

EARLY RETURN TO WORK (ERTW) TOOLBOX FOR EMPLOYERS AND SUPERVISORS

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DEFINITIONS OF DIFFERENT TYPES OF WORK

Graduated return-to-work (Part-time Work) - The health care provider authorizes gradual increases in the hours worked and the tasks performed.

Transitional return-to-work - A temporary job where the worker is expected to be able to go back to the job of injury during early intervention.

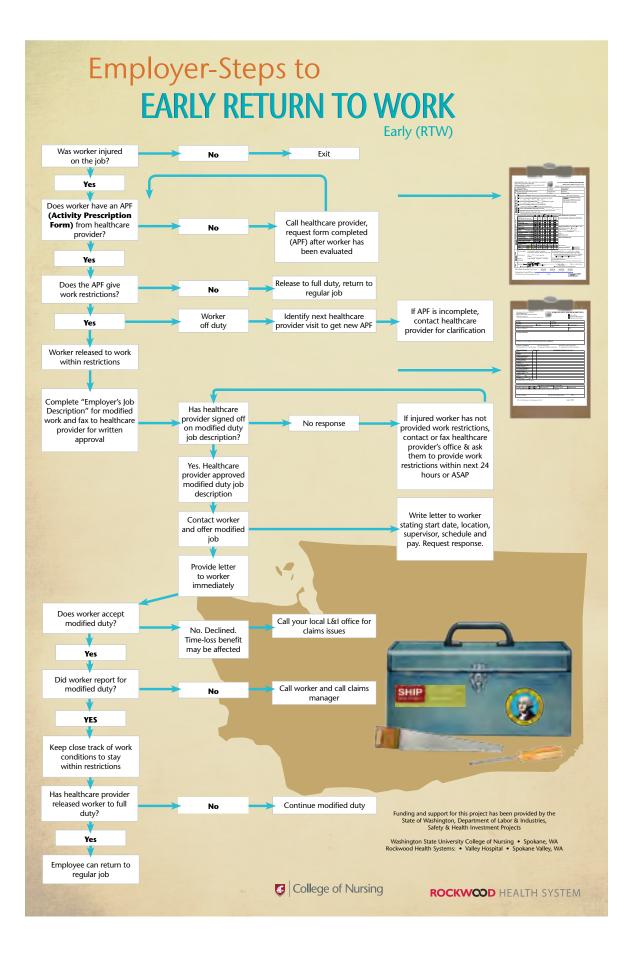
Light-duty work - Temporary work that is less vigorous and fits the provider's restrictions.

Modified work - A change in the way the job is normally done to stay within the employee's physical restrictions. http://www.lni.wa.gov/IPUB/200-003-000.pdf p7

Temporary work - A job that is not ongoing.

Alternative work - A different job in the company that meets the employee's physical restrictions. It can be an existing job, or a set of job tasks that you need done.

QUICK START ERTW



INTRODUCTION TO EARLY RETURN TO WORK (ERTW)

In today's business culture, if an employee is injured on the job, the goal is to quickly and successfully return the employee back to work during the recovery and the rehabilitation phase.

a) How does ERTW benefit the **employer**?

ERTW embraces health and safety awareness in the workplace and decreases costs in time loss, medical expenses, and insurance premiums. By letting your worker return to work with restrictions, you gain in the following ways:

- 1. Labor and Industries may reimburse 50% of the salary of the ERTW worker
- 2. Your injured employee provides useful labor while working in ERTW
- 3. Your injury statistics improve and that saves your company work compensation insurance premiums
- 4. It enhances transparency among supervisors, injured workers and their co-workers

b) How does ERTW benefit the injured **worker**?

Injured workers may worry about the future and losing their job. By returning to work early with work restrictions the workers gain the following benefits:

- 1. They feel needed and reassured
- 2. They typically retain their usual wages
- 3. They maintain their level of physical fitness to do the job by coming in to work regularly
- 4. They retain their self-image of being a productive employee
- 5. The worker's stress is reduced

c) How does Labor and Industries benefit from employers implementing the ERTW program?

Labor and Industries, as the workers' compensation insurance company for the State of Washington, has researched the benefits of Early Return to Work (ERTW). These studies show that injured workers who are out of work for even a few months are significantly less likely to return to work. This makes for very expensive claims. The State of Washington prefers to keep employer workers' compensation rates as low as possible.

One strategy is to encourage Early Return to Work.

Map of Washington State L&I Regions



STEP-BY-STEP FOR ERTW

a) When to train employees about ERTW

It is best to establish a culture of ERTW from the first day of employment. Include a short training video or presentation on ERTW as a part of your company's philosophy at new employee orientation. Even small companies can include a short ERTW orientation. Every worker should learn to report an on-the-job injury right away to the supervisor.

For existing employees, a company-wide video or computer module on the ERTW benefit is a good way to introduce the ERTW concept during annual training.

b) When to use ERTW?

ERTW is for all employees who incur an on-the-job injury. It is not for people who are injured while off duty. Injured workers are entitled to a host of benefits, including ERTW. A worker is eligible to return-to-work when the health care provider releases him or her to modified or light duty. This may be the same day as the injury or the next day.

c) Who manages ERTW?

Each company should select an ERTW specialist. It may be the owner in a small company, the human resources specialist or workers' compensation specialist in a medium-sized company. In some circumstances, it may be an occupational or physical therapist or the occupational health nurse. It is their job to ensure the paperwork is completed and help supervisors determine what modified tasks are appropriate given the work restrictions. The responsible person also monitors the ERTW program to help workers stay within their prescribed work restrictions.

d) Who pays for ERTW?

To encourage Early Return to Work, the State of Washington may pay 50% of the worker's salary. ERTW workers typically remain in their home cost centers. However, some companies will create a separate fund using corporate overhead or place the worker in the human resources cost center. It is important to remember the employer is saving money by getting the worker back to work quickly, ideally within three days of injury. As stated, Labor and Industries may pay half the worker's salary, up to 66 days or \$10,000, as an incentive for

employers to take injured workers back to work in the ERTW/Stay at Work program.

Washington Stay at Work: In 2011, the Washington Legislature voted to create a Stay at Work program: "Stay at work is a new financial incentive that helps employers keep injured workers on the job or bring them back to work quickly and safely back to light-duty or transitional work by reimbursing them for a portion of the costs."

(Washington State Department of Labor & Industries: Employer's Return-to-work Guide. pg. 9). *The Complete Stay at Work Guide for Employers offers instructions for reimbursement.*

http://www.lni.wa.gov/IPUB/200-003-000.pdf

What is the ERTW process?

A successful ERTW program begins with management writing supportive policies and procedures. The ERTW Flow Chart from Chapter 2 of this ToolBox shows the steps that an employer needs to take. Here is a short summary of the ERTW Flow Chart that presents the three main components of the ERTW process.

First, the employer receives an Activity Prescription Form--APF (or similar form) from the health care provider. The employer then immediately considers the restrictions and the job tasks that are available. Second, when the employer has identified tasks for the worker to do within restrictions, the employer fills out the Employer's Job Description form and faxes it to the health care provider right away. Third, after approval and signature by the health care provider, the employer offers the modified duty job to the injured worker who then either accepts or declines the offer. A worker can refuse to participate in ERTW, but that worker may lose his or her workers' compensation time loss pay. Even if the worker declines ERTW, he or she continues to be eligible for injury-related medical care.

f) When does ERTW stop?

ERTW stops when the health care provider releases the worker back to full duty. An employer typically sets a time limit on the length of ERTW because the job is by definition temporary.

TROUBLE-SHOOTING ERTW

Sometimes getting a worker back to work in the real world seems very complicated. Here are some tips on solving problems before they happen.

a) What to do when no light duty work is available

This is a frequent first thought by employers. It may be true that you have no jobs that fit the work restrictions, but there are always tasks *within* jobs that fit the restrictions. Think about the bits and pieces that make up the job as a whole. Among those bits and pieces there usually will be tasks that are within the worker's restrictions. There are several examples in this ToolBox for you to consider and a list just below.

b) Challenges with accommodating workers

Sometimes injured workers think they automatically get paid time off when they get hurt. Or, it may be that workers have fears of returning to work. Always talk to your worker to determine the worker's concerns.

If the injured worker is unavailable by phone or seems reluctant, you may write the worker a certified letter offering the approved ERTW job. Give him or her a reasonable time to respond and report for work. There are specific facts that are necessary in this letter, see the examples in this ToolBox. Send a copy of the letter to your claims manager by fax.

c) Communicating with health care providers

A short phone call with the health care provider can oftentimes resolve ERTW issues. As an employer, you are welcome to call the health care provider about your injured worker. You can also find information about your employee's medical progress on L&I's Claims and Account Center website. HIPPA medical privacy laws do not apply to employers for worker's compensation cases.

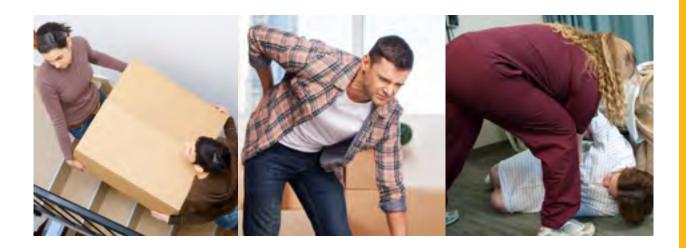
You can read the latest work-related medical reports about your worker online at http://www.lni.wa.gov/ORLI/LoGon.asp (RCW 51.36.060)

d) Health care provider not releasing the worker back to full duty

Rarely, a health care provider may seem slow to release an injured worker back to full duty. The health care provider should be regularly physically checking the injured worker's condition and increasing physical capabilities, typically about every two weeks. If the new Activity Prescription Form is identical to the last one, call the provider and the claims manager to encourage progress. If lack of progress persists, the claims manager may take other actions to help move the claim along.

e) Opportunities to develop cooperative relationships with Labor and Industries

If you feel the injury may not be valid, contact your claims manager to discuss the specifics of the situation. Labor and Industries is available for your ERTW needs. Try calling your local L&I office or going in and explaining your needs. L&I has experts in ERTW who can provide guidance if you encounter an obstacle.



f. Suggestions for Modified Job Tasks

JOBS CATEGORY	TASKS INVOLVED
Clerical Support	 Answer phones in office Customer service File paperwork General errand running Greeter Organize equipment Restock shelves Safety monitor Shredder/sorter Log in data Organize files Give training or safety classes Special projects Replenish supplies in all areas Create staffing schedules
Clinical Assignments	 Vital signs Patient admissions Patient interviews Medication administration IV administration Assist Infection Control Assist Employee Health with files & records New employee orientation Review standards & policies Data entry Update bulletin boards Assist with unit performance improvement projects Telephone patients for appointments & follow-up Take minutes in staff meetings Train employees in using new equipment

JOBS CATEGORY	TASKS INVOLVED
Clinical Assignments	 Conduct tours Teach classes to staff or patients Provide intermittent relief for clerical staff during breaks and lunch Make charts Verify insurance coverage Keep work areas organized Feed patients Assist pharmacy with labeling, stocking inventory & organizing
Janitorial & Grounds-keeping Assignments	 Assist with ordering supplies Reviewing & updating procedures New employee orientation Assist with staffing schedules Assist with logging & stocking supplies Monitor facilities in need of services Observing & documenting areas needing janitorial attention. Greeting visitors & clients Replenish restroom supplies
**This list provides a few examples. It is not considered all inclusive. Remember that you can examine the specific job description of the worker to evaluate which job or task components the worker can safely perform within the restrictions outlined by the health care provider. Develop relationships with other departments, sections, or units within the organization and discuss sharing the injured worker who may be able to perform tasks outside his or her assigned department.	 Taking & making phone calls Prepare reports Orienting new employees Filing & computer tasks Ordering equipment & supplies Review disaster & emergency response preparedness plans Greeting visitors & clients Inventory and order supplies Orienting new employees Reviewing policies and procedures Receiving phone calls Filing & computer work Monitor hygiene practices Review recipes Review vendor sales

FORMS FOR ERTW

a) Report of accident:

When an injured worker has seen a health care provider, the employee and health care provider complete the **REPORT OF ACCIDENT** form.

Here is an example of that form. It can be completed online if the employer is signed up through the Claims and Account Center (CAC). **Go to: http://www.lni.wa.gov/ORLI/LoGon.asp**

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b. Activity Prescription Form (APF):

This is the form the health care provider will fill out stating what the worker can safely do. Providers or employers may have their own specific forms but the basics of the information required are the same. There is a blank form and then three sample forms.

1. Blank APF

Find this form at: http://www.lni.wa.gov/ClaimsIns/Providers/Claims/ActivityRx/

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2. Example APF for back injury

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3. Example for hand and arm injury

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4. Example for knee injury

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5. Tips about the APF form

The backside of the APF form has instructions to the health care provider on how to fill out the form and what specifically is required. Here is a copy.

To be paid for this form, health-care providers Important notes must: · Use this form to communicate work status, activity 1. Submit this form:

- With reports of accident when there are work related physical restrictions OR
- When requested by the insurer.
- 2. Complete all relevant sections of the form.
- 3. Send chart notes and reports, as usual.

About impairment ratings

- restrictions, and treatment plans.
- This form will also certify timeloss compensation, if appropriate.
- Occupational and physical therapists, office staff, and others will not be paid for working on this form.
- To learn how to complete this form, go to www.activityRX.Lni.wa.gov

We encourage you, the gualified attending health-care provider, to rate your patient's permanent impairment. If this claim is ready to close, please examine the worker and send a rating report.

Qualified attending health-care providers include doctors currently licensed in medicine and surgery (including osteopathic and podiatric) or dentistry, and chiropractors who are department-approved examiners.

Suggestions for talking with injured workers

Research shows that returning to normal activity as soon as safely possible after injury reduces the likelihood of long-term disability. Helping your patients develop expectations and goals for returning to work can improve their outcomes while protecting their incomes and benefits.

Here are some conversations that occupational injury and disease specialists recommend you have with your patients:

- "Activity helps you recover." Explain that returning to some level of work and activity will help patients recover from common injuries faster than prolonged bed rest. Be sure patients understand the level of activity they can do at home and work. Emphasize what they can do.
- "Some discomfort is normal when returning to activities after an injury." Discomfort from activity is different from pain that indicates a serious problem or setback.
- "You can help with your own recovery." Make sure your patients understand that while you can help with pain and healing, they play an equally important role by following your instructions.
- "You can protect yourself from re-injury." When musculoskeletal injuries are involved, talk to patients about how changes in the way they move or do their jobs can prevent other injuries.
- "Early and safe return to work makes sense." The longer you are off work, the harder it is to get back to your original job and wages. Even a short time off work takes money out of your pocket because time-loss benefits do not pay your full wage.

To review related research, go to www.Lni.wa.gov and type in "Bibliographies" in the search box.

Thank you for treating this injured worker.

If the APF is not filled out completely, fax it immediately back to the health care provider with an urgent note to please complete it so you can better accommodate the injured worker. The form should be filled out anew every time the worker sees the doctor; read the form closely to see what changes and improvements have occurred. You can find this form online shortly after the worker has seen the doctor at the Claims and Account Center.

c. Employer's job description for ERTW

1. Blank Employer's Job Description This is the form you (the employer) fill out describing the tasks that meet the worker's restrictions. You fax it back to the provider for a signature before you offer the ERTW work to your injured worker.

First is the blank form, then three example forms for medical assistant, housekeeping and Central Service jobs. Form located at:

http://www.lni.wa.gov/FormPub/Detail.asp?DocID=1684

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2. Example of medical assistant worker job (back injury)

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3. Example of housekeeping job (arm injury)

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4. Example of Central Service job (foot injury)

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5. Tips about the Employer's Job Description form

Some employers keep a list of potential light duty/modified tasks and look through those tasks to assemble the job description. The injured worker or other employees may be a good source of ideas as well. The effort you put into this form will save you time and money, so put forward your best ideas of what the worker can do for your company; you want productivity while keeping the worker safe within his or her work restrictions until released to full duty.

Employers can start by writing down the job tasks in the section labeled: *Essential Job Duties*. It is best to start with an action word, a verb like: scan or wipe or sort.

If the health care provider denies the job offer, they need to document objective ('measurable') reasons why the worker is unable to do what you have proposed.

When you fax the Employer's Job Description to the health care provider, you may want to include a face page telling the health care provider you will modify the job offer if the proposed tasks do not meet the restrictions. Do not hesitate to call the provider to clarify restrictions in order to write up a successful Job Description.

d. JOB OFFER LETTER FOR ERTW

1.Sample blank letter with guidance

While you have complete authorship for the job offer letter, all the essential information is in the enclosed sample letter. You may be able to conduct this transaction verbally, but the letter is oftentimes the best option. Complete the letter as soon as you have the signed job offer back from the health care provider.

SAMPLE JOB OFFER LETTER
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Dim (Injured Employee Name).
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2. Sample nursing ERTW job offer

St. Elsewhere Date: January 13, 2014

Claim# A1526240

Dear John,

I am pleased to offer you temporary employment that will accommodate your current physical capacities. Your duties are described in the attached Job Description that was approved by your health care provider on January 13, 2014.

Your work hours are 8 am to 2 pm and you are scheduled to work Monday through Friday, a 30 hour work week. Your work will pay your usual hourly pay. If this is less than 95% of your regular pay, you may qualify for Loss of Earning Power benefit.

Your supervisor is Florence Knight. She is aware of your current restrictions and she knows that the health care provider has approved the attached job offer. If you have any difficulties with your job tasks, you are to report them to your supervisor immediately. We want you to be safe and heal up quickly.

We expect you to report to your supervisor at **8:00 am on January 15** on the third floor, room 3110. I spoke with you today, 1/13/14 and you told me you would be happy to accept the offered temporary job. If you decide not to accept this job offer, please call me. If I do not hear from you and you do not show up for work, I will understand you have decided not to accept this job offer. According to industrial insurance regulations, if you decide not to report for work your time loss benefits may be affected.

Please call me with any questions.

Gail Knight, RN (509) 555-1212 Hand delivered to worker on 1/13/14 cc: Physician, claims manager Attachment: approved job offer

3. Sample housekeeping ERTW offer

St. Elsewhere Date: May 15, 2014

Claim# AJ28391

Dear Janet,

I am pleased to offer you temporary employment that will accommodate your current physical capacities. Your duties are described in the attached Job Offer that was approved by your health care provider on May 15, 2014.

Your work hours are 7 am to 3:30 pm with a 30 minute lunch, and you are scheduled to work Monday through Friday, a 40 hour work week. Your work will pay your usual hourly pay.

Your supervisor is Thomas Trainer. He is aware of your current restrictions and he knows that the health care provider has approved the attached job description. If you have any difficulties with your job tasks, you are to report them to your supervisor immediately. We want you to be safe and heal up quickly.

We expect you to report to your supervisor at **7:00 am on May 16, 2014** on the first floor, room 1108. I met with you on 5/15/14 and you told me you would accept the offered temporary job. If you decide not to accept this job offer, please call me. If I do not hear from you and you do not show up for work, I will understand you have decided not to accept this job offer. According to industrial insurance regulations, if you decide not to report for work your time loss benefits may be affected.

