



ADMINISTRATIVE PRACTICES MANUAL

SUBJECT: WORKER'S COMPENSATION
Return to Work Program

Policy Statement

It is Dane County's policy to make all reasonable efforts to re-instate employees who have experienced a work related injury or illness to productive work settings, to the fullest extent possible, and as early as is reasonable during the healing process. Risk Management and its TPA will work with the employee, his/her manager, and Employee Relations to develop, implement and evaluate re-instatement program that is based upon a physician's diagnosis and recommendations.

Procedure

- 1) Dane County offers time-limited restrictive duty to employees who are eligible to receive Workers' Compensation lost wage benefits when all the following criteria are met:
 - a) Risk Management must receive documentation from a physician stating:
 - That the employee is still in the healing process and gives an estimate of the time necessary to reach end of healing;
 - That the employee is unable to perform all the physical activities which the employee's job requires;
 - That the physician is releasing the employee to return to work under certain restrictions, and then lists the specific restrictions.
 - b) Dane County has work available (either in the employee's Department or in another Dane County Department or at a non-profit organization) that the employee is able to perform within his/her restrictions.
 - c) Dane County only makes restrictive duty available until an employee reaches end of healing, or until the employee has worked 1200 hours of restricted duty in a payroll calendar year, or until the restrictive duty work is no longer available, **whichever comes first**.
 - d) NOTE: When Dane County offers restrictive duty under this policy, then Dane County avoids paying Temporary Disability benefits. Therefore, restrictive duty under this policy is not an "accommodation" under the Americans with Disabilities Act (ADA). Please see our ADA policies for details on Dane County's accommodation process.

- 2) If an employee is unable to return to his/her previous position because of a permanent disability or restriction, the employee is eligible for vocational rehabilitation services if all the following criteria are met:
 - a) The employee must have a compensable work related injury for which vocational retraining benefits have not been settled through a compromise agreement.
 - b) The employee must, at time of injury, submit documentation of the work restrictions to Dane County Risk Management so that it may determine if work is available within the permanent restrictions and make an offer of "suitable" employment. A "suitable" position is one that pays at least 90% of the wage at time of injury and meets the permanent work restrictions established at the end of the healing period.
 - c) The employee must be unemployed or employed in a less than "suitable" position.



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- d) The Division of Vocational Rehabilitation (DVR) must have determined that the employee is eligible for vocational services. (DVR counselors assess functional limitations and determine the need for vocational rehabilitation services.)

- 3) DVR will inform employees whether DVR will provide services directly or will refer the employee to the Worker's Compensation Division's Vocational Rehabilitation Unit that will provide a list of certified private vocational rehabilitation specialists from which to choose. Unless Dane County disputes DVR's finding, Dane County will cover the costs for the private specialist, the retraining program and temporary disability benefits during retraining.

END OF NARRATIVE