

<b>Policies of the University of North Texas Health Science Center</b>	<b>Chapter 05 Human Resources</b>
<b>05.409 Return-To-Work</b>	

Policy Statement.

It is the policy of the University of North Texas Health Science Center at Fort Worth to provide a Return-to-Work program for temporarily-disabled, salaried employees who sustain a compensable injury or illness during the course and scope of their employment. These employees will be encouraged to participate in the Return-to-Work program. Alternative/modified duty provides a means of utilizing temporarily disabled employees in a less physically demanding work situation.

Application of Policy.

Regular Faculty and Staff

Definitions.

1. **Eligibility:** Employee eligibility shall be governed by the following rules:
  - a.) The Return-to-Work program is available to any salaried employee with a compensable injury or illness received in the course and scope of his/her employment.
  - b.) The injury or illness must be a temporary, rather than a permanent injury or illness as certified by his/her physician.
  - c.) The injury or illness must prevent the employee from performing the full duties of his/her position for a minimum of two (2) weeks, prior to being eligible for the Return-to-Work program.
  - d.) Alternative duty is the employee's option. The employee may freely choose to take advantage of this work program but cannot be forced to do so. If the employee rejects a bona fide offer for the Return-to-Work program, the Texas Worker's Compensation Act allows a reduction in income benefits.
2. **Full duty:** Performance of all duties and tasks of the position for which the employee is employed.
3. **Modified Duty:** Performance of only a portion of the duties and tasks for which the employee is employed. Modified duty allows the employee to return to his or her regular job to perform those duties and tasks that are within the physical capabilities of the employee, given the medical constraints imposed by a treating physician.

4. Alternative Duty: Performance of duties and tasks that are unrelated to those job functions for which the employee is employed. Alternative duty allows the employee to temporarily perform other duties and tasks that are not the employee's regular job, but are within the medical and/or physical restraints imposed by a treating physician.

Procedures and Responsibilities.

Procedure / Duty

Responsible Party

**1. Human Resource Services (HRS) Responsibilities:**

Human Resource Services

- a.) HRS will designate a Return-to-Work coordinator to administer the program.
- b.) HRS will inform an eligible employee and his/her treating physician of the provisions of the Return-to-Work program.
- c.) HRS and the employee's supervisor will prepare a position description for any alternative/modified duty that may be offered to the employee. This job description will be provided to the treating physician so the practitioner can make an informed decision about the employee's ability to perform all the duties of the temporary assignment.
- d.) A temporary assignment through the Return-to-Work program will be documented as a bona fide job offer.
- e.) Eligibility will be certified by Human Resource Services.
- f.) If the physician modifies the alternative duty document, HRS and the hosting department will, if possible, revise the temporary job to meet the new requirements. If the existing temporary job cannot be adjusted, then the process must begin again to determine if duty can be found that will conform to the physician's requirements.
- g.) If no duty can be found to conform to the physician's requirements, then no alternative duty may be offered.
- h.) HRS will maintain all Worker's Compensation records and will file all necessary reports.
- i.) The Return-to-Work program will not be construed as recognition by the health science center that an employee who participates in the program has a disability as defined by the Americans with Disability Act (ADA).

**2. Employee Responsibilities:**

Employee

- a.) The employee must notify his/her supervisor of any physical injury or occupational illness as the result of, or in the scope of, his/her employment.
- b.) The employee must agree to participate in the Return-to-Work program.
- c.) The employee must obtain medical approval from his/her private physician concerning his/her ability to perform the assigned alternative duty tasks.
- d.) The employee must promptly notify Human Resource Services should he/she choose to discontinue or be unable to perform the alternative duties.
- e.) The employee must keep his/her supervisor informed about his/her progress and anticipated date of return to full duty.
- f.) The employee shall provide a physician's report of progress to his/her supervisor and HRS on a periodic basis.

**3. Department Responsibilities:**

Department Head

- a.) All on-the-job injuries must be reported to Human Resource Services.
- b.) The employee's department must work with HRS to develop an alternative duty document.
- c.) The department providing the alternative duty must be willing to accept the specific employee nominated for such duty.
- d.) The hosting department need only accept alternative duty candidates on a voluntary basis.
- e.) The hosting department may terminate alternative duty arrangements at any time according to its needs, but the department must immediately notify Human Resource Services of this decision.

4. **Salary Adjustments for Modified and Temporary Duty:** The intent of the Return-to-Work program is to provide the injured employee with productive duties that are as close as possible to the employee's regular job. In situations where the modified duty or alternative duty assignment is considered different from the regular duties of the employee, the employee's department head, in consultation with the Vice President of Human Resource Services, may adjust the employee's salary to an appropriate rate and the classification of the temporary job. All salaries should be within the assigned pay range and the employee should meet the minimum job specifications. The salary for the temporary job will be supported by the employee's department.
- Department  
Head/Vice President  
Human Resources
5. **Termination of Return-to-Work Status:** Termination of Return-to-Work status will become effective:
- Employee/Human  
Resource Services
- a.) When the employee rejects a bona fide offer of a temporary assignment approved by the treating physician.
  - b.) If the employee chooses to discontinue the work assignment.
  - c.) When the employee engages in employment other than that authorized by the Return-to-Work program.
  - d.) When the employee is terminated from employment for any reason.
  - e.) When the treating physician's restrictions expire or are rescinded.
  - f.) When the employee fails or refuses to follow the treating physician's instructions.
  - g.) When six (6) months from the date of injury have expired.
6. **Exceptions:** Any request for an exception to the above stated policy will be evaluated on a case-by-case basis. Exceptions must be approved by the appropriate vice president.

References and Cross-references.

None

Forms and Tools.

None

Approved: 9/1/2006

Effective: 9/1/2006

Revised: