Return-to-Work Policy

Purpose

Trindel Insurance Fund, (hereafter referred to as the "Fund"), strives to assist employees to return to work at the earliest possible date following an injury or illness. However, this policy is not intended to supersede or modify the procedures applicable to employees eligible for reasonable accommodation or covered under the Americans with Disabilities Act (ADA) or leave benefits under the Family and Medical Leave Act (FMLA) or California Family Rights Act (CFRA).

Inquiries about the ADA, FMLA or CFRA should be directed to the human resource department (HR).

Eligibility

The policy applies to all eligible workers and will be followed whenever appropriate.

Transitional or Temporary Modified Duty Work

The Fund defines "transitional work" as temporary, modified work assignments within the worker's physical abilities, knowledge and skills.

When possible, transitional positions will be made available to injured workers to minimize or eliminate time lost from work. The Fund cannot guarantee a transitional position and is under no obligation to offer, create or encumber any specific position for purposes of offering placement to such a position.

The policy only applies to regular full and part-time employees who are on leave as a result of injury or illness and who are receiving workers' compensation benefits.

In the event an employee refuses transitional work (outside the employee's FMLA benefits period) and the employee satisfies the restrictions and ability to perform the transitional position, the Fund is not obligated to provide an alternative position. In such cases, the Fund will notify the insurance carrier of the employee's refusal of the transitional work.

Procedures

To obtain a transitional assignment the employee must provide the Fund with a Return-to-Work Form from the attending physician and request a Position Description and/or Work Ability Form from the supervisor or Executive Director and provide this to the attending physician for completion.

If the attending physician releases the employee to return to work on modified duty and has completed the Return-to-Work Form or Work Ability Form, the form(s) must be returned to the supervisor and the Executive Director within 24 hours following the medical treatment for assessment of transitional work. The employee cannot return to work without the release of the attending physician.

The supervisor and the Executive Director will review the Return-to-Work Form and determine if a transitional position for the employee, if appropriate and transitional work falls within business needs. A transitional position job description, including physical requirements, may be prepared for review and approval by the attending physician.

Transitional positions are developed based on the physical capability of the worker, the business needs of the Fund and the availability of transitional work. The Fund will determine appropriate work hours, shifts, duration and locations of all work assignments. The Fund reserves the right to determine the availability, appropriateness and continuation of all transitional work assignments.

It is the responsibility of the employee to provide the supervisor and the Executive Director with a current telephone number and address, so the employee may be contacted. The employee must notify the supervisor and/or the Executive Director within 24 hours of any and all changes in medical conditions.

It is the responsibility of the employee to notify the supervisor and/or the Executive Director immediately of any work-related injuries, if the employee misses time from transitional work or of any changes to transitional work assignments. The supervisor and/or the Executive Director will communicate with the insurance carrier or attending physician as necessary.

Job Offer

Upon completion of the Return-to-Work Form and the attending physician's approval of the transitional position, a written job offer letter will be prepared by the employer and mailed to the employee's last known address. The letter will note the doctor's approval and the start date, hours, wage, duration and location of the transitional work assignment. The employee will be asked to sign the letter indicating his or her acceptance or refusal of the transitional work job offer and to return the letter to the supervisor and/or the Executive Director. Copies of the job description, work releases and job offer letter will be forwarded to the insurance carrier.

Any employee returning to a transitional position must not exceed the duties of the position or go beyond the doctor's restrictions. If any medical restrictions change, the employee must immediately notify his or her supervisor and provide the supervisor a copy of the new medical release.

Supervisors will monitor work performance to ensure the employee does not exceed the requirements set by the attending physician.

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