Please call me with any questions.

Gail Knight, RN (509) 555-1212 Hand delivered to worker on 5/15/14 cc: Physician, claims manager Attachment: approved job offer

4. Sample Central Service ERTW offer

St. Elsewhere Date: July 15, 2014

Claim# Y7309157

Dear Susan Kiew,

I am pleased to offer you temporary employment that will accommodate your current physical capacities. Your duties are described in the attached Job Offer that was approved by your health care provider on 7/14/14.

Your work hours are your usual hours from 3 pm to 12:00 am (midnight). You are scheduled to work Monday through Friday, a 40 hour work week. Your work will pay your usual hourly pay.

Your supervisor is Louise Lane. She is aware of your current restrictions and she knows that the health care provider has approved the attached job offer. If you have any difficulties with your job tasks, you are to report them to your supervisor immediately. We want you to be safe and heal up quickly.

We expect you to report to your supervisor at **3:00 pm on July 16, 2014** on the third floor, room 3110. I spoke with you today, 7/15/14 and you told me you would be happy to accept the offered temporary job. If you decide not to accept this job offer, please call me. If I do not hear from you and you do not show up for work, I will understand you have decided not to accept this job offer. According to industrial insurance regulations, if you decide not to report for work your time loss benefits may be affected.

Please call me with any questions. Gail Knight, RN (509) 555-1212

Hand delivered to worker on 7/15/14 cc: Physician, claims manager Attachment: approved job offer

5. Tips on writing the ERTW offer letter

The first three days off after injury are taken from the injured worker's sick leave or paid leave. The claim does not start paying time loss until the fourth day. To keep workers' compensation insurance costs as low as possible, strive to get the worker back to work in ERTW within those first three days.

It is important that the ERTW job offer letter provides clear and concise expectations about the injured workers' return to work. Fax the job offer letter that you gave the injured worker to the claims manager at (360) 902-6100.

If the worker fails to appear for work, be sure to tell the claims manager.

The Employer's Job Description that the health care provider approved is the only work the injured worker may do. The employee must stay within the written medical restrictions. If the worker feels he or she is not able to do that level of work, the worker must return to the health care provider to discuss the problem.

EMPLOYER'S GUIDE TO ERTW REIMBURSEMENT THROUGH THE STAY AT WORK PROGRAM

Labor and Industries will pay half the base salary of an injured worker who is permitted to return to work while recovering from their injury. Of course there are a few requirements for this to happen.

a. Reimbursement Allocation

An eligible employer will get reimbursed 50% of the worker's base salary for up to 66 days or \$10,000. Plus you may be reimbursed for training and tools the worker needs to do the modified job.

b. Reimbursement Procedure

- (1) Develop a modified job within the injured worker's restrictions
- (2) Fill out the Employer's Job Description form (see examples earlier in the ToolBox)
- (3) Offer the job to the injured worker and the worker accepts
- (4) Provide time sheets and payroll records.
- (5) Fax the following to L&I: (360-902-6100)
 - a. Activity Prescription Form APF (see examples earlier in the ToolBox)
 - b. Job Description for the light duty job/modifed duty, signed by the health care provider (see examples earlier in the ToolBox)
 - c. Payroll record and daily timesheets.

c. How to File a Wage Reimbursement Claim with Labor and Industries?

Fax the APF, the health care provider-signed Job Description Offer, the payroll record and the daily timesheets to (360) 902 6100. Copies of everything you need to submit are available at: http://www.lni.wa.gov/Main/StayAtWork/

1. Blank copy of the Stay At Work (SAW) Reimbursement request form. Available at:

http://www.lni.wa.gov/FormPub/Detail.asp?DocID=2515

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2. SAW Wage Reimbursement Form example for nurse John Sampler:

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3. Sample FAX cover page for a Stay At Work Wage Reimbursement Packet:

 TO: Labor & Industries Fax #: (360) 902-6100 FROM: Gail Knight, St. Elsewhere Hospital Phone: (509) 555-1212 Fax #: (555) 555-1299 DATE: 2/17/2015 STAY AT WORK WAGE REIMBURSEMENT SUBMISSION INJURED WORKER: John Sampler Claim #: A1526240 Date of Injury: 1/13/15 We are applying for the SAW Wage Reimbursement for this injured worker. Attached are (1) Activity Prescription Form (2) Signed Job Description for modified duty job (3) Payroli record and (4) Daily time sheet. The amount of reimbursement is \$900.00. Please contact me with any questions. Please forward the reimbursement to the address listed on our L&I account. 		F/	AX	
FROM: Gail Knight, St. Elsewhere Hospital Phone: (509) 555-1212 Fax #: (555) 555-1299 DATE: 2/17/2015 STAY AT WORK WAGE REIMBURSEMENT SUBMISSION INJURED WORKER: John Sampler Claim #: A1526240 Date of Injury: 1/13/15 We are applying for the SAW Wage Reimbursement for this injured worker. Attached are (1) Activity Prescription Form (2) Signed Job Description for modified duty job (3) Payroll record and (4) Daily time sheet. The amount of reimbursement is \$900.00. Please contact me with any questions. Please forward the				
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RESOURCES

Telephone

Claims Manager: 1-800-LISTENS Your Local L&I Office ERTW Contacts:

Region 1

Northwest Washington	
Bellingham	. 360-647-7300
Everett	425-290-1300
Mount Vernon	. 360-416-3000

Region 2

425-990-1400
206-515-2800
. 206-835-1000

Region 3

Pierce County/Peninsula	
Bremerton	. 360-415-4000
Port Angeles	360-417-2700
Tacoma	253-596-3800

Region 4

Southwest Washington	
Aberdeen	360-533-8200
Kelso	360-575-6900
Tumwater	360-902-5799
Vancouver	. 360-896-2300

Region 5

Central Washington	
East Wenatchee	509-886-6500
Kennewick	509-735-0100
Moses Lake	509-764-6900
Yakima	509-454-3700

Websites

Insurance for business: the section of L&I's website specifically for employers. http://www.Lni.wa.gov/ClaimsIns/Insurance

Washington Stay at Work: the section of L&I's website with information about financial incentives to assist employers in bringing back workers to light-duty or transitional work. http://www.lni.wa.gov/Main/StayAtWork/

Employers can access a workplace injury claim or their industrial insurance account through the Claim & Account Center at **http://www.ClaimInfo.Lni.wa.gov**. The site is generally available weekdays 6 a.m.–11:30 p.m. and on weekend days.

READING AND WORKBOOKS

*If the document fails to load from the links below, copy and past the link into your browser.

The Employer's Return-to-Work Guide is at

http://www.lni.wa.gov/IPUB/200-003-000.pdf. This guide will explain how to get your workers back to work quickly after an injury.

Getting Back to Work: It's Your Job and Your Future is at

http://www.Lni.wa.gov/IPUB/200-001-000.pdf. Explain to your workers their

responsibilities toward getting back to work following an injury. Makes a good handout during ERTW training.

The Complete Stay at Work Guide for Employers is at http://www.Lni.wa.gov/IPUB/243-005-000.pdf. It will explain the

Wage Reimbursement process to help keep employees on the job while they heal up.

Employers' Guide to Industrial Insurance is at http://www.Lni.wa.gov/IPUB/101-002-000.pdf.

This guide explains your responsibilities as an employer regarding industrial insurance.

State Fund Return to Work: Developing and Maintaining a Successful Return to Work Program. http://www.statefundca.com/pdf/e13490.pdf.

Pages 5-7 through 5-18 offer a generic list for potential temporary transitional jobs for all industries.

Funding and support for this project has been provided by the State of Washington, Department of Labor & Industries, Safety & Health Investment Projects (SHIP).

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