

California State University, Chico Transitional Employment Program Procedures

The Transitional Employment Program is based on the Return to Work Program established by FSA 78-75, Supplement #1, Campus Loss Control Programs-Actions to be Taken by the Campuses to Enhance Program Effectiveness, but was updated in 2000 on the advice of the CSU's Risk Management Authority. These procedures have been in effect since 2000, but are issued as a Vice Provost for Human Resources memo in January 2004.

Basic Premises:

- ◆ This campus' program shall include both occupational and non-occupational injuries/illnesses.
- ◆ Supervisor cooperation is key to making this program work.
- ◆ Transitional Employment assignments are temporary in nature -- not to exceed 90 days in duration for staff employees and one semester for faculty employees.
- ◆ The Disability Program Office reviews and monitors Transitional Employment Assignments periodically for appropriateness and to ensure that the duration is not exceeded

Program Goals:

- ◆ Expedite recovery process through meaningful, and when possible, therapeutic transitional employment assignments.
- ◆ Eliminate inappropriate loss.
- ◆ Reduce the disabling impact of psychological factors on the employee during the recovery process.
- ◆ Return the employee to full duty at the end of the 90-day or one semester transitional employment period.

1. The Disability Programs Office reviews each transitional employment assignment to decide whether:

- a) the transitional employment assignment is appropriate to the medical limitations;
- b) progress is being made in the form of medically-prescribed increased work activities;
- c) the 90-day or one-semester duration of the Plan is close to being exceeded; and
- d) whether the case should be referred for ADA consideration. This is appropriate when
 - i) the established time limit for transitional employment has been exceeded and
 - ii) no progress is being made in the form of an increase in the employee's job duties; or
 - iii) it looks as though the employee will never be able to perform pre-injury duties.

2. Non-Industrial Injuries/ Illnesses

- a) Supervisors will be expected to:
 - i) inform the Disability Programs Office when an employee will be absent from work for two weeks or more;
 - ii) maintain positive contact with their disabled employees; and
 - iii) require their employees returning to work after any known serious illness or injury (including surgery) to provide medical releases before or at the time of their return.

- b) Payroll shall inform the Disability Programs Office of employees using two weeks or more of sick leave.
- c) The Disability Programs Office:
 - i) shall notify ill or injured employees of their Family and Medical Leave entitlement; and
 - ii) send the employee a work status form that the employee can use to provide required information regarding their work status to their supervisor before or at the time of their return to work.

3. Industrial Injuries

- a) Supervisors will accompany or designate someone to accompany injured workers to one of the University-designated medical facilities for treatment of work-related injuries.
- b) Designated medical facilities will already have work status forms and be aware of University return-to-work protocols.
- c) The employee's job description and physical requirements form are generally forