Work Comp Insights

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# Setting Up an Effective Return-to-Work Program

Return-to-work (RTW) programs are intended to help support employees as they reintegrate back into the workforce after experiencing occupational illnesses or injuries. These programs may entail having injured employees return to work with shortened hours, lighter workloads or different tasks (also known as transitional duties) while they recover.

RTW programs offer several benefits, enabling employers to keep workers' compensation costs under control and allowing injured employees to resume working even when they aren't ready to take on their original job duties. In turn, this can help employers limit staff turnover, maintain productivity and reduce litigation risks while helping injured workers retain job skills, uphold valuable connections, minimize financial challenges and keep a healthier mindset during recovery.

There are several steps involved in setting up an effective RTW program. This article outlines best practices for employers to consider when developing and evaluating these programs.

## Developing an RTW Program

In order to establish successful RTW programs, employers should implement these measures:

- Create an RTW policy. This policy should outline the purpose of the program and provide in-depth details on key program elements, including the following:
  - Incident response procedures—The RTW policy should first summarize important steps to take when a worker gets sick or injured on the job. These steps generally include contacting a supervisor to report the injury or illness, receiving treatment from approved medical providers, determining an RTW timeline, establishing compensation and benefits offerings, and identifying transitional duties to perform throughout the recovery process.
  - Eligibility, entrance and exit criteria—The policy should also define criteria for participation in the RTW program. In particular, an employee should only be considered eligible for the program if their illness or injury is occupational in nature (i.e., it took place in the course and scope of employment). Additionally, injured workers should be required to provide documentation (e.g., a doctor's note) before entering the program and starting their transitional duties. Similarly, these workers should receive approval from medical providers before they can exit the program and resume their original job duties.
  - Examples of transitional duties—Finally, the policy should offer examples of transitional duties, which may vary based on the severity of a worker's illness or injury. In general, these duties fall into two categories: alternative and modified. Alternative duties consist of tasks that are less physically demanding than those in an injured employee's original role (e.g., clerical, safety and maintenance tasks).

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On the other hand, modified duties pertain to those in an injured employee's original position but with certain elements removed or otherwise adjusted to comply with the worker's current physical limitations. In any case, the policy should emphasize that transitional duties will be determined based on employees' individual needs and recovery capabilities.

- **Coordinate with medical providers.** An effective RTW program requires continued collaboration with well-respected, high-quality medical providers. These providers should be supportive of the program and willing to work closely with injured employees to implement personalized treatment and recovery measures, thus promoting a more streamlined RTW process and helping workers safely transition back into their original roles as soon as they are physically able.
- **Prepare necessary documentation.** After experiencing occupational illnesses or injuries, employees will need various documents to help direct them through the RTW program. That's why it's critical to have these documents prepared ahead of time and ready for employees to use when the time comes. This documentation may include an RTW evaluation form, job description template, medical release of information form, program letter for medical providers and functional capacity evaluation form.
- **Select a program manager.** Having a designated RTW program manager can help all aspects of the program run smoothly and ensure injured employees receive ample resources and support. This manager, typically a senior-level employee, should serve as the primary point of contact for injured workers throughout the RTW process and frequently communicate with all applicable parties (e.g., medical providers, supervisors, employee or union representatives, and occupational health and safety experts) as workers navigate the road to recovery.
- **Provide training.** All employees should be trained on how the RTW program works and understand what their responsibilities are as they pertain to responding to occupational illnesses and injuries. Employees should also be educated on how to better support co-workers going through the RTW process so as to foster a more positive organizational culture. Furthermore, supervisors should receive additional training to monitor injured employees when they return to work and ensure these employees aren't extending themselves beyond their current physical limitations.
- **Ensure compliance.** To minimize the risk of potential regulatory fines and penalties, all components of an RTW program should comply with applicable government and industry regulations, particularly those relating to providing a safe workplace for recovering employees, ensuring employees receive adequate time off for medical issues, and preventing discrimination and harassment toward injured employees. These regulations include the Americans with Disabilities Act, the Family and Medical Leave Act, and various OSHA standards.

## Evaluating an RTW Program

Before officially rolling out their RTW programs, employers should test these programs for effectiveness by running a range of simulations and exercises. From there, employers should evaluate the test results and make any final adjustments prior to program implementation.

Even after adopting their RTW programs, employers should continue to assess these programs over time (e.g., upon hiring new staff, after major employee injuries and following

changes in applicable regulations) and make updates when necessary. After all, as occupational safety exposures, workforce needs and compliance standards change, RTW programs should follow suit.

## Conclusion

RTW programs play a critical role in any workplace, providing various benefits for both employers and employees. By carefully developing these programs and regularly evaluating them to ensure effectiveness, employers can minimize the fallout from occupational illnesses and injuries and cultivate a supportive work environment for their staff.

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