

Resolution #38-2013/2014

BE IT HEREBY RESOLVED that the Board of Supervisors adopts the following Return to Work Policy for all county employees:

Return-to-Work Policy

- I. **PURPOSE:** It is the purpose of this policy to provide guidelines for employees injured on the job who are unable to return to their regular job classifications upon returning to work.
- II. **POLICY**
 - A. It is the policy of Grundy County to provide modified or alternate work for employees injured on the job, who are unable to temporarily or permanently return to their regular job classifications. Regular modified and alternate work will be provided as available in compliance with the Americans with Disabilities Act (ADA) and Iowa Workers' Compensation Act.
 - B. Grundy County will make reasonable accommodations to a disability unless the accommodations would impose an undue hardship on the employer. The disabled employee must be able to perform the essential functions of the job with or without reasonable accommodation.
 - C. The feasibility of reasonable accommodations shall be determined on a case-by-case basis taking into consideration the employee, the specific physical or mental impairment, the essential functions of the job, the work environment, and the ability to provide accommodations.
 - D. Objectives:
 1. To return employees who are injured on the job to work as soon as possible when there is not a risk of harm to themselves and others.
 2. To minimize financial hardship and emotional stress to the employee who has sustained a work-related injury.
 3. To assist employees in returning to work at a level as close as practicable to their pre-injury earnings and productivity.
 4. To retain qualified and experienced employees.
 5. To reduce the cost of disability benefit programs.

E. Temporary Alternate Duty (TAD):

1. TAD is defined as modified duties or hours assigned to a worker injured on the job, when the physician indicates they can return to work but are not yet physically capable of handling the entire job duties normally assigned, and his or her work-related injury has not reached maximum medical improvement.
2. The purpose of TAD is to provide temporary work, within medical restrictions, for employees injured on the job. TAD may be available with medical prognosis indicating that the employees are expected to return to full duty following a course of medical treatment.
3. If an alternate duty position is available, employees must be provided with TAD as soon as medically feasible. TAD should be consistent with the employee's physical/mental abilities.
4. Employees in TAD capacity will continue to receive the salary and benefits of their job classifications. These will be proportionately adjusted in the case of part-time work. Status of TAD assignment should be reviewed after each medical appointment, normally every 7 to 14 days. TAD will not normally exceed three months.
5. TAD Procedures:
 - a. The Grundy County Auditor's Office:
 - 1) Informs physician about the TAD program.
 - 2) Informs employee about the TAD program.
 - 3) Informs workers' compensation claims examiner of employee's availability to the TAD program.
 - 4) Obtains information regarding medical condition of employee from physician(s).
 - b. Department Head and/or Employee's Supervisor, along with Workers' Compensation Designee:
 - 1) Develops work assignments on a case-by-case basis, if available, depending on medical restrictions.
 - 2) Develops appropriate TAD assignments, and monitors on-going medical and work adjustment.
 - 3) May meet with injured employees to review TAD status.

c. Employee:

- 1) Reviews and signs *Appendix A*, Return to Work Policy Statement of Acknowledgment.
- 2) When the physician has determined that Maximum Medical Improvement has been reached and the employee is able to perform the essential job duties of his or her job with or without reasonable accommodations, the employee shall return to the job classification and duties held prior to the work injury.
- 3) When the physician has determined that Maximum Medical Improvement has been reached, and the employee is unable to perform the essential job duties of his or her job with or without reasonable accommodations, the employee will be assigned to a Ninety (90) Day Modified Duty Assignment.
 - a. An employee assigned to a Modified Duty Assignment will report to his or her regular department. The employee shall be assigned to do whatever work he or she is able to do, under the restrictions that the physician has placed on the employee.
 - b. An employee placed on Ninety (90) Day Modified Duty Assignment shall continue to receive the salary and benefits of his or her job classification.
 - c. During the ninety (90) day period, employees on Modified Duty Assignment will be encouraged and afforded opportunities to apply for other jobs for which they are able to perform the essential functions of the job.
 - d. The Department Head and/or Employee's Supervisor will provide notices of available jobs to each employee on Modified Duty Assignments.
 - e. At the conclusion of their ninety (90) day Modified Duty Assignment period, employees who have been unsuccessful in obtaining other jobs for which they are qualified and for which they are able to perform the essential functions, shall be laid off. Laid off employees shall be afforded all rights and benefits included in applicable collective bargaining contracts and/or personnel policies in effect at the time of the layoff.

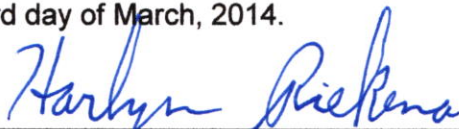
f. Permanent Restriction Resulting From Personal Injury/Illness:

- 1) Employees who are off work due to personal injury or illness may be required to complete functional capacity examinations before they can return to their former jobs. The cost of such examinations will be paid for by the employer.
- 2) When an employee's personal injury or illness has reached maximum medical improvement and there are restrictions that prohibit the employee from performing the essential functions of the employee's job, Grundy County will

return the employee to work in his or her former job if the restrictions can be reasonably accommodated.

- 3) If the permanent restrictions resulting from an employee's personal injury or illness prohibit the employee from performing his or her job's essential functions with or without reasonable accommodation, the employee shall be laid off. Laid off employees shall be afforded all rights and benefits included in applicable collective bargaining contracts and/or personnel policies in effect at the time of the layoff.
 - 4) While the employee is laid off and eligible for recall to his or her former job, the Department Head and/or Employee's Supervisor will provide the employee available job notices.
 - 5) Grundy County will assist employees laid off as a result of permanent restrictions to apply for permanent disability from Social Security and IPERS when it is appropriate.
- g. Responsibilities of the Employee:
- 1) The laid off employee is responsible for notifying the Auditor's Office and his or her Department Head and/or Supervisor of any changes to his or her current mailing address. Job vacancy notices will be mailed to the last address shown on the records on file with the Auditor's Office.
 - 2) To determine the appropriateness of the job assignment, the employee who is unable to return to work without restriction is responsible for keeping his or her Department Head (or the Department Head's designee) informed of the status of the employee's medical condition.
 - 3) If the employee rejects any assignment which is compatible with given medical restrictions, the employee shall not be compensated by Grundy County or the Grundy County workers' compensation carrier with temporary, partial, temporary total or healing period benefits during the period of refusal (*Code of Iowa, Section 85.53*).
 - 4) The employee assumes responsibility for contacting the appropriate Department Head and/or Supervisor to apply for available jobs.

Passed and adopted this 3rd day of March, 2014.



Harlyn Riekema, Chairperson
Grundy County Board of Supervisors

ATTEST:



Rhonda R. Deters, County Auditor

Appendix A

Return to Work Policy Statement of Acknowledgement

I acknowledge that I have been informed of the Grundy County Temporary Alternate Duty (TAD) program, and I understand and agree to abide by the restrictions defined by the attending physician and by Grundy County as a condition of my participation in the *Return-to-Work* program.

I further understand that if I do not follow the restrictions placed on me by the physician and Grundy County I may receive disciplinary action up to and including discharge.

Employee Signature/Date: _____

Witness Signature/Date: _____