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| SUBJECT: Return to Work | Effective Date: 4/9/2020 | Policy Number: FSP 2020 FS0022 | |
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| | Responsible Authority: Associate Vice President, Administration and Finance (Facilities and Safety) | | |

APPLICABILITY/ACCOUNTABILITY:

This policy applies to all departments in the Facilities and Safety (F&S) domain.

POLICY STATEMENT:

F&S values its employees and is committed to supporting staff with an injury or illness, where appropriate, to remain at or return to work. This policy establishes the process to assist with the timely return to work of employees who have sustained an injury or illness, whether work-related or non-work-related. While F&S is not obligated to create alternate or light duty assignments, management may create them to engage and assist employees toward a productive and safe path back to work.

DEFINITIONS:

Alternate Duty Assignment: Assigning an employee to work in an alternate position when the employee’s permanent department is unable to accommodate his or her physical restrictions.

Alternate/Light Duty Assignment Notice: Packet issued by Human Resources to the employee consisting of a light duty status letter, Workers’ Compensation Modified Duty Plan, and the employee’s position description.

Light Duty Assignment: Modification of an employee’s current duties to accommodate his or her physical restrictions.

Non-Work-Related Injury or Illness: An injury or illness sustained by an employee outside of the performance of job duties.

Work-Related Injury or Illness: An injury or illness sustained by an employee which results from the employee being engaged in the performance of job duties.

POLICY:

Non-Work-Related Injury or Illness:

When an employee is unable to perform the essential functions of his or her position due to a non-work-related injury or illness, the employee may be eligible for an accommodation under the Americans with Disabilities Act (ADA).

The employee will be referred to the Office of Institutional Equity in order to explore his or her rights and responsibilities under the ADA. Employees will be required to provide F&S HR with a medical release or documented ADA accommodation, prior to returning to work.

Work-Related Injury or Illness:

I. Development of Alternate or Light Duty Assignments

Upon an employee being assigned physical restrictions by his or her treating physician, F&S HR will review the medical limitations that are relevant to the essential functions of the employee's position description. F&S HR will then consult with the department to determine whether an alternate or light duty assignment is available.

The department will identify alternate or light duty assignments that conform to the employee's specific restrictions. This may consist of either modifying the employee's current job requirements (light duty) or assigning the employee other responsibilities in another position (alternate duty). Light duty should consist of tasks in an employee's position that he or she is qualified to perform when unable to perform his or her regular assigned duties. Alternate duty should consist of tasks in a position other than the employee's current position in which the employee is qualified to perform, with training.

F&S HR will communicate the alternate or light duty offer to the employee through a Notice of Alternate/Light Duty Assignment, and attach a Workers' Compensation Modified Duty Plan. The assignment will commence the day after the employee is made the official offer. An employee afforded the opportunity to work in an alternate or light duty capacity is expected to adhere to the limitations prescribed by his or her treating physician. By signing the Modified Duty Plan, the employee is agreeing to work within the written medical limitations, provide timely medical updates, and adhere to the F&S Attendance Policy. When signing the Modified Duty Plan, the supervisor is also agreeing to assign work that adheres to the written medical limitations. Questions or concerns regarding the alternate or light duty assignment should immediately be brought to F&S HR.

If the employee declines the offer to work in an alternate or light duty capacity at any point, the Florida Division of Risk Management will determine if he or she becomes ineligible for lost wage benefit payments; at which point he or she may need to use accrued leave time.

Employees may be provided a reduced work schedule as a light duty assignment, based upon their doctor's instructions and the department's business needs. In the event an alternate or light duty assignment results in the employee working a reduced work schedule, the employee may be eligible for lost wage benefit payments and/or the Family Medical Leave Act (FMLA).

In situations where an alternate or light duty assignment is not practical, or if the employee declines to work in an alternate or light duty capacity, the employee may apply for FMLA. If applicable, the employee may also apply for an accommodation under the Americans with Disabilities Act (ADA).

II. Time Limitations:

All alternate or light duty assignments will be reviewed every 30 days to determine continuation of the assignment, and may change based upon updated or evolving work restrictions from the treating physician. Extensions in excess of 90 days may be allowed on a case-by-case basis. Such extensions are at the discretion of the department head or designee, provided the request is deemed to be justified and not detrimental to the operation of the organization.

The duration of an alternate or light duty assignment should not exceed the duration of the medical restrictions.

III. Medical Release:

The employee will be required to provide F&S HR with a medical update indicating either a release to perform the essential functions of his or her position, or describing his or her updated work status.

If an employee's medical restrictions continue past the duration of his or her Modified Duty Plan, the employee may be eligible for medical leave under Workers' Compensation.

REFERENCES:

F&S Attendance Policy

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| Approved By: | Date Approved: |
|  | 4/9/2020 |
| Duane T. Siemen Interim Associate Vice President Administration and Finance Facilities and Safety | |