

**TOWN OF PRESCOTT VALLEY
POLICIES AND PROCEDURES**

Subject:	File Under Section:
RETURN TO WORK	PERSONNEL

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March 26, 2015 Res. No. 1908	 Larry Tarkowski Town Manager

Date: 6-23-17 /S

1.0 POLICY

- 1.1 It is the policy of the Town to return employees to employment at the earliest medically appropriate date following an injury or illness. Where possible and based upon availability, a transitional work assignment will be made available to the employee to minimize or eliminate time lost due to the injury or illness. "Transitional work assignment" is a temporary, modified work assignment compatible with the employee's physical abilities, knowledge and skills. For any business reason and at any time the Town may elect to change the assignment, a working shift, location, department, etc. Further, the Town cannot guarantee a transitional work assignment and is under no obligation to offer, create or encumber any specific position for purposes of offering placement.
- 1.2 This policy is not intended to instruct the procedures application to employees eligible for reasonable accommodation or covered under the Americans with Disabilities Act (ADA) or leave benefits under the Family Medical Leave Act (FMLA). Inquiries about the ADA or FMLA should be directed to Human Resources.

2.0 PURPOSE

The purpose of this policy is to facilitate to the extent possible an employee's return to work at the earliest medically appropriate date following an injury or illness when their return to regular duties is expected in the foreseeable future.

3.0 APPLICABILITY

- 3.1 All Town of Prescott Valley regular full-time and part-time employees who are on temporary work restrictions as a result of a personal or work-related injury or illness.

4.0 REFERENCE

- 4.1 Personnel Policy 2-12, Family and Medical Leave Act
- 4.2 Personnel Policy 2-13, Workers' Compensation

5.0 TRANSITIONAL WORK CATEGORIES

- 5.1 *Modified Work Assignment:* Changing or eliminating specific job assignments within the employee's regular job to meet the temporary work restrictions.
- 5.2 *Alternative Work Assignment:* Offering the employee a work assignment other than his or her regular duties to meet the temporary work restrictions.
- 5.3 *Alternative Work Schedule:* Offering different work hours or a reduced work schedule for a modified work assignment or in conjunction with an alternate work assignment to meet the temporary work restrictions.

6.0 RESPONSIBILITIES

- 6.1 The employee must maintain regular communication with their supervisor and Human Resources regarding absences or work restrictions and must also immediately (or as soon as possible) notify Human Resources regarding changes in their medical status.
- 6.2 Upon release without restrictions by a treating physician, the employee must immediately notify and provide a copy of the treating physician's written release to his/her supervisor and Human Resources before returning to full active duty.
- 6.3 Upon release with restrictions by a treating physician, the employee must provide a copy of the treating physician's written certification to Human Resources. Based upon the employee's job function and the medical certification provided, Human Resources will determine if the employee may safely return to work.

Employees who cannot be safely accommodated in the position occupied at the time of an injury or illness may be afforded the opportunity to perform other work within the employee's capabilities if such work is available. All transitional work assignments will be evaluated on a case-by-case basis by the Human Resources Director with the Town Manager's approval and may include input from the Arizona Municipal Workers' Compensation Pool.

Every effort will be made to determine if a transitional work assignment is available within the employee's home department. If none is available, Human Resources will determine if a transitional work assignment can be offered in an alternate department. The work provided in either case is short-term and will conform to all treating physician restrictions. There is no guaranteed time period for such temporary assignments. The Town reserves the right to discontinue transitional work assignments at any time.

- 6.4 Employees are responsible to perform all duties within the transitional work assignment with the same sense of urgency as they would their normal duties. All performance expectations including work product, attendance and Code of Conduct behaviors in the transitional work assignment must be adhered to.
- 6.5 If at any time during a transitional work assignment the employee's treating physician, or a physician chosen by the Town and/or risk carrier, determines that the employee will not be medically able to return to his/her regular job, the employee may be removed from the transitional work assignment. Eligibility for additional accommodation shall be determined in accordance with ADA guidelines.
- 6.6 Employees afforded a transitional work assignment may choose to decline the assignment and remain on medical leave when they have not yet exhausted their 12-week FMLA benefit period. In such cases the Town is required to notify the disability or worker's compensation insurance provider of the employee's change in status. Employees released to work by a treating physician but who elect not to accept work offered that accommodates their restrictions are not considered disabled and will be unable to qualify for lost-pay disability insurance coverage.

7.0 ADMINISTRATION OF EMPLOYEE STATUS

- 7.1 Employees assigned to transitional work assignments will continue to occupy the same position title held prior to the injury or illness and will continue to receive the same regular base pay and salary increases charged to their home department in accordance with Town policy. This will apply regardless of whether the employee has been accommodated in the same position or has been given a completely different transitional work assignment.
- 7.2 If an employee is released to hours less than their normal work schedule, the employee will receive regular wages for the actual hours worked and compensation from the applicable benefit program (disability, workers' compensation or Supplemental Benefit Pay).
- 7.3 Permanent restrictions may require accommodation under the ADA in a different position at a new pay rate and as provided for within the budget and position classification plan. Typically a position must be vacant and the employee must meet all minimum qualifications and successfully complete all recruitment activities before being offered a transfer.

8.0 REASONABLE ACCOMMODATION

- 8.1 Employees with restrictions may be accommodated as follows:
 - Changing or reducing the work hours or schedule as necessary
 - Performing the work in a different way
 - Using adaptive equipment or other devices to assist the employee in the performance of the job
 - Any other accommodation that is reasonable