

Modified and Transitional Duties

Ensuring a safe transition for employees returning back to work

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ABSTRACT

For employers, workplace injuries and illness can be costly - not just on a monetary basis, but also in the form of lost time and diminished work capacities. Many injured workers do not return until they are again capable of performing their designated job tasks; however, developing an alternative return to work program can often prove to be a more cost-effective and proactive way of addressing such concerns. The implementation of an injury management/return-to-work system enables employers to help injured employees to safely work despite their injury (although perhaps in a different capacity), or at least return to safe and productive work as soon as they are physically able to do so. The likelihood that a person will return to work decreases with each passing day, from 90 percent at four weeks to a mere 2 percent after 52 weeks, according to a joint study by Intracorp, the Washington Business Group on Health and the Journal of Workers Compensation. The same study found that employers could save \$3 to \$10 for every \$1 invested in a return-to-work program. Employers benefit by potentially reducing premiums for worker's compensation.

Transitional or temporary/permanent Modified Duty program development requires flexibility and foresight. Accommodating a returning employee whose duties may need to be temporarily altered requires flexibility. Foresight is required to develop a return to work policy that is clear, practical and easily understood.



Modified Duties

Modified Duties are more than a concept and only work effectively when formal structure is in place. It is well known and accepted that the best environment for recovery of injury is in the normal worksite, with necessary support for the employee. Many employers have modified tasks or activities available, but do not have the tools to assign these duties in an effective and timely manner. They also face the burden of needing to pursue further information from physicians, the Workers' Compensation Board and insurance benefit providers. Turning potential time loss claims into no time loss claims, or greatly reducing the period of disability, is our goal.

Modified duties may be developed based on limiting risk to the returning employee by structuring light, medium and even sedentary tasks when applicable. Modified duties are not by definition necessarily related to the employee's previous duties and may be based strictly on a graduated Physical Demand Classification (PDC) Level. That means a dock worker with a limitation of lifting may be in a desk job.

The primary concern with Modified Work is progressively graduating the worker to their previous PDC Level. All too common are the workers that become stagnant in a light duty environment. Goals have to be set and timelines developed to ensure progression.

Objectives of a properly designed Modified or Transitional Duties Program:

- Reduce worker's compensation costs
- Reduce use of insurance benefits and control premiums
- Eliminate unnecessary time loss resulting from work related injury
- Increase morale
- Reduce cost of replacement workers
- Increase productivity
- Reduce administrative costs



Task Bank Approach and the Aging Workforce

To help employees return to work after an illness or injury, many companies offer modified duties as part of their early return-to-work programs. To facilitate these temporary assignments, employers use a task bank, a listing of previously identified tasks at various departments in the company. With a task bank, an employee's abilities are matched with the physical and cognitive requirements of various tasks, which are then bundled into a job. Now, some employers are taking the task bank concept beyond only temporary assignments for ill and injured workers covered by worker's compensation or short-term disability. These employers are using task banks to structure permanent assignments for workers with disabilities, and to recycle their aging workforces. From a disability management perspective, this is ideal. The transitional work becomes a stepping stone to a permanent assignment. This is good for the employee, who remains productive and retains his or her earning power. It is also good for the employer, who retains an employee in whom it has invested knowledge and training.

Transitional Duties

When an injury occurs, the goal for both the employer and the worker is to get things back to the way they were before the injury. This is where transitional duties come in: Transitional duties are any **temporary changes to the worker's job tasks** that align with their functional abilities – what the worker is able to do. If the worker is unable to immediately return to their original job, providing transitional duties will help them recover, contribute to valuable work and reduce or eliminate the claims costs associated with lost time from work. Planning transitional duties is the process of determining work tasks that can be provided to an injured worker during their recovery.



The physical demands of the job tasks must be known and must not exceed the physical ability of the worker. Transitional duties must be meaningful, productive and within the injured worker's skills and abilities. When a worker returns to transitional duties, it's your responsibility to work with them to progressively increase duties as their ability improves. Remember – the transitional assignment is intended to be temporary. Transitional duties should be as closely related to the original job as possible given the worker's restric-

tions, and the transitional assignment should be short-term. A date to return to regular duties should be clearly determined at the outset based on when the worker is physically able to return to their original job.

For example, an injured warehouse worker normally asked to lift and load merchandise as well as keep inventory records might return to their work group to temporarily undertake only the record keeping functions of their position. When the employee returns to assume transitional duty, their temporary responsibilities and any necessary training or safety issues should be discussed in depth with them. Transitional duty can assume an evolving role as the doctor amends the job restrictions. Transitional duty helps the employee by keeping them productive and bringing them closer to their work group, reducing the chances of depression. From the employer's perspective, providing transitional duty options sends a strong message of support to the workforce, and it can lower costs as it increases productivity/reduces time away from work.

Steps in the development of a Transitional Duties Program:

The offer of transitional duties for the employee needs to consider the following segments in your form letter: *Scope, Work Assignment, Compensation, and Periodic Review*

1. Inform the employee your Transitional Duty Program was established to provide continuous employment for employees who cannot perform all job functions temporarily because of a work-related injury or illness. Let them know the goal is to ensure every employee remains an active part of the workforce and make it clear that participation in the Transitional Duty Program is a condition of employment.
2. Let them know the work assignment will make every attempt to be similar to their original job and if they chose not to return to work, they may be eligible for 12 weeks of unpaid leave under the Family and Medical Leave Act.
3. Compensation, changes for transitional duty for the employee would mean he/she is not eligible for overtime. If transitional duty is unavailable, then they will be paid for lost work time in accordance with state law.
4. Periodic reviews: Let employees know transitional duty lasts no longer than 120 days, after that time, they may return to their original position. If they are unable to do so, your company offers another position if this is required under the Americans with Disabilities Act. If, no other position is available, the employee will be separated from the company.

Case Examples

Spherion Corp., a staffing company with 4,000 employees and \$987 million in revenue, unveiled a transitional-duty initiative in 2000. About 700 workers have qualified for it, and most have been given medically approved modified jobs by their employers. About 70 people, 10 percent of those in the program, have been placed at community charities or other nonprofit organizations for transitional duty.

"Transitional employees go back to work at full duty usually about 30 days sooner, so that reduces the wages and the medical expenses we have to pay," says Susan Shemanski, Spherion's Director of Claims. "They're back into the productive workforce, and we're able to bill clients for them again."

Comcast Corp., a Philadelphia-based cable services company with about 50,000 U.S. employees, offers transitional-duty assignments, although it doesn't have an arrangement with nonprofit organizations. Instead, Comcast has a wide range of jobs that can be restructured to get employees back to work as soon as it is practical. When one of its technicians fell off a ladder last year, sustaining several bone fractures, Comcast designed a modified job with restricted duties that were specified by doctors. The job was in sales, a completely new field for the employee, but it was work.

"The longer that people are away from their jobs, the more difficult it becomes for them to return to the workforce in any form. On-the-job rehabilitation plays a critical role in recovery. It targets, in a person's mind, that there is an expected date for [full] recovery."

Federal Express Corp. developed and implemented the company's modified-duty plan. It produced a savings of about \$1 million in its first year. FedEx employees also gained a deeper appreciation for their company. The same holds true today. "If you do this with the goal of treating people right," Catlette, RTW Administrator says, "you will return more money to the company. Period."

The Return on Investment

Research suggests that return-to-work strategies help curtail the rising costs of unscheduled absences, which cut into productivity and eat away at profits. Direct costs of unscheduled absences, including those for worker's compensation, disability and family and medical leave, average 4 percent of payroll, according to another study by Mercer Human Resource Consulting. Indirect costs—overtime, lost productivity, and hiring and training replacement workers—could be two to three times higher.

What's more, employers don't have a lot of control over worker's compensation costs, which get paid out over many years. Those costs mount over time and put a drag on a company's balance sheet.

"Transitional duty is not only about trying to get people back to work, but also about controlling costs," Ritter, Aon Corp

"Insurers know full well that the longer someone is off work, the more expensive a claim becomes. And it goes up exponentially," says James Kremer, VP Worker's Comp, Workers Transition Network

In Conclusion

In many companies, human resources and risk-management departments are not dealing with the same issues when it comes to addressing the issue of employee injuries. Human resources tend to focus on staffing, recruitment and training, while risk management oversees the insurance issues. What's needed is for the two disciplines to work as a team. Both departments need to break down the communication barrier if they're going to effectively change the impact that absences have on their organization. Devising a plan should not include make-work, instead, companies need to look at existing work demands and find creative ways for someone who is disabled or impaired, to help, without aggravating their injury. A great place to start is the development of a bank of potential transitional jobs in order to match the specific restrictions of the employee with the work options available at that time. A successful component of Return To Work is having accurate job descriptions for every position, including the inherent physical demands of each. Ensuring that this information is promptly conveyed to the treating physician, who will determine the employee's ability to return to work, is critical too. These job descriptions also need to be shared with the case manager, the line manager and, if applicable, the labor representative. Furthermore, ensure if your physical therapy provider is testing the employee for Fit for Duties, that they test not only the previous full time job, but also to compare to existing modified or transitional duties. This way you can be confident that your placement will be safe and sustainable.

Modified and Transitional Duties programs are an effective means to reduce overall cost, premiums and loss time, while motivating your employee base and increasing productivity.

The information noted above is a summary of one of the components of Fit2WRK by USPh. This integrated model is available through USPh in close to 400 facilities and 44 states nationally. For additional information on how the Fit2WRK Model could help your organization, visit; www.Fit2WRK.com or call 1-877-Fit-2WRK.

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Progress of Transitional / Modified Duty Assignment

This form can be used to document the progress of the injured worker's transitional work status, which is a temporary one, and one not expected to last more than approximately 30-45 days. In the event one of your employees is reaching that point, contact your SRS claims professional to discuss strategy.

Employee Name: _____

Department: _____

Supervisor: _____

Transitional/Modified Duty Start Date: _____

of days estimated on noted Duty: _____

Physician Name: _____

Physician Phone: _____

Original Restrictions: _____

Date	Restrictions or Modifications?	Transitional Duty Position

Physician Letter for Return to Transitional / Modified Duties

Date

(Treating physician's name)

(Treating physician's address)

Re: (Injured worker's name)

Dear (Treating physician's name):

(Company's name) is committed to enabling our injured employees to return to work as quickly and safely as possible. (Injured worker's name) was injured on (date of injury). He / she is aware of our desire to return him/her to the workplace.

We have established a return-to-work policy. We are providing you with two job descriptions and a return-to-work recommendation form. The first job description is (injured worker's name)'s regular job, so you can make an informed decision about his/her ability to return to these work tasks safely. We will modify the regular job if feasible, such as reduced hours, temporary changes in duties or reasonable ergonomic accommodations.

If (injured worker's name) is unable to return to his/her regular job, (company's name) will make every attempt to return him/her to transitional work that would fit his/her current work abilities as outlined by the medical restrictions. If necessary, we could tailor work schedules around related medical appointments. This is the second job description, with the required physical demands, that may be appropriate for (injured worker's name).

Please assist us by reviewing the attached job descriptions and providing your recommendations on the attached return-to-work form. We also would like updated comments on his/her progress after each office visit.

Ultimately, it is the goal of (company's name) to work in partnership with you and your office. We believe our shared goal is for (injured worker's name) to return to the highest level of productive employment possible. We look forward to working with you. If you have any questions about this process or need additional information, please contact us at (phone number of return-to-work coordinator).

Sincerely,

(Company's representative)

(Company's name)

Enclosures

Policy Statement for the Return-to-Work Process

(Company's name) is committed to providing and promoting a safe and healthy workplace for our employees. Preventing accidents, injuries and illnesses are our primary objectives.

When an employee is injured on the job, (company's name) will use our return-to-work process to assist the employee in returning to work as soon as medically feasible. We will arrange for immediate, appropriate medical attention for employees who are injured on the job. We will attempt to create opportunities for them to return to a safe, transitional work assignment as soon as medically possible.

The process may have different names (return-to-work program, modified work program, transitional work); however, our goal remains the same: to return injured employees to safe work.

Our ultimate goal is to return our injured employees to their original jobs. If an injured employee is unable to perform all the tasks of the original job, (company's name) will make every effort to provide a transitional work assignment that meets the injured worker's capabilities.

The success of this process involves the combined efforts of management, employees, our designated medical provider(s) and our worker's compensation insurance carrier (name here).

President/ CEO

Rev (date here)

Notification of Transitional Work Assignment to Employee

Date
Employee's Name
Address Line
City, State & Zip Code

Re: Notice of Employment under the Return-to-Work Program
CERTIFIED MAIL RETURN-RECEIPT REQUESTED

Dear Employee:

(Company's name) has a transitional work assignment available for you until your physician releases you to a full work status in accordance with our Return-to-Work Program.

Your transitional work assignment will last (until you return to regular work or until the company no longer needs you in this position: the position may be indefinite). The position is in the (state the department) where you will (explain job duties). The job entails (describe the maximum physical demands of the position).

Your physician, (physician's name) has authorized your return-to-work in this job and has agreed that this work assignment is within your physical limitations. Attached is a copy of his/her release. We agree to follow the advice of your physician until you are released to full duty.

Your work schedule will be (hours), on (days of the week) and you will be expected to report to (location and name of supervisor). Your rate of pay will be \$(rate) per (hour, week, or month).

If you do not accept the offer, SCF may make an adjustment in your compensation benefits based on the earnings this transitional assignment would provide.

We look forward to seeing you on (date). If you have any questions, please call us at (phone number).

Sincerely,

President/CEO

Cc: Supervisor
Worker's Compensation Insurance Claims Adjuster
HR Department

Enclosures

I have read and understand the above information.

I accept this job I decline this position

Employee Signature

Date