

ACLD Return to Work Policy

Effective Date: March 16, 2022

PURPOSE

ACLD seeks to provide meaningful work activities for employees who are temporarily unable to perform their regular work assignments and duties, even with a reasonable accommodation that may be required under applicable law, as a result of a workplace injury or illness. The goal is to allow employees to return to productive, regular work as quickly as possible. By providing temporary alternate duties, injured and recovering employees remain an active and vital part of the company.

SCOPE

All active employees who become temporarily unable to perform their regular job duties due to a compensable work-related injury or illness may be eligible for transitory work duties within the provisions of this program. Return to work tasks may be in the form of:

- Changed duties within the scope of the employee's current position.
- Other available jobs for which the employee qualifies, outside of the scope of his or her current position.
- An altered schedule of work hours.

DEFINITIONS

Alternate duty is a part of ACLD's Return to Work Policy that is designed as a placement service for individuals who have reached maximum medical improvement and are still unable to perform the essential functions of their pre-injury jobs. ACLD will have up to a maximum of four (4) alternate positions available for employees who are eligible.

APPLICABILITY

Length of Duty

If work is available that meets the limitations or restrictions prescribed by the employee's attending practitioner, that employee may be assigned to alternate duties for up to 120 days. Alternate duty is a temporary assignment, and an employee's eligibility in these assignments will be based strictly on medical documentation, recovery progress, and availability of the work.

Daily Application

Any employee who fails to follow his or her restrictions may cause a delay in healing or may further aggravate the condition. Employees, who disregard their established restrictions, may be subject to disciplinary action up to and including termination. Where applicable, a disregard for restrictions may also jeopardize disability benefits.

Qualification

Alternate duty will be available to eligible employees on a fair and equitable basis with temporary assignments based on skill and abilities. Eligibility will be based upon completion of the Return to Work Evaluation Form by the employee's attending medical professional.

RESPONSIBILITIES FOR VARIOUS EMPLOYEES:

Senior management will ensure the policy's enforcement among all levels at ACLD and will actively promote and support this policy and the Return to Work Program as a whole.

Supervisors will support the employee's return to work by identifying appropriate modified assignments and ensuring the employee does not exceed the medical professional's set restrictions. Supervisors will also stay in regular contact with absent employees and communicate ACLD's attendance expectations clearly. They are also responsible for reporting any problems with employees and this policy to the return to work manager or program supervisor.

Injured workers will notify their supervisors in a timely manner when their condition requires an absence. They will closely follow their medical professional's treatment plan and actively participate in ACLD's Return to Work Program, which includes following all the guidelines of this policy. Injured employees will also help supervisors identify potential options for transitional duties. While supervisors are responsible for maintaining constant communication with the injured employee, the worker also has the obligation to maintain contact with ACLD about his or her condition and status. The injured worker will complete all required paperwork in a timely manner.

An HR Representative will manage ACLD's Return to Work Program, policies and all associated forms. An HR representative will provide communication between employees, managers and medical providers on the coordination of a return to work.

PROCEDURE

Work Schedule

ACLD will do everything in its power to tailor the restricted work schedule to the injured employee's normal, pre-condition work schedule. However, depending on the job limitations, it may be necessary for the employee to take on a specifically designed, temporary schedule to accommodate these restrictions.

Payment of Wages

If our workers' compensation insurance carrier determines an employee's injury is work related, the insurance carrier will pay benefits and wages in accordance with the state workers' compensation statute. These benefits will be coordinated with all applicable state, federal, and company benefits.

Employees performing modified duty on a restricted workweek will receive payment for hours worked from the company.

An employee performing alternate duty shall be paid for all time worked. The pay rate for alternate duty may be at a reduced rate depending upon the job responsibilities and/or hours worked. The pay rate will be evaluated on a case by case basis for each job.

If an employee on the return to work program would like to utilize his/her accruals (vacation, sick, personal, floating and birthday if applicable) the pay rate for the day off will be based upon

the current position the employee is placed with the return to work program. An employee on alternate duty will accrue eligible time off based upon their current schedule.

Medical Appointments

Employees should schedule medical appointments at times resulting in the least interference with work hours. Employees may use time off for medical appointments if they have it available. Employees should inform their supervisors of all medical appointments as soon as possible.

The employee's medical provider must complete the ACLD Return to Work Evaluation Form for each visit when there has been a change in an employee's physical capabilities in relation to their job. It is the employee's responsibility to inform ACLD of his or her medical status after each doctor visit. This applies to work-related injuries and illnesses that interfere with work assignments.

Employee Procedures

1. In the event an injury or illness is work related, report it to your supervisor immediately, or no later than the end of the shift on which the injury occurs.
2. Complete and sign a Report of Injury Form.
3. Let your supervisor know that you are seeking medical treatment and obtain a **Job Demand Analysis** and **Physical Capabilities Worksheet** from the Human Resources Department. Both of these forms must be completed by the employee's physician.
4. Participate in the Return-to-Work Program on alternate duty for up to 120 days while your medical provider and supervisor continuously review your condition.

REFUSAL TO PARTICIPATE

Employees who choose not to participate in the ACLD Return to Work Program or follow all regulations in this Return-to-Work Policy may become ineligible for state workers' compensation benefits, and, in some cases, refusal to participate may be a basis for discipline action up to and including termination.

FAMILY MEDICAL LEAVE AND OTHER BENEFITS

State or federal leave laws may provide additional rights and protections during times of illness or injury. Employees who are denied wages for worker's compensation may be eligible for short term disability in New York State. Contact the Human Resources department for further details.

Employee Acknowledgement for ACLD’s Return to Work Policy

ACLD’s primary goal is to accommodate injured and recovering workers by identifying or modifying jobs to meet their physical capacities and allowing them to return to work as quickly and smoothly as possible. The company is committed to individualizing return to work programs based around the individual’s physical capabilities and will review all task assignments regularly to ensure duties are appropriate.

We are committed to early return to work and recognize that it speeds up the recovery process and reduces the likelihood of permanent disability. ACLD employees are expected to show the same commitment to the program by following the Return-to-Work Policy and all guidelines of the Return to Work Program. The Return-to-Work Program requires a team approach, so employees are expected to cooperate with the management team, supervisors and medical staff should they ever become injured and unable to perform your full job duties.

Prior to working on any ACLD job site, each employee is expected to have read the entire Return to Work Policy.

If you have any uncertainty or questions regarding the content of this policy, you are required to consult your supervisor. This should be done prior to signing and agreeing to the ACLD Return to Work Policy.

I am aware of and have read ACLD’s Return to Work Policy, and I understand the requirements and expectations of me as an employee. Should I become injured or ill and unable to carry out my regular duties, whether it happens inside or outside the workplace, I fully recognize ACLD’s expectations of me during my recovery. I also know that ACLD reserves the right to pay less than my full-duty rate during alternate work if it is justified.

I understand that if I choose not to participate in the Return-to-Work Program or follow this policy’s guidelines, I may become ineligible for state workers’ compensation benefits, and, in some cases, my refusal may be grounds for discipline action up to and including termination.

Employee Printed name: _____

Employee Signature: _____

Date: _____