

R 3425.1 MODIFIED DUTY EARLY RETURN TO WORK PROGRAM –
TEACHING STAFF MEMBERS

The Modified Duty Early Return to Work Program shall be administered by the School Business Administrator/Board Secretary.

A. Filing a Claim Report

1. A staff member must file a written Workers' Compensation Report if they have been injured in the performance of their job. This Report will be available in the main office and the nurse's office in each school building and in the Coordinator's office.
2. Upon sustaining an on-the-job injury, the staff member shall immediately report the injury to his/her immediate supervisor and report to the school nurse. If the injured staff member is not assigned to a school building with a school nurse, the school staff member shall immediately contact the Business Administrator's office. The Business Administrator, or designee, will direct the injured staff member to a school's main office, a school nurse, or to the designated workers compensation physician.
 - a. In the event the injury requires immediate medical treatment, the staff member may be directed to the school physician or to the hospital emergency room. In this case, the Report shall be completed by the staff member whenever practical.
 - b. In the event the staff member sustains a work related injury when schools are closed or after business hours and the staff member believes the injury requires immediate medical treatment the staff member shall:
 - (1) Go to the hospital emergency room; and
 - (2) Notify his/her immediate supervisor as soon as possible after the injury.
 - c. In the event the injured staff member goes to the hospital emergency room when schools are closed, the staff member must report the injury to the Business Administrator the next business day. The Business Administrator may direct the injured staff member to a school nurse or to the designated workers compensation physician. All future medical treatment for the injured staff member shall be scheduled through the Business Administrator's office.

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- d. In the event the staff member gets injured when schools are closed or after business hours and the staff member believes the injury does not require immediate medical treatment, the staff member shall:
 - (1) Immediately notify their immediate supervisor; and
 - (2) Notify the Business Administrator's office the next business day.
3. The Workers' Compensation Report shall be forwarded to the Business Administrator's office as soon as it is completed by the injured staff member.
 - a. In the event the staff member requires a physician's examination and evaluation, the Business Administrator's office will schedule the appointment with the workers' compensation physician's office and the staff member.
4. Any staff member injured on-the-job and the injury causes the staff member to miss work time or prohibits the staff member from fulfilling all their job responsibilities must be examined by the workers' compensation physician. The Business Administrator will authorize workers' compensation time off from work for a staff member injured on-the-job only after the staff member has been examined by the worker's compensation physician. The Business Administrator may, upon certain circumstances, authorize workers' compensation time from work without requiring an examination by the workers' compensation physician.
5. The Modified Duty Early Return to Work Policy will be attached to the Workers' Compensation Report and this Regulation will be provided to the injured staff member upon request.

B. Physician's Examination and Evaluation

1. The Business Administrator will provide the workers' compensation physician a job description and a list of required tasks for positions in the school district.
2. Upon completing the medical examination and evaluation, the workers' compensation physician will prepare a report indicating the staff member's physical limitations, if any, that prevent the staff member from completing the staff member's job responsibilities. The workers' compensation physician's report will also include a diagnosis, to the best of the physician's ability, on the length of recovery for each limitation. The physician's report will be forwarded to the Business Administrator.

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3. The Business Administrator will review the workers' compensation physician's report and follow-up with the workers' compensation physician and the staff member if the Business Administrator needs more information to make a determination if modified duty is an option for the injured staff member.
 4. Transportation to and from the physician's office is the responsibility of the staff member.
 5. Staff members who seek follow up treatment from a physician without prior approval from the Business Administrator may not be compensated for costs.
- C. Modified Duty Restriction
1. There is no permanent modified duty and all modified duty positions are temporary.
 2. Upon reviewing the workers' compensation physician's report, the Coordinator will determine if temporary modified duty is appropriate for the staff member. The Coordinator may determine the staff member should be out of work until such time the staff member is able to return to work to assume all their job responsibilities. The Coordinator may also determine a date in the future for the staff member to return to work to assume temporary modified duties.
 3. A medical review and examination by the workers' compensation physician may be required to continue a modified duty assignment beyond sixty calendar days.
 4. The Board reserves the right to require a staff member returning from modified duty to submit to a physical examination before returning to their position to assume all the job responsibilities of their position.
 5. There will be communications among the Coordinator, the injured staff member's supervisor, the staff member, the workers' compensation physician, and the workers' compensation insurance provider throughout the course of treatment and recovery of the injured staff member.
 6. A tracking system will be established for documenting a staff member's status in the Modified Duty Program.

D. Assignment of Job Tasks

1. Assigning modified duty to staff members will be decided on a case-by-case basis.
2. Job tasks for staff members on modified duty will be determined and assigned within the limitations established and approved by the workers' compensation physician.
3. The injured staff member's immediate supervisor shall provide periodic status reports to the Business Administrator for any staff member assigned modified duty.
4. There is no restriction on the school district location or the type of modified duties assigned to the staff member provided it is consistent with the limitations detailed by the workers' compensation physician. These modified duties may be assigned to a full or partial day schedule depending on the staff member's limitations.
5. The modified duties and/or responsibilities will be within the injured staff member's capabilities and a staff member will not be assigned any modified duties and/or responsibilities that require any certifications/licenses that are not possessed by the injured staff member.

E. Staff Member Requirements

1. Staff members shall perform the job tasks designated by the workers' compensation physician in the physician's report and assigned by the Business Administrator. In the event these job tasks cause discomfort, the staff member shall discontinue the specific activity and inform their immediate supervisor. The immediate supervisor will report this information to the Business Administrator, who will schedule a medical appointment for the staff member.
2. Staff members are required to follow the Business Administrator's directives regarding:
 - a. Job assignments and tasks;
 - b. Attending scheduled doctors' appointments; and

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- c. Completing and transmitting reports to and from the workers' compensation physician, their immediate supervisor, and the Coordinator's office.

F. Compliance With Laws

The Modified Duty Early Return To Work Program shall be administered consistent with the applicable federal and State laws and in accordance with provisions of collective bargaining agreements within the district.