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CITY OF FOREST ACRES

Return to Work Program Policy

CONTENTS

I. Policy

Approval:  Date: 2-12-2020
City Administrator

Return to Work Program Policy

I. Policy

The Return to Work Program is designed for employees who have been injured during the course of regular employment with the City. However, provisions for Temporary Transitional Duty (outlined below) may, at the City's discretion, be applied to an employee who has sustained a non-work-related injury. Preference for transitional duty assignments will be given to those who have sustained work-related injury over those with a non-work-related injury, regardless of which injury occurred first.

Workplace Injury

In the event of an injury on the job, the injured employee, with the assistance of other employees and if possible the employee's supervisor, should seek immediate medical attention in accordance with the severity of the injury:

- For non-emergent injuries requiring medical attention greater than first aid, the injured employee should seek initial treatment at an appropriate Occupational Healthcare facility, during business hours Monday through Friday;
- For non-emergent injuries requiring medical attention greater than first aid and occurring after business hours, the injured employee should seek initial treatment at Doctor's Care (4500 Forest Dr. A, Columbia, SC 29206) or, if closed, at the Emergency Department of any Columbia-area hospital (**Note:** *Due to hospital protocol regarding bloodborne pathogens, FAPD personnel should only report to Palmetto Richland*);
- In an emergency, the injured employee should be transported to the Emergency Department of any Columbia-area hospital (*Palmetto Richland for FAPD personnel*) or 911 should be called, allowing EMS to determine appropriate next steps.

The employee's supervisor (or, in his/her absence, the Assistant City Administrator or City Administrator) should be notified of the injury and medical treatment sought as soon as practicable. Further, if the injured party is a police officer or dispatcher, the Police Chief and Police Department Administrative Assistant should be notified as soon as possible; if the injured party is a Public Works employee, the Public Works Director should be notified as soon as possible.

Incident documentation should be completed by the injured employee (as soon as he/she is able) and the injured employee's supervisor and submitted to the department head and the Assistant City Administrator.

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The Assistant City Administrator will notify the City's Workers Compensation insurance carrier as soon as possible after the injury.

Temporary Transitional Duty

An employee whose fitness for duty is impaired by an on-the-job injury will be eligible for consideration for transitional duty which is light duty/work ("Temporary Transitional Duty"). The City guarantees "light duty" to no one. As a general rule, an employee who is unable to perform all of the essential functions of his/her job without or with reasonable accommodations will not be permitted to work. However, in limited circumstances and on a case by case basis, the City may choose to permit an employee who has been injured on the job to perform temporary transitional duty functions. The City shall determine compensation, duties, and hours.

If an employee is deemed eligible for Temporary Transitional Duty, the Assistant City Administrator—working with the City Administrator and the employee's supervisor and/or department head—will coordinate the employee's participation. The purpose of the program is to provide *bona fide* work that is within the eligible employee's medical restrictions on a temporary basis with the goal of facilitating the transition of the employee back to the position the employee held immediately prior to the injury. *Bona fide* work is work that (1) the City has determined serves a legitimate City need and (2) the performance of which is in the best interests of the City.

In such situations, the City will require clearance from the treating physician that the employee is able to perform the proposed Temporary Transitional Duty functions. Typically, the treating physician provides medical release documentation to the patient/employee; it is the employee's responsibility to provide this documentation to the City. The City may wish to discuss any limitations with regard to the injury directly with the treating physician, in which case the employee will be required to sign a release form consistent with the Health Insurance Portability and Accountability Act ("HIPAA"). If the employee refuses to sign this form, the City may not consider the employee for the position. The City, in its discretion, shall determine the duration of the Temporary Transitional Duty period. If, at the conclusion of the period of temporary light duty, the employee is unable to perform the essential functions of his/her regular job, then he/she will be returned to leave of absence in accordance with the City policy.

Temporary Transitional Duty – Department Head's Guidelines

Accommodations may be made for injured employees being placed in their regular department if a Temporary Transitional Duty assignment is beneficial to the operation of the department and the assignment is within the physical restrictions set by the treating physician. **All Temporary Transitional Duty assignments must be pre-approved by the City Administrator.**

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Department head's responsibility:

- ✓ Contact the City Administrator for Temporary Transitional Duty approval.
- ✓ Complete and sign the temporary transitional duty documentation acknowledging the assignment; the original documentation will be kept in the Assistant City Administrator's office.
- ✓ Orient and train the employee in the Temporary Transitional Duty assignment and clearly communicate expectations.
- ✓ Supervise the employee during the assignment.
- ✓ Notify Assistant City Administrator if there are any concerns or performance issues.

Temporary Transitional Duty – Employee's Responsibility

It is incumbent upon the employee to be an active participant in his/her return to work process, including any temporary transitional duty assignments. The employee should note the following:

- The work the employee performs must be consistent with his/her medical restrictions. **It is the employee's responsibility to make sure he/she does not work beyond his/her medical restrictions.** If the employee believes that the activities required for the assignment produce and/or aggravate any of his/her symptoms, he/she must immediately stop his/her assignment, and discuss the matter with his/her supervisor, department head, and the Assistant City Administrator.
- All employees at the City of Forest Acres are at-will including those employees on Temporary Transitional Duty.
- The employee must fully cooperate with rehabilitation or any other program designed to help him/her recover.
- The employee is encouraged to schedule medical appointments and/or physical therapy at times that do not adversely affect operations in the department to which he/she is assigned.
- The assignment is temporary and is not a guarantee of continued employment.
- The department head and Assistant City Administrator will periodically review the assignment and determine any adjustments that should be made, including, but not limited to, altering the duties of the assignment, changing to a different assignment, ending the assignment, etc.
- Before employee begins the assignment, he/she must complete and sign Temporary Transitional Duty documentation.
- Employee must arrive at work on time, work the schedule his/her supervisor assigns, and perform a satisfactory quality work.
- Failure to report to the assignment or to fully comply with employee's medical restrictions can lead to loss of the privilege to participate in the Program and/or disciplinary action up to termination.