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3 **POLICY STATEMENT 77**
4 **RETURN TO WORK POLICY FOR EMPLOYEES ON WORKER'S COMPENSATION**

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6 **POLICY DIGEST**

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8 **Primary Monitoring Unit: Human Resources**
9 **Initially Issued: May 19, 2001**
10 **Last Revised: July 1, 2017 (format updated March 20, 2022)**

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12 **I. PURPOSE**

13 LSU Eunice provides workers' compensation benefits to its faculty and staff in accordance with
14 state law. This coverage includes the University's modified duty program designed to
15 encourage employees who have been released to perform work with limitations to return to
16 work.

17 **II. POLICY**

18 To return an employee to the workplace, LSU Eunice will make reasonable efforts to place the
19 returning employee into a meaningful assignment, which he/she can perform while on modified
20 duty on a temporary basis. LSU Eunice cannot guarantee placement and is under no obligation
21 to offer, create, or encumber any specific position for purposes of offering placement. All final
22 decisions regarding placement shall be made by the Chancellor in consultation with the
23 appropriate Vice Chancellor.

24 This policy is not intended to instruct the procedure applicable to employees who are eligible for
25 reasonable accommodation under the Americans with Disabilities Act (ADA) or leave benefits
26 under the Family and Medical Leave Act (FMLA). Inquiries about eligibility under the ADA or
27 FMLA should be directed to the LSU Eunice Human Resource Office.

28 **III. APPLICABILITY**

29 This policy only applies to permanent employees of LSU Eunice who are on leave as a result of
30 work related injuries or illnesses and who are receiving workers' compensation benefits.

31 In the event an employee refuses an accommodation or reassignment of duties (outside the
32 employee's FMLA benefit eligibility period) which are within the employee's restrictions and
33 ability to perform, LSU Eunice is not obligated to provide alternatives. In such a case, LSU
34 Eunice will notify the State Office of Risk Management which may result in termination of the
35 employee's workers' compensation benefits.

36 **IV. MODIFIED WORK REQUIREMENTS**

37 For work to be considered suitable modified employment, the following conditions must be met:

- 38 A. the employee must meet the required qualifications for the modified job assignment

- 39 which the employee will be required to perform.
- 40 B. the work must be a meaningful and productive part of the department's operations,
- 41 C. the work must conform to the medical restrictions set by the medical care provider, and
- 42 D. the modified job assignment and/or modified work schedule normally will not exceed six
- 43 months.

44 **V. GUIDELINES FOR PLACING EMPLOYEES IN TEMPORARY MODIFIED**

45 **EMPLOYMENT**

46 When determining if proposed modified work is suitable, the Office of Human Resources will

47 consult with the injured employee, the departmental administrator, the campus safety

48 coordinator, the Vice Chancellor for Business Affairs, and the medical health care provider.

49 Other individuals may participate on the team as determined by the return-to-work team.

50 The Human Resource Manager will serve as the return-to-work coordinator. The RTW

51 coordinator is the primary contact for employees and outside agencies on matters related to

52 disability management and return to work planning. This includes but is not limited to:

- 53 A. Responsible for the overall coordination and day-to-day administration of the disability
- 54 management program.
- 55 B. Develop, facilitate, and monitor return-to-work program
- 56 C. Develop and facilitate accommodations
- 57 D. Work with the employee and the employer to facilitate RTW programs
- 58 E. Monitor RTW plan and provide progress reports to appropriate individuals

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60 The evaluation will be based on, but not limited to, a list of essential duties (based on the job

61 description for which the employee was hired) along with the completed job analysis form for

62 completion by the employee's physician.

63 The return-to-work team shall identify job functions and physical requirements that can be

64 considered "transitional" duties in the work environment. Every effort will be made to place the

65 employee in his/her original work unit, however, if this is not possible, the team may recommend

66 an alternative work assignment as long as the conditions for return to work outlined above are

67 met. The appropriate administrator of the work unit in which the "transitional" duty assignment is

68 identified must approve the proposed placement prior to further action being taken.

69 Upon return to work, the return-to-work team will review the "transitional" assignment every 30

70 days to determine if the employee is still in transition based on the physician's recommendation.

71 An employee who refuses to return to "transitional" duty for which he or she was medically

72 cleared will be reported to the Office of Risk Management for appropriate action.

73 Civil Service rules, as outlined below, shall govern personnel actions for classified employees

74 accepting "transitional" duty assignments:

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76 A. Employees may be detailed to special duty with Civil Service approval, for a period not to
77 exceed six months (usual time required for an employee to remain on Workers'
78 Compensation). No extension of this type of detail shall be authorized.
- 79 B. The detail to special duty may be lateral or downward. Details to a higher position may
80 also be approved on a case-by-case basis, when justified.
- 81 C. A position may be double encumbered, if necessary.
- 82 D. The employee's base pay cannot be reduced during the detail to special duty.

83 **VI. SOURCE**

84 [Louisiana R.S. 39:1547](#)