



Legislation Text

File #: 17-213, **Version:** 1

Adopt County Return-to-Work Policy for County employees

Published Notice Required? Yes ☐ No ☒
Public Hearing Required? Yes ☐ No ☒

DEPARTMENTAL RECOMMENDATION:

The Director of Human Resources recommends that the Board of Supervisors adopt the County's Return-to-Work Policy for County employees.

SUMMARY:

The Department of Human Resources, Risk Management Division, has developed the Return-to-Work policy and procedures designed to enable an employee to return to work as soon as medically feasible following an industrial or non-industrial injury, illness or disability. The key to a successful return-to-work program includes the gradual resumption of the employee's regular job assignments during the recovery process. The policy provides specific procedures that identify roles and responsibilities as well as consistent interventions to reduce prolonged absences and minimize direct and indirect costs.

The adoption of the proposed policy formalizes the County's efforts in providing employees transitional work assignments.

FINANCIAL IMPACT:

There is no cost to the County to implement this policy. Return-to-work programs can have the effect of reducing direct and indirect costs by minimizing the impact of an employee's injury, illness or disability, the cost of lost productivity, time, morale, and the use of disability-related leave benefits.

DISCUSSION:

The Return-to-Work policy represents the County's commitment to a return-to-work program that provides clear written guidelines and procedures promoting the progressive return of the ill or injured employee to full work duty.

Highlights of the policy are as follows:

1. The policy provides for temporary, transitional work assignments and applies to both industrial and non-industrial injuries, illnesses and disabilities;
2. The availability of transitional work assignments is determined by the County's department directors and based upon the employee's temporary work restrictions or limitations and the availability of temporary work;
3. Transitional work assignments may be assigned to an employee who is unable to perform the essential functions of his or her job for an initial period of 90 days. Extensions are possible, but extensions

beyond 180 calendar days are subject to approval of the Director of Human Resources; and

4. On-going evaluation for continuation or extension of the assignment is periodically reviewed by Risk Management, the supervisor and the employee to ensure that limitations are lessening within specific timeframes, keeping in mind that the assignments are temporary.

Studies have shown that the sooner an employee returns to work, the more likely the employee will reestablish a full-duty work schedule and full productivity. Studies have also illustrated that the longer the employee is off the job, the less likely he or she will return to work or to full duty status.

A return-to-work program is part of a strategy to retain employees by bringing them back into the workforce as soon as medically feasible. Return-to-work programs involve modified or alternative assignments for employees who are recovering from an injury, illness or disability. These assignments are often referred to as “modified duty” or “transitional work” assignments. Each employee is monitored to ensure that gradual restrictions and limitations are lessening within specific timeframes, keeping in mind that the assignments are temporary in nature.

Considerations in implementing a return-to-work program are:

- To provide the employee with the necessary assistance to return to his or her normal work environment;
- To demonstrate the employer’s concern for the employee’s well-being and the desire for an early return -to-work;
- To provide timely communication with the employee; and
- To provide reasonable accommodation, whenever necessary and operationally feasible, enabling the employee to perform the essential functions of the job.

Each employee is monitored to ensure that gradual restrictions and limitations are lessening within specific timeframes, keeping in mind that the assignments are temporary.

Top benefits for employees include:

- Retains full earning capacity
- Maintains a productive mindset
- Stays on a regular work schedule
- Avoids using sick leave or disability leave benefits that can be saved for other times
- Maintains morale and a sense of job security and stability
- Helps to speed the recovery process

Top benefits for the County include:

- Anticipates and controls hidden costs, such as workers’ compensation claims
- Provides a proactive approach to cost containment
- Establishes goodwill between the employee and the County
- Improves the management of an injury claim and any restrictions
- Returns an experienced and valued employee to work
- Improves the morale and productivity of the employee’s peers
- Needed work is performed and accomplished
- Cost of hiring and training a new or substitute employee is eliminated or reduced
- Ensures compliance with state and federal law disability leave and accommodation requirements

ALTERNATIVES:

The Board of Supervisors may choose not to adopt the policy; however, staff does not recommend this as the policy benefits both employees and the County.

OTHER AGENCY INVOLVEMENT:

Notification of the proposed policy and opportunity to meet were provided to all bargaining unit representatives. A meet and confer process was conducted with those unions whom elected to meet regarding this matter.

CAO RECOMMENDATION:

APPROVE DEPARTMENTAL RECOMMENDATION