to file for it?

If you have a disabling injury or illness that prevents you from performing your job duties, you may be eligible for disability retirement through CalPers or CalSTRS. You would need to file a Disability Retirement Application with CalPers or CalSTRS. For more information, please contact Cal Pers or CalSTRS directly.

CalPers	1-800-532-2238	www.calpers.ca.gov
CalSTRS	1-800-228-5453	www.calstrs.com