

## I. INTRODUCTION

### A. Workshop Overview

**Say to the Class:** As many of you know, the City received a Safety and Health Investment (SHIP) grant from the Washington State Department of Labor and Industries (L&I) called the Light Duty = the Right Duty. The project has two components. The first is to incorporate employee safety injury prevention training to reduce work related injuries. The second part involves developing a Return-to-Work (RTW) procedure and policy focusing on employee awareness to contain and reduce the costs of Worker's Compensation due to employee injury and time loss.

### B. Learning Outcome

The goal of this workshop is to help supervisors and managers create a workforce where employees are confident they will be cared for if a work injury occurs. This program is specifically designed to help co-workers and supervisors understand what employees with a work injury need, and to ensure the employee's recovery is supported and return to work occurs as soon as possible.

### C. Learning Objectives

At the conclusion of this workshop, participants will be able to:

1. Explain how 'return-to-work' works according to City policy.
2. Describe the three types of RTW options outlined by the Washington State Department of L & I.
3. Given a learning activity, develop the skill of suspending judgment and preconceived opinions about injured workers.
4. Identify what their role and responsibility is in the City's RTW program.
5. Demonstrate knowledge of the key elements of effective communication and any barriers that impede success.

**NTF:** Distribute the PBL Statement Handout and have participants identify what they 'already know' about the problem and what they 'need to know' in order to successfully solve the problem.

## II. PRESENTATION

### A. Return to Work Program and Process (15 minutes)

#### 1. Definition

**QTC: What is Return-to-Work?**

**AR:** RTW simply means helping your employee get back to work as soon as possible after a job-related injury or illness.

**QTC: Why is that important?**

**AR:** Research has shown that effective RTW strategies promote a faster recovery and prevent a down ward spiral into disability.

**Important Teaching Point:** When workers miss work due to injury and illness, it costs the City money. You incur direct costs, such as medical bills and wages for lost work time, as well as indirect costs, such as hiring and training replacement workers, dips in morale, etc

#### 2. Benefits

**QTC: What are the benefits of an effective RTW program?**

**AR:** Providing RTW options benefits the injured employee and it reduces the financial impact on your workers' compensation.

- Employee recuperates at work while performing task that meet the medical restrictions.
- Employee preserves more of their income when they run out of sick leave to integrate with Workers' Compensation payments; and
- Employee maintains their role as a valued employee.

**NTF:** There are many other benefits for both the employee and employer. These benefits are outlined in the Washington State Department of Labor & Industries Worker's, "Employer's Return-to-Work Guide."

### 3. RTW Process

**QTC: How does it work?**

**AR:** There are three critical points in the RTW process:

- When a worker first reports an injury or work-related health problem;
- When the worker is absent and/or undergoing treatment for the injury or health problem; and
- When the worker tries to return to work.

**Important Teaching Point:** Because of your familiarity with the worker, supervisors are ideally situated to serve as the point person for the worker at each of these points.

**QTC: RTW options can take many forms which the Washington Labor & Industry categorizes in two options. Any ideas?**

**AR:** Transitional jobs and permanent jobs

**Say to the Class:** Let's take a look at each option starting with transitional jobs. A transitional job is a way for your employee to return to work when restrictions preclude him/her from performing the job held when the injury occurred. It allows your employee to work for you while he/she is still recovering.

#### a. Transitional Jobs

**QTC: There are several types of transitional jobs that can be categorized into three primary groups. Any thoughts?**

**Modified Work** involves an adjustment or alteration to the way a job is normally performed in order to accommodate the employee's physical restrictions. This can be as simple as changing the lifting requirements. "Job modification" funds may be available from L& I to help you purchase tools, equipment or appliances that allow your employee to work.

**Part-Time Work** is an option when the doctor has not released your employee for full-time work. Your employee's doctor will monitor his/her progress, authorizing gradual increases in hours worked and the variety of tasks performed.

**Alternative Work** is a different job within your department or the City that meets the physical restrictions your employee's health-care provider specifies. It can be an existing job, or an identified set of job tasks that you need done that no one has tackled.

**b. Permanent Jobs**

**Say to the Class:** Sometimes, an injury precludes returning to exactly the same job. Once the health-care provider determines that your injured employee has restrictions, you can offer new permanent employment. Permanent employment may be alternative work or a modification of the job your employee held when injured.

**QTC:** **Another common term used, especially in police work, is light-duty work. Within which category would this term fall in?**

**AR:** Light-duty work is temporary or permanent work that is less vigorous or less physically taxing than the work the employee performed before the injury or illness. "Light-duty work" and "transitional job" are often used interchangeably; however, light-duty work can be permanent.

**NTF:** Distribute the WA State L&I Return to Work Guide and the City's RTW Policy. For purposes of this workshop, we will not cover the exact procedures of documenting and reporting injuries and illnesses. This should be covered by the department manager/supervisor after the training.

## B. Preconceived Ideas about RTW (30 minutes)

**NTF:** In this section, you will deliver the “People and Perceptions” learning exercise (found in the appendix of this facilitator guide). The purpose of this activity is to increase self-awareness about how our preconceived ideas about people and events influence our interactions. You have **30 minutes** for this exercise.

### 1. The Activity

**Say to the Class:** Let’s have some fun today by taking a lighthearted look at celebrities and other people or places in the news.

In a minute, I’m going to hold up a photo, headline, or image. I want you to jot down a few words of any random thoughts or first impressions you have about the photo, headline or image. Be sure to write something about how you feel or what you think about the image. Any questions?

### 2. Key Questions

**NTF:** Use the following questions as a guided discussion.

- Were your thoughts the same as your teammates?
- What did you notice that was different? The same?
- What do you think influenced our thoughts?
- What impact can our preconceived thoughts have about a situation or encounter?
- In the workplace, do we have preconceived thoughts about people and encounters?
- What impact can these thoughts have on coworkers? Peers? Others?
- How can being aware of our preconceived thoughts about people, events, or encounters help us? Or hurt us? Particularly as it relates to an employee on light-duty or out with an injury?

