

## Return to Work/Temporary Limited Duty

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### Policy

It is the policy of DGS that any injured employee shall be placed on temporary limited duty, where practicable. The injured employee shall be returned to work in his/her same position, with or without reasonable accommodation or to a closely related position, if the employee is unable to perform the essential functions of his/her former position.

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### Purpose

The purpose of the Return-to-Work Coordinator identifies options that will most likely result in the return of an injured State employee to productive employment with the State. The main intent of the return-to-work program, including Temporary Limited Duty assignments, is to:

- Reduce the cost associated with Workers' Compensation and Non-Industrial Disability Insurance
  - Expedite recovery and assist the employee's return to full duty
  - Reduce the financial strain on the employee
  - Benefit the department by retaining the services of experienced employees
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### Responsible party

The Department of General Services (DGS) has designated Return-to-Work Coordinators who are responsible for managing the workers' compensation cases for DGS. They are responsible for advising supervisors and employees on the workers' compensation process and the benefits to which an injured employee may be entitled. The Return-to-Work Coordinators can assist supervisors and managers in dealing with questions regarding an employee's claim for workers' compensation.

The Return-to-Work Coordinators are responsible for assisting injured employees in returning to work as soon as medically feasible. The Return-to-Work Coordinators will rely on supervisors/managers to provide him or her with updated medical slips, information on the availability of transitional duty (e.g., light duty), or the ability to permanently modify the employee's usual and customary job.

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## Return to Work/Temporary Limited Duty, Continued

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### **DGS Return-to-Work Coordinator assignments**

Current Return-to-Work Coordinator assignments can be found on the Office of Risk and Management's web page, which is accessed through DGSNet.

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### **Supervisor/manager role in Return-to-Work**

One of the most important responsibilities of a supervisor/manager is to maintain contact with any employee who is injured on the job. The supervisor/manager's role in return-to-work is to:

- Talk with their employees about their on-the-job injuries or illnesses and ability to return to work.
  - Create transitional jobs to bring employees back to work as early as possible.
  - Follow employees' progress closely until they return to regular duty.
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### **Transitional duty assignments**

The supervisor/manager should ease the injured employee's early return to work through transitional duty (e.g., light duty). The employee's normal job can be restructured, or the employee can be assigned to another position, until recovery allows a return to normal work activity. Temporary limited duty assignments can involve duties that fall within the employee's appointment class, duties of comparable levels, or duties outside the scope and level of the employee's classification through the use of approved options, e.g., Training and Development (T&D) assignments. Such temporary assignments should be encouraged and allowed without loss of pay. By minimizing the disability time in this way, the injured employee can ease back into a regular work routine. The employee's physician, the Return-to-Work Coordinator, and the State Compensation Insurance Fund (SCIF) claims representative are available to assist supervisors and managers in determining the feasibility of a transitional duty assignment. Generally, an employee will be placed on a temporary limited duty assignment if all of the following conditions are met:

- The assignment is in accordance with the physician's substantiation and recommended instruction;
  - The State determines that the assignment provides needed services;
  - The employee can satisfactorily perform the work;
  - There is a prognosis for improvement of the illness or injury.
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## Return to Work/Temporary Limited Duty, Continued

**Return-to-Work meetings** Return-to-work meetings are convened at the request of the division/office with injured employees. The purpose of a return-to-work meeting is to bring together people concerned about an injured employee to help create a return-to-work plan. Attendees may include a Return-to-Work Coordinator, someone from the personnel office, a SCIF claims representative, a vocational rehabilitation counselor, and the employee's first-line supervisor.

**Resources** The following table depicts the various resources available for Return-to-Work and Temporary Limited Duty assignments:

REFERENCES	SECTIONS
Law & Regulation <a href="http://leginfo.legislature.ca.gov/faces/codes.xhtml;jsessionid=ec740fb92d7f258ccc38ebd5c0c9">http://leginfo.legislature.ca.gov/faces/codes.xhtml;jsessionid=ec740fb92d7f258ccc38ebd5c0c9</a>	GC 19995 - 19995.5  Labor Code 4635-4647, 6200-6208
Responsible Control Agency and Program <a href="http://www.calhr.ca.gov/Pages/home.aspx">http://www.calhr.ca.gov/Pages/home.aspx</a> <a href="http://statefundca.com/">http://statefundca.com/</a>	CalHR  State Compensation Insurance Fund (SCIF)
State Administrative Manual (SAM) <a href="http://sam.dgs.ca.gov/Home.aspx">http://sam.dgs.ca.gov/Home.aspx</a>	2580-2591
<b>Other:</b> <a href="http://www.dpa.ca.gov/benefits/health/workcomp/pubs/SupRoleInjured.doc">http://www.dpa.ca.gov/benefits/health/workcomp/pubs/SupRoleInjured.doc</a>  <a href="http://www.dgs.ca.gov/ohr/Programs/ReturnToWork.aspx">http://www.dgs.ca.gov/ohr/Programs/ReturnToWork.aspx</a>	The Supervisor's Role: When an Employee is Injured on the Job  OHR Return to Work Unit

**Attachments** [TLD Approval Memo](#), [TLD Denial Memo](#), [TLD Expiration Memo](#), [TLD Termination Memo](#)