

Introduction

It is the desire of the City of Taft to contain workers' compensation costs. A modified duty/return to work program is an essential part of a cost containment effort. Modified duty/return to work assignments are temporary assignments to assist injured or ill employees to progressively escalate to full duty status.

OBJECTIVES

The City has established this modified duty/return to work program with the following objectives:

1. To return all injured employees to work as soon as possible without danger of re0injury.
2. To reduce the number of employee days lost from work and the cost of workers compensation temporary disability benefits.
3. To increase communication with injured employees and eliminate any perception of indifference on the part of the City.
4. To reduce the number and expense of litigation cases.
5. To diminish the feelings of unproductiveness and depression which often accompany an employee's injury and to reinstate self-confidence and dignity in their place.
6. To meet the City's obligations under the Labor Code and employee contracts.
7. To perform tasks for the City which can be supplemental, enhance services, or that currently go undone or which would otherwise require extra help, while at the same time providing productive work for a temporarily injured employee.

Modified duty/return to work assignments are temporary assignments designated for employees who were injured in the course of City employment and who can return to work within the physical restrictions set forth by their doctor. These assignments are established for a period not anticipated to exceed two or three months. Assignments created for modified duty/return to work participants are not permanent assignments and are not funded in the most recently approved budget. It is no way the intent of the City to make modified duty/return to work assignments permanent assignments.

It shall be the policy of the City that all supervisors implement, maintain, and adhere to the modified duty/return to work program guidelines.

PROGRAM GUIDELINES

1. Injured employees will be medically treated as deemed appropriate. The City's designated medical provider will be aware of the City's modified duty/return to work program so they can assist the City in placing the injured employee in an appropriate assignment.
 - a. Upon return from the doctor's office, the employee and supervisor will meet to discuss the work restrictions as reported by the doctor on the Medical Service Order. If the work restrictions require modification/light duty work, then such assignment will be evaluated and made available in the work unit if possible. The department shall notify the Personnel Officer concerning the status of the injured employee and the work assignment available.
 - b. If any questions should arise concerning the injured employee's ability to perform a specific modified/light duty assignment, the doctor who authorized the modified/light duty work must be contacted for clarification.
 - c. If no modified duty/return to work assignment is available within the injured employee's regular department, the supervisor will contact the Personnel Officer within one working day following the meeting with the employee. If modified/light duty work is not available within the employee's normal work area, oral notification shall be given by the Personnel Officer as to the availability and location of modified duty/return to work assignment.

If no assignment can be found, the injured employee will be placed on temporary disability until such time as appropriate work, within the work restrictions, is available, or the restrictions are lifted pursuant to direction from the doctor. The City has the duty to reasonably accommodate an injured employee within their current structure, but no duty to create a position specifically for the injured employee.

The Personnel Officer shall prepare a letter or memorandum notifying the injured employee of the modified duty/return to work assignment following the oral notification.

If the injured employee refuses the modified/light duty assignment, no temporary disability benefits will be payable.

2. If it appears that the injured employee will not return to his regular job within a reasonable period of time (two – three months), the Personnel Department will contact the workers' compensation third party administrator to request that an

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appointment be made with a specialist for consultation and/or treatment and to make a determination on the issue of returning to regular work duties.

TYPES OF MODIFIED DUTY/RETURN TO WORK ASSIGNMENTS

The following modified duty/return to work assignments may be available to injured employees (Each Department is encouraged to create their own list of assignments).

- Inventory city fillies
- Prepare a City-wide inventory of property
- Catalog films and books
- Assemble employee packets
- Assemble Council/Planning Commission agenda packets
- Filing
- Photocopying
- Typing
- Computer data entry
- Furniture repair
- Police/Fire Dispatching (Police Department only)
- Control booth operator (CCF only)
- Legal research
- Paperwork/reports
- Light cleaning (windows, bathrooms, railings, dusting)
- Stamping or stuffing envelopes
- Read safety or policy manuals for updates to the data
- Review safety films for viewing by other city employees
- Paint (railings, support poles, fire hydrants, etc.)
- Graffiti cleaning
- Check fire extinguishers
- Engrave property for identification in case of misplacement or theft
- Flag Operator for road work
- Messenger
- Inspect buildings for conformance to Fire Code (Fire Department Only)
- Receptionist/take telephone messages/public contact
- Proofreading documents
- Survey city for weed abatement
- Code enforcement
- Street sign inventory
- Street marking inventory
- Street condition survey
- Sidewalk condition survey
- City tree watering
- Other special assignments

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Any modified duty/return to work assignment, in addition to those listed above, may be made as long as it conforms to the following:

1. The assignment is not designed to be demeaning or punitive in any manner whatsoever.
2. The assignment should benefit the employee by giving him an opportunity to return to work and benefit the City by providing supplemental tasks, enhancing services, or having tasks accomplished which may not have otherwise been completed without additional cost.

Supervisors are encouraged to work with employees to determine which duties he/she is capable of performing.

This policy was established to benefit employees and the employer and it is consistent with California State Law, Federal Law, and the Americans with Disabilities Act.