## C. Employee and Supervisor Role (30 minutes)

### 1. Video Discussion

**NTF:** This section will begin by showing the video: ***Return to Work - The Mike Rousselle Story*** and then having participants identify the role the employee/supervisor should play in supporting the City's RTW program and the injured worker.

The purpose of this section is to create greater awareness and empathy to what an injured worker needs.

### 2. Key Elements to Reintegration

**Say to the Class:** Co-worker and supervisor behavior greatly influence workers' absences after work-related injuries and their efforts to return to work. Positive, supportive responses to worker injuries can help workers return to work sooner and more comfortably.

**QTC:** **What were the key elements in Mike's reintegration into the workplace?**

**AR:** Positive workplace relations  
Regular follow-up communication  
Resolution of other work issues  
Employee / supervisor partnership  
Commitment of senior management  
Supportive and open communication  
Responsiveness  
Motivation  
Concise Return-to-Work plan  
Regular meetings with the employee  
Supportive co-workers

**Say to the Class:** Conversely, negative responses may derail the RTW process, even if physical accommodations are made available for injured workers.

**QTC:** **What behavior have you personally displayed towards an injured employee or have seen displayed?**

**AR:** Participant responses

## D. Psychological and Social Barriers of RTW (15 minutes)

**NTF:** This section will have employees/supervisors identify the factors that may negatively influence an employee's outlook and their ability to return to work. Participants will then explore how they can proactively tackle these concerns before an injury occurs.

### 1. Expectations and Beliefs

**Say to the Class:** For many injured employees, their expectations and beliefs can greatly affect their motivation to return to work. Some of the factors that may negatively influence an employee's outlook include:

- inadequate understanding of medical condition
- unrealistic expectations about recovery, and
- fear that returning to work may create further injury.

### 2. Psychological and Social Factors

**QTC:** **There are also various psychological and social factors that can affect how an injured employee feels about returning to work. What are they?**

**AR:** Level of overall job satisfaction  
Support at home and/or at work  
Relationships with supervisor and colleagues  
Beliefs about the cause of injury or pain

**QTC:** **How can you proactively tackle these concerns before an injury occurs?**

**AR:** Build and maintain positive relationships  
Be flexible  
Explain City's RTW policy

#### a. **Build and maintain positive relationships with your employees / coworkers.**

Open communication fosters positive relationships and leads to higher levels of workplace satisfaction. Encourage your employees to share their ideas and concerns with you to demonstrate that you are interested in their well-being and value their contributions.

- Show genuine interest in the employee

- Display active listening
- Use paraphrasing to show understanding
- Ensure confidentiality is maintained
- Have specific follow up plans
- Reinforce positive behaviors
- Demonstrate empathy

**Important Teaching Point:** You have the biggest influence on the outcome of a RTW and successful reintegration. But more importantly, you have the capacity to influence and determine workplace culture.

**b. Flexibility can help motivate your employees.**

Understand what motivates your employees and be prepared to create new options. Some employees seek new challenges while others may want more flexibility in terms of work hours or job tasks.

In general, employee motivation may be greatly influenced by your willingness to share planning decisions and adjust work environments or job tasks. Employees who enjoy their jobs are typically loyal to their employers and more eager to return to their workplace after an injury. These principles also apply when establishing a transitional work assignment for an injured employee.

**c. Explain the City's return-to-work policy.** Make sure that all employees understand your company's motivation and commitment to helping injured employees return to work safely after an injury. You will boost department morale by actively engaging your employees to assist and encourage their recovering co-workers.

**5 MINUTES**

### **III. CONCLUSION**

#### **A. Recap**

1. Explain the City's RTW process.
2. What impact can your preconceived thoughts about injured employees have on your coworkers/employees?
3. What type of psychological effects can an injured employee experience while off of work?
4. What can supervisors/co-workers do to help prevent, eliminate or lessen the impact of these effects?
5. How might you be willing to use what we discussed today in your daily work?

#### **B. Next Steps**

**Say to the Class:** Helping injured employees return to work as soon as medically possible is a priority for the Department of Labor & Industries as well as for the City of Port Orchard.

CITY OF PORT ORCHARD

# Appendix

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Facilitator Guide



## **Problem Based Learning Statement**

One of your employees is injured on the job and faces a lengthy recovery. You're concerned about your employee but you're also concerned about your department because staffing is low. The City just implemented a Return-to-Work (RTW) program which you must ensure you follow.



## **The Mike Rousselle Story**

- 1. What type of injuries could one of your employees sustain?**
- 2. What is the process for handling employee injuries?**
- 3. What type of psychological effects can an injured employee experience while off of work?**
- 4. As a supervisor, what can you do to help prevent, eliminate, or lessen the impact of these effects?**
- 5. What types of return to work options do you have available in your department/unit?**

# People and Perceptions

## Level of Risk

Low

## Purpose

The purpose of this activity is to increase self-awareness about how our preconceived ideas about people and events influence our interactions.

## Why Is This Important?

All day long, people interact with one another in a team or work environment. We like to think of ourselves as open minded about those interactions, but we often have preconceived ideas about people or events. These preconceived ideas shape our reaction to the people and events before the event or encounter even occurs. Sometimes, our preconceived ideas bend our reaction in a positive way; at other times, it bends our reaction in a negative way. Rather than tout open mindedness, it may be more productive to understand and be aware of our preconceptions, so that we can caution ourselves not to prejudge.

## When to Use This Activity

Anytime. By developing the skill of suspending judgment and pre-conceived ideas and opinions, you are teaching the team an essential EQ skill.

## Set the Stage

It's best if this exercise has little explanation. If you tell people the premise and why it's important, it will be more difficult for people to acknowledge their preconceptions. So, begin the exercise by saying, "Let's have some fun today by taking a lighthearted look at celebrities and other people or places in the news."

## Materials

Magazine pictures, newspaper headlines, videoclips or other items. It is useful to find pictures or images that are open to controversy. A piece of paper for each participant, numbered 1-20.

## **The Activity**

1. The facilitator should tell the group that he or she is going to hold up a photo, headline, or image.
2. Instruct the individuals in the group to jot down a few words of any random thoughts or first impressions they have about the photo, headline, or image. It's important to be relatively vague about the instructions, but stress the importance of first impressions.
3. Also, instruct the group to be sure to write something about how they feel or what they think about the image.
4. Repeat for at least 20 photos or headlines.
5. After teammates have completed writing down their first impressions, show each image again, and ask teammates to share any ideas they wrote down.

## **Key Questions**

- Were your thoughts the same as your teammates?
- What did you notice that was different? The same?
- What do you think influenced our thoughts?
- What impact can our preconceived thoughts have about a situation or encounter?
- In the workplace, do we have preconceived thoughts about people and encounters?
- What impact can these thoughts have on coworkers? Peers? Others?
- How can being aware of our preconceived thoughts about people, events, or encounters help us? Or hurt us?

## **A Word of Caution**

This activity could point out obvious prejudices. If this occurs, it can be a powerful learning experience. It's important for the facilitator to be sensitive to the participants and determine if anyone's comments are offensive. If this occurs, the facilitator should use it as a learning experience regarding preconceived negative thoughts and their impact.

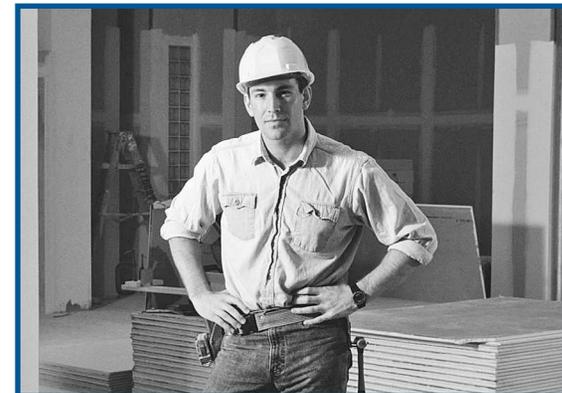
## **Ask for Commitment**

After the meeting, ask, "How might you be willing to use what we discussed today in your daily work?"



# Employer's Return-to-Work Guide

*Financial incentives available from L&I*



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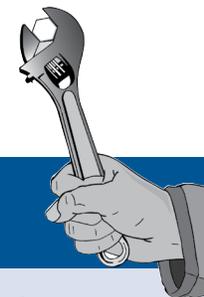
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## Workplace Safety, the Best Insurance



The best way to manage workers' compensation costs is to prevent injuries. An effective accident prevention program will help you identify hazards in your company that could lead to injuries — and prevent them from happening.

Safety and health professionals, industrial hygienists, ergonomists and risk management specialists from the Department of Labor & Industries (L&I), Division of Occupational Safety and Health, provide free consultations to employers. Learn more at [www.SafetyConsultants.Lni.wa.gov](http://www.SafetyConsultants.Lni.wa.gov).

In addition, L&I offers a number of online services to help employers improve workplace safety. Learn more at [www.Lni.wa.gov/safety](http://www.Lni.wa.gov/safety).



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## Return to work: Good for your business, your employees, your bottom line.

Calamity strikes. One of your employees is injured on the job and faces a lengthy recovery. You're concerned about your employee and you're concerned about your company — not to mention the cost of your workers' compensation insurance.

Workers' comp claims involving time off work can drive up your rates. However, for the vast majority of claims, steps taken early can speed the employee's recovery and reduce claim costs.

This booklet explains the importance of "return to work" in assuring the best possible recovery for your employee with the least impact on your business.

### What is 'return to work'?

Return to work simply means helping your employee get back to work as soon as possible after a job-related injury or illness. For example, he or she could work shorter hours, do different work temporarily or perform "light duty" until fully recovered.

Keeping your employee connected with the workplace is both good medicine and good business. Research has shown that effective return-to-work strategies promote a faster recovery and prevent a downward spiral into disability. Return-to-work options can take many forms and there are many resources to assist you.

### How you benefit

Providing return-to-work options benefits the injured employee — and it reduces the financial impact on your workers' compensation premiums. Simply put, employers with fewer injuries pay less. In the landscaping industry, for example, premiums range from \$1.25 per hour to \$3.75 per hour, per employee, depending on the employer's claims history and the number of hours reported in a three-year period. In restaurants and taverns, that range is 42 cents per hour to \$1.26 per hour; in concrete work, \$2.23 per hour to \$9.69 per hour. **Less time off work translates into less impact on the premiums you pay.**

In addition to reducing claim costs and insurance premiums, an effective return-to-work strategy:

- Encourages communication between you and your injured employee — a key factor in his or her recovery.
- Allows a skilled and experienced employee to continue working for you.
- Keeps loss of productivity to a minimum.
- Reduces the costs of training new employees.
- Creates an opportunity to complete work usually left undone.
- May reduce the risk of re-injury.

## Protect Your Claim-Free Discount!

Employers qualify for a claim-free discount after three years without a "compensable" claim (a claim involving time-loss or a permanent disability award).

The discount saves employers between 10 and 40 percent from the base insurance rate for their risk class, depending on the company's size.

*A single compensable claim will eliminate the claim-free discount.* Losing the discount may be more costly than preventing time-loss (through return-to-work options) or keeping the injured employee on your payroll.

For more information, contact your account manager in the Employer Services section of L&I; 360-902-4817.





**Return to work:**  
**Good for your business, your employees,**  
**your bottom line.**

## How your employees benefit

Return-to-work options help preserve long-term earning power:

- Keeps the employee active and speeds medical recovery.
- Shifts focus from “dis-ability” to ability.
- May reduce the risk of re-injury.
- Provides a sense of job security.
- Allows the employee to maintain contact with co-workers.
- Shows you value your employee and his/her contributions to your company.

## Ingredients for a successful RTW strategy

A successful return-to-work strategy begins with commitment from the business owner and/or top management. Commitment means:

- Believe in the benefits of return to work — for your company and your employees.
- Develop a written procedure for returning injured workers to the workplace. This information should be part of your new employee orientation, so all employees know what to do if an injury occurs.
- Designate a return-to-work lead. Ideally, this person would accompany an injured worker to the initial doctor’s visit and support him/her through the return-to-work process. The RTW lead should have the responsibility **and the authority** to facilitate return to work.

Risk management specialists from L&I can help you set up a return-to-work process and answer your questions. (See Page 11 for contact information.)



## Why is Return to Work Important?

### One Company’s Experience

Many factors determine premium costs including number of employees, types of jobs performed and the number and costs of claims. One especially important factor is how long an employee is unable to work due to his or her injury. A small grocery store with 11 employees discovered this. In 2009, the store had a workers’ compensation claim that involved extensive time off work. That claim caused the company’s experience factor to increase from 0.9000 in 2011 to 1.1125 in 2012, and increased annual premiums by \$3,168.

Assuming this store operates on a 2 percent profit margin, the store would need to generate an additional **\$158,400** in sales annually, just to “break even” on the increase. Because the claim impacts rates for three years, the total sales needed to offset the increase could exceed **\$475,000**.

Every business’s situation is different, but this store’s experience illustrates that the decision to find accommodations and develop effective return-to-work strategies makes good economic sense.



## Know the options: How 'return to work' works.

Successful return to work means you keep a valuable employee and limit the financial impact of his/her claim on your insurance premiums. Employers and employees who remain in close communication and work together are best able to limit time off the job.

You — the employer — can be the catalyst for achieving return to work as quickly as possible. The process you and your employee use may be very informal, or you may choose a more documented process, depending on the situation.

### The informal process

The process can be informal when return to work is progressing smoothly. If you and your employee are functioning as partners in the process, there is less need to create a paper trail or involve Labor & Industries. You may want to use this informal process when:

- Good communication exists between you and your employee.
- There is agreement between you and your employee about his/her ability to perform a different job.
- Your employee is motivated to return to work, or to keep working, after an injury.

See "How It Works" (at right) for an example of how an informal process can lead to a successful return to work.

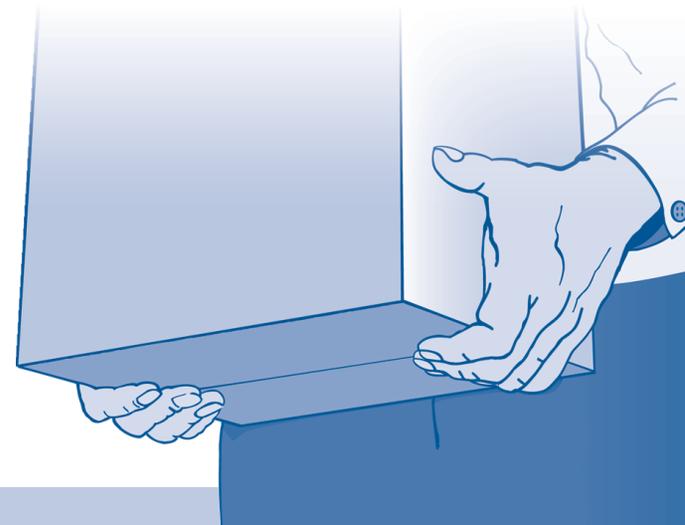
### Tips for success with an informal process

1. Talk to your employee and determine if physical restrictions will keep him/her from performing regular duties.
2. Depending on the answers to "1," modify your employee's job to meet those restrictions.
3. Consider placing your employee in an alternative job during recovery, if you cannot modify the regular job.
4. Talk with your employee's health-care provider if you and/or your employee have any significant questions or issues regarding restrictions.

### HOW IT WORKS:

#### A RETURN-TO-WORK SUCCESS STORY

An electrical contractor with a dedicated safety program arranged for an injured employee to do a light-duty job that involved compiling and updating information on locks and tags. The employee used the Internet and called local contacts to gather information and identify new technology. The company incorporated what he learned into its lockout/tagout program.





**Know the options:  
How 'return to work' works.**

## How much documentation do you need?

In some cases, you will want to document your attempts to return your employee to work. For example, you may want to be certain the light-duty work sufficiently accommodates physical restrictions or you are not clear what those restrictions are. Documentation is useful if your injured employee is not cooperating with your efforts to return him or her to work. If these situations occur, you may choose to do one or more of the following:

- Ask the attending health-care provider to specify work restrictions in writing.
- Provide a written description of the work duties to the attending provider for comment. (See Page 14.)
- Send a letter to your employee specifying the job title, supervisor, hours, location and start date for the return to work.
- Follow the process described in Section 3, under *After an injury*.
- Review medical and other claim information on the Claim & Account Center ([www.ClaimInfo.Lni.wa.gov](http://www.ClaimInfo.Lni.wa.gov)).

## Disagreements

What should you do if you and your employee disagree about the best course of action, or confusion exists, and you and your employee are unable to resolve the problem? Contact the L&I office nearest you. We can help you and your injured employee achieve a safe and timely return to work. (See Page 9 for additional information.)

## Return-to-work options: transitional jobs

A transitional job is a way for your employee to return to work when restrictions preclude him/her from performing the job held when the injury occurred. It allows your employee to work for you while he/she is still recovering. There are several types of transitional jobs.

### Modified work

Modified work involves an adjustment or alteration to the way a job is normally performed in order to accommodate the employee's physical restrictions. This can be as simple as changing the lifting requirements. "Job modification" funds may be available from L&I to help you purchase tools, equipment or appliances that allow your employee to work.

## HOW IT WORKS:

### A RETURN-TO-WORK SUCCESS STORY

#### Job Modification

An office worker injured her neck in a car accident that occurred during work-related travel. Limited neck motion kept her from performing clerical work full time. L&I provided job modification funds to buy a high-backed chair that supported her neck. The chair had a movable cushion she could lean her neck against, which allowed the neck muscles to relax. She was able to resume full-time work.



**Know the options:  
How 'return to work' works.**

### Part-time work

Part-time work is an option when the doctor has not released your employee for full-time work. Your employee's doctor will monitor his/her progress, authorizing gradual increases in hours worked and the variety of tasks performed.

### Alternative work

Alternative work is a different job within your company that meets the physical restrictions your employee's health-care provider specifies. It can be an existing job, or an identified set of job tasks that you need done that no one has tackled.

#### HOW IT WORKS:

##### A RETURN-TO-WORK SUCCESS STORY Gradual Return

After falling at work and hurting her lower back, a housekeeper in a resort spent more than a month on wage-replacement (time-loss) benefits, then tried to return to her full-time job and couldn't. With assistance from L&I, the employer arranged a part-time job that involved only supervisory duties. The doctor provided a medical release for the employee to perform this work and gradually return to her regular duties. While working part-time, the employee received "loss of earning power" benefits — a combination of wages and wage-replacement (time-loss) benefits.

#### HOW IT WORKS:

##### A RETURN-TO-WORK SUCCESS STORY A Different Job

A diesel mechanic injured his wrist when a tire he was repairing blew apart. In the first phase of his recovery, this employee could not do any work in the shop. Because the employer valued his employee's knowledge and didn't want to lose it, he created a temporary job as a technical advisor to other mechanics from an office location near the shop. Later, the employee returned to the shop and was able to do some of the tasks of his regular job. He eventually resumed his full duties. Today, the diesel mechanic uses specially adapted tools to compensate for loss of strength and motion in the injured wrist.

### Useful Terms



**Employer of record:** The employer for whom the employee worked at the time he or she experienced a work-related injury.

**Job of injury:** The job the employee held when the injury occurred.

**Light-duty work:** Temporary or permanent work that is less vigorous or less physically taxing than the work the employee performed before the injury or illness. "Light-duty work" and "transitional job" are often used interchangeably; however, light-duty work can be permanent. A transitional job is temporary.



**Know the options:**  
How 'return to work' works.

## Return-to-work options: permanent jobs

Sometimes, an injury precludes returning to exactly the same job. Once the health-care provider determines that your injured employee has restrictions, you can offer new permanent employment. Permanent employment may be alternative work or a modification of the job your employee held when injured.

### HOW IT WORKS:

#### A RETURN-TO-WORK SUCCESS STORY Changes in Job Duties

A lumber-mill worker's job involved handling varying sizes and weights of wood products during a sorting process at the mill. This employee experienced a musculoskeletal injury to her hand. Careful medical assessment determined that the injury would likely flare up again if the employee resumed the same duties she had previously performed. The employer created a permanently "modified" job where the employee handled only the smaller products, allowing her to keep working and avoid re-injury.

## Requirements for offering jobs

### Transitional job

The transitional job you offer your injured employee must be a valid offer. This means:

- The job must be with you — the employer of record.
- The job should provide a meaningful and respectful work environment.
- The job must be gainful: paying at least the relevant minimum wage.
- You must continue the health and welfare benefits the employee received at the time he/she was injured unless doing so conflicts with the benefit program and collective bargaining agreement.

### Permanent job

A permanent job offer must be "bona fide":

- It is reasonably continuous work or matches the employee's employment pattern at the time of injury (full-time versus part-time and seasonal versus year round).
- It is gainful: paying at least the relevant minimum wage (wage and health-care benefits do not need to be identical to those at the time of injury).
- It is meaningful: both inherently valuable to the employer and not demeaning to the employee.

## Useful Terms

### Maximum medical improvement:

This is the point where an injured employee's condition is not likely to improve significantly with further medical treatment. Permanent restrictions may need to be identified at this point.

**Accommodation:** Modified or alternative work that allows an injured employee to work within his/her physical restrictions while injured.

**Kept on salary:** Some employers choose to keep an employee on salary for a limited period of time when the attending health-care provider recommends total work restriction. This practice can help keep the employer's rates down. The wages and medical benefits paid must be the same as those the employee received at the time of injury.





## Before and after: What you should do if your employee gets hurt.

Preventing injuries takes dedication and work. It is not something you can accomplish as an afterthought — when there is a lull in production or during a staff meeting. It takes an ongoing commitment from you and your employees, with assistance from the Department of Labor & Industries. Do all you can to prevent injuries in your company.

### Before an injury

Resources to help you build or enhance your workplace safety program are plentiful. If you belong to a trade association or Retro group, check to see what they have to offer. You will find information on L&I's services on Pages 9–11.

- Establish a strong safety program.
- Write job descriptions for all positions.
- Identify light-duty positions and develop transitional return-to-work opportunities.
- Make sure your employees know how “return to work” benefits them.
- Be prepared to act quickly, if an injury occurs.
- Report any injuries to your return-to-work lead.

### After an injury

- **Submit your portion of the Report of Accident to L&I.**

- **Contact your injured employee and stay in contact.**
  - ✓ Get in touch right away to communicate your concern about the injury. Let this person know you will do what you can to get him or her back to work as soon as possible. Often, this type of phone call alone will provide encouragement and help your injured employee recover faster.
- **Monitor the claim.**
  - ✓ Use the online Claim & Account Center at [www.ClaimInfo.Lni.wa.gov](http://www.ClaimInfo.Lni.wa.gov) to obtain information about diagnosis, prognosis and work restrictions. Review the Activity Prescription Form (APF) completed by the health-care provider.
  - ✓ Contact the claim manager for a new APF if you need updated information about your worker's physical capacities.
- **Contact the attending health-care provider for information about return to work. You may contact the provider to seek:**
  - ✓ Review of the job of injury as well as any other light-duty position available to your employee.
  - ✓ Clarification of restrictions.

**Note:** Providers can bill L&I for written advice as well as for telephone calls/consultations regarding return-to-work issues.

## Useful Terms



**Restrictions:** The health-care provider may restrict an injured employee's work during recovery. Restrictions may limit work activities (no lifting, for example) or temporarily reduce the number of hours the employee can work.

**Transitional job:** A transitional job is a temporary job, other than the employee's full-duty regular work, that an employee's health-care provider agrees he/she can perform during recovery. A transitional job or light-duty work can continue until the employee's condition has reached medical stability or the health-care provider determines that permanent restrictions are required.



**Before and after:  
What you should do if your employee gets hurt.**

- **If you need help communicating with the provider, contact L&I. (See Page 11.)**
- **Identify job duties the employee could perform. Create a job description that describes these duties.**  
A job description is a one- or two-page document that describes a proposed light-duty (transitional) job. It is the basis for communicating with your employee's health-care provider to determine physical work restrictions. It should describe:
  - ✓ Job duties and tasks the job requires.
  - ✓ Tools and equipment required to perform the job.
  - ✓ How often and how long the employee would do the tasks.
  - ✓ Physical demands required to perform the job.
  - ✓ Work hours, location and start date; identify assigned supervisor.

Ideally, the job description would include an indication of possible accommodations. See Page 13 for a sample job description.

**Note:** An injured employee who has a full release for the job of injury is not eligible for wage-replacement (time-loss) compensation.

- **Send the job description to your employee's health-care provider.**
  - ✓ When you send the job description, be sure to indicate how soon you need a response.
  - ✓ The provider will review the job description and determine whether your employee can safely perform the proposed job duties.
  - ✓ The provider must approve the job description before your employee begins these duties.
  - ✓ If someone other than you makes decisions about return to work, give the provider that person's name and telephone number.
- **Send the job description to your employee.**
- **If the provider releases your employee to perform the work in the job description, offer your employee the job.**
  - ✓ Once the provider agrees that the job is safe for this employee to do and gives medical approval, offer the job to the employee. Everyone needs to know what this person is able to do safely and adhere to the approved job description.
- **Make a written job offer.**
  - ✓ You may want to put the offer in writing so that your employee clearly understands the job duties, start date, hours and restrictions. See the sample letter on Page 15.

- ✓ If you made a verbal job offer and your employee did not show up, you must send a formal written job offer, preferably by certified mail. If this situation occurs, contact the claim manager and send him/her all documentation. The workers' compensation benefits your employee receives could be affected if he/she refuses a medically approved position.

**After your employee returns to work**

- Regularly check with the employee to see how his/her work and recovery are progressing.
- Make certain any restrictions on work tasks are being met.
- Continue contact with the health-care provider; obtain his/her approval for changes in duties.
- Notify the claim manager if you are not able to accommodate ongoing or permanent restrictions.





## How L&I can help you: Experts, services and dollars.

Helping injured employees return to work as soon as medically possible is a priority for the Department of Labor & Industries. Return-to-work options can speed your injured employee's recovery, and reduce the financial impact of a workers' compensation claim. Everyone benefits — you, your injured employee and the workers' compensation system.

We are also committed to providing services that help you successfully implement return-to-work options. Taking advantage of the services we offer can benefit your injured employee and your company's financial health. There are no fees for these services.

### Washington Stay at Work

Stay at Work is a new financial incentive that helps employers keep injured workers on the job or bring them quickly and safely back to light-duty or transitional work by reimbursing them for a portion of their costs.

Eligible employers can be reimbursed for 50% of the base wages paid up to 66 days to a maximum of \$10,000 per claim within a 24-month period. *(Fewer than eight hours still counts as one day.)*

If, because of the injured worker's unique needs, the employer must make a purchase so the worker can perform the job, Stay at Work may pay for the following:

- **Training fees or materials**, up to \$1,000 per claim. *Example: Tuition, books, or supplies.*
- **Tools** up to \$2,500 per claim. *Example: Special wrench or keyboard tray.*
- **Clothing** up to \$400 per claim. *Example: Steel-toed boots.*

**Note:** *This can't be a cost the employer incurs when hiring other workers for the same job.*

### Early Return-to-Work teams

We have enhanced claim-handling processes to help injured employees return to their jobs as soon as medically possible. When an employee has received partial wage-replacement (time-loss) benefits for 14 days, we assign that claim to an Early Return-to-Work (ERTW) team in a local L&I office. The team works with the employee, employer and health-care provider to explore return-to-work possibilities.

Members of the Early Return-to-Work teams are vocational, therapy and nurse consultants. They are trained professionals who know how to talk with providers and help employers implement medically appropriate return-to-work options. They can work with you to take advantage of other resources and services that are appropriate for your injured employee.

**You don't have to wait until we contact you.** If you have an employee who is off work due to a work-related injury or occupational illness, contact the Early Return-to-Work team in the L&I office nearest you. (See Page 11 for contact information.)





**How L&I can help you:  
Experts, services and dollars.**

## RTW-related services

### Risk management services

A risk management specialist can meet with you to help you develop return-to-work tools and explain other strategies to minimize your workers' compensation costs and premiums. To contact a risk management specialist, call your local L&I office. (See Page 11.) Also, learn about claim management workshops L&I offers at [www.Workshops.Lni.wa.gov](http://www.Workshops.Lni.wa.gov).

### Loss of earning power (LEP) benefit from L&I

If your injured employee returns to a transitional position at a reduced pay level, he or she may be entitled to payments to help offset the difference between the original wage and the temporary wage.

### Job modification benefit

A therapist from L&I may assess whether a modification could help your employee return to work earlier. Modifications include adjustments to the work site or workstation, or tools or equipment that allow your employee to work within his/her limitations.

### Equipment

You may be eligible for up to \$5,000 from L&I to make work-site modifications that will help bring your injured employee back to work.

### Vocational assistance

Vocational services consultants at L&I may be able to help you resolve problems in starting or sustaining a return-to-work option.

### Preferred Worker Program

Qualifying employers who hire workers who meet specific criteria may be entitled to premium discounts. You can find additional information online at [www.PreferredWorker.Lni.wa.gov](http://www.PreferredWorker.Lni.wa.gov).

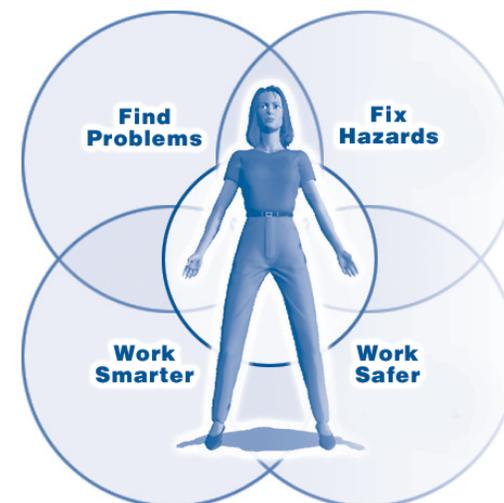
## Safety resources

### Build an injury-free company

Every employer should answer "yes" to these questions:

- Do you know the hazards in your business, and how to fix them?
- Are your employees involved in promoting safety at your workplace?
- Do you know how to prevent future injuries?

If you answer "no" to any of these questions, you could benefit from free safety consultation services from L&I. Learn more at [www.SafetyConsultants.Lni.wa.gov](http://www.SafetyConsultants.Lni.wa.gov) or call a local L&I office.



### Safety training online

Free online safety and health training on a wide variety of topics makes it easier than ever for you and your employees to learn about workplace safety. These safety courses and topic overviews can help you address safety awareness concerns, such as chemical and biological hazards, first aid and fire safety. There are also short, online videos in English and Spanish covering common serious hazards. Several training kits provide materials and the information needed to meet specific WISHA safety and health training requirements.

- View the online safety training: [www.Lni.wa.gov/Safety/TrainTools](http://www.Lni.wa.gov/Safety/TrainTools)
- Learn more about workplace safety and health rules: [www.SafetyRules.Lni.wa.gov](http://www.SafetyRules.Lni.wa.gov)



**How L&I can help you:  
Experts, services and dollars.**

## Return-to-Work contacts at Labor & Industries

### Contacting local L&I offices

#### Region 1

##### Northwest Washington

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

#### Region 2

##### King County

Bellevue..... 425-990-1400  
 Seattle..... 206-515-2800  
 Tukwila..... 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

#### Region 6

##### Eastern Washington

Pullman ..... 509-334-5296  
 Spokane..... 509-324-2600





## Know the basics of workers' comp claims.

If you take an active role in dealing with a workers' comp claim, and communicate with your injured employee and his/her claim manager and health-care provider, you will have a much better chance of protecting yourself from unnecessary claim payments.

### Stay informed

1. Make sure your employee immediately obtains required medical care from his or her health-care provider or hospital. L&I will reimburse you for any required transportation costs. (You must request reimbursement in writing.)
2. Make sure you promptly complete the employer's report of an injury. This is your first — and in some ways the most important — chance to let L&I know your side of the story, especially if you question the validity of an injury claim. Please provide as much information as you can, and do not just repeat the employee's statements.
3. Stay informed about your worker's claim. At the Claim & Account Center ([www.ClaimInfo.Lni.wa.gov](http://www.ClaimInfo.Lni.wa.gov)) you can get information and exchange secure messages with the claim manager. If you prefer phone contact, call your local L&I office.
4. Pay attention to any mail you receive from the Department of Labor & Industries. Some correspondence may indicate deadlines for you to appeal decisions regarding the claim.

### Know your appeal rights

You have essentially the same status in a workers' comp claim as your injured employee. You may receive information and **appeal or protest** just as your injured employee does.

**Don't delay.** If your injured employee files a claim accompanied by a health-care provider's statement granting eligibility for time-loss benefits, L&I must send the first check within 14 days. That's the law.

**Review orders you receive.** There are two types of orders you may receive, "binding" (determinative) and "non-binding" (interlocutory). Verify that the information stated on the order is correct, and if it is not, contact L&I right away. An example would be if you discover your employee is continuing to receive time-loss checks, but he or she has already returned to work.

**Remember, written orders from L&I specify a deadline for appeal or protest. You must take action within the indicated timeframe.**

### Use resource materials

You may find the following websites and printed publications useful.

#### Websites

A step-by-step overview for understanding the claims process.  
[www.Lni.wa.gov/ClaimsIns/Claims](http://www.Lni.wa.gov/ClaimsIns/Claims)

Insurance for business: the section of L&I's website specifically for employers.

[www.Lni.wa.gov/ClaimsIns/Insurance](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.

[www.StayAtWork.Lni.wa.gov](http://www.StayAtWork.Lni.wa.gov)

Employers can access a workplace injury claim or their industrial insurance account through the Claim & Account Center at [www.ClaimInfo.Lni.wa.gov](http://www.ClaimInfo.Lni.wa.gov). The site is generally available weekdays 6 a.m.–11:30 p.m. and on weekend days. It may be closed for maintenance during early mornings and weekend evenings.

#### Publications

*Employers' Guide to Industrial Insurance (F101-002-000)*

This publication is available at [www.Lni.wa.gov/IPUB/101-002-000.pdf](http://www.Lni.wa.gov/IPUB/101-002-000.pdf) or by calling the L&I office nearest you.

*Getting Back to Work: It's Your Job and Your Future (F200-001-000)*

You can share this brochure with your employees. It is available at [www.Lni.wa.gov/IPUB/200-001-000.pdf](http://www.Lni.wa.gov/IPUB/200-001-000.pdf) or by calling the L&I office nearest you.

*The Complete Stay at Work Guide for Employers (F243-005-000)*

This publication is available online at [www.Lni.wa.gov/IPUB/243-005-000.pdf](http://www.Lni.wa.gov/IPUB/243-005-000.pdf).



## Tools you can use.

### Sample Light-duty Job Description

#### Order Taker

**Job Duties:** In a dealer's auto parts department, takes orders from customers, utilizing telephone, fax and Internet. Checks on availability and price of parts, and advises customers. May write up order and invoice as appropriate.

**Tools and equipment:** Telephone, computer, desk, chair, paper and pen or pencil.

**Frequency and duration of tasks:** Worker can set task and speed level and has the flexibility to stand or sit as needed.

**Physical demands limited to the following:**

1. Frequent – Lift paper and writing implements weighing less than one pound.
2. Alternate sitting and standing as needed to write up orders and enter into computer.
3. Frequent – Handle and grasp writing implements to organize and record information.
4. Frequent – Fine finger manipulation to keyboard and organize paperwork.

**No additional demands will be required of the worker without approval of the attending doctor. Any reasonable accommodation can be considered.**

Employer's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Medical Release Date: \_\_\_\_\_

Health-care Provider's Comments:

Health-care Provider's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Health-care Provider's Printed Name \_\_\_\_\_

Seldom = up to 10%  
Occasional = 10% to 30%

Frequent = 30% to 70%  
Constant = over 70%

**Note:** The following is a sample. A fillable form you can use as a template to create the job description is available at [www.Lni.wa.gov/Forms/pdf/F252-040-000.pdf](http://www.Lni.wa.gov/Forms/pdf/F252-040-000.pdf) on the L&I website.



**Sample Employer  
Cover Letter to Health-care  
Provider**

Date

ADDRESS BLOCK:  
Worker's Treating Doctor  
Address  
City, State, Zip

RE: Light Duty for [Name of Employee]

Claim Number:

Dear Doctor:

To assist \_\_\_\_\_ in returning to work, we would like to offer a modified light-duty position. I have enclosed a copy of the proposed position. Please provide your medical opinion about this individual's ability to perform this job.

If further modifications or accommodations are needed, please describe them in detail. Thank you for treating our valued employee. Please call me if you have any questions or comments.

Sincerely,

Your name and title

cc: Labor & Industries' Claim Manager  
Employee

Enclosure: Job description



### Sample Job Offer Letter

Date:

ADDRESS BLOCK:

Injured employee's name

Address

City, State Zip

Dear:

I am pleased to offer you transitional employment as an Order Taker that will accommodate your current physical capacities. The attached job description approved by your health-care provider on [appropriate date] describes your job duties.

Your work hours are 8:00 a.m. to 5:00 p.m., Monday through Friday, which is a 40-hour week. This position will pay \$9.50 per hour. Please contact your L&I claim manager to determine if you are eligible for Loss of Earning Power benefits.

Your supervisor is \_\_\_\_\_. He has been made aware of your current work restrictions, which are no lifting and carrying of objects over 5 lbs. If you have trouble performing your job duties, you must let your supervisor know immediately.

Please report to your supervisor on Monday, April 1, at 8:00 a.m. Please call me if you do not accept this job offer. If I do not hear from you, and you do not report for work as scheduled, I will assume that you have decided not to accept this job offer. If you do not accept this job offer, it may affect your time-loss benefits.

Please contact me if you have any questions or concerns.

Sincerely,

Your name and title

cc: Labor & Industries' Claim Manager  
Supervisor

Enclosure: Job description approved by health-care provider



## Frequently asked questions about job modifications.

### What is a job modification?

A job modification is an adjustment or alteration to the way a job is performed. The modification may be temporary during recovery or permanent.

Employers can make job modifications independently of the L&I. Some workers may be eligible for an L&I benefit assisting with a job modification.

### Why should a job be modified?

Modifying a job helps an injured worker return to work more quickly. It typically decreases time-loss and long-term disability.

### Can you give me some examples of job modifications?

A worker developed carpal tunnel syndrome as a result of frequently gripping small pliers during mechanical work. His restrictions include reducing the amount of force he uses to grasp tools. Using pliers designed with larger and longer handles will reduce the force.

A worker with a back injury who has lifting restrictions has to manually lift boxes off of a conveyor onto a pallet. The worker may benefit from a mechanical lifting device.

#### Manual lift



#### Mechanical lift



### When does L&I offer financial assistance with job modifications?

For eligible workers, L&I will provide financial assistance with job modifications. For these workers, L&I may pay for a consultation and special equipment or tools so that the worker can return to their job or a new job.

### Who is eligible for the L&I benefit?

A worker may be eligible for the L&I benefit if:

- The worker has an open and allowed claim, and
- The worker is off work or was taken off work in the past, and
- The attending health-care provider placed restrictions on the worker that prevent them from doing their regular or new job.

### What is the process for requesting the L&I benefit?

Contact the claim manager to request a consultation on the job modification. Any existing work restrictions must be identified at the time of the request.

A number of involved parties may request a job modification consultation: the attending health-care provider, employer, consulting health-care or vocational service provider, claim manager, third-party administrator or the worker.

### Who decides what type of modification L&I will pay for?

If the request for a consultation is approved, a consultant will work with the worker, employer, and attending health-care provider as needed to identify an appropriate job modification.



## Frequently asked questions about job modifications.

### Who is the consultant for job modifications?

Typically, the job modification consultant is a physical or occupational therapist, a vocational service provider, an ergonomic consultant, or a member of the employer's staff.

***Vendors who supply equipment for the modification may not provide the consultation without prior approval from the claim manager.***

### How does L&I pay for job modifications?

For eligible workers, L&I pays up to \$5,000 per claim per job site. The benefit is paid out of the Second-Injury Fund. Use of the job modification benefit does not directly affect the employer's industrial insurance (workers' compensation) premiums.

Self-insured employers may request reimbursement for equipment and tools from L&I's Self-Insurance section.

### Who owns equipment purchased by L&I as part of a job modification?

Either the employer or the worker may own the equipment or tools L&I purchases as part of a job modification. Both parties must sign an agreement specifying ownership. Typically the employer will own non-portable items and items that are bolted to the work site.

### How can I get more information about L&I's job modification benefit?

- Visit L&I's website at [www.Lni.wa.gov/ClaimsIns/Providers/Vocational/Tools/PreJob/default.asp](http://www.Lni.wa.gov/ClaimsIns/Providers/Vocational/Tools/PreJob/default.asp)
- Call the assigned claim manager, or
- Call the L&I office nearest you and ask to talk with the Regional Supervisor.

## **Do you have comments or suggestions about this publication?**

The *Employer's Return-to-Work Guide* explains the benefits of 'return to work' from the employer's perspective, describes RTW options, and provides resources and contact information. It is an educational tool, not a legal interpretation of the law for every case.

If you have comments or suggestions about this publication, please send an email to [Richard.Wilson@Lni.wa.gov](mailto:Richard.Wilson@Lni.wa.gov) or call 360-902-6313.

If you have questions or concerns about a specific return-to-work situation in your company, contact the assigned claim manager.



*Other formats for persons with disabilities are available on request.  
Call 1-800-547-8367. TDD users, call 360-902-5797.  
L&I is an equal opportunity employer.*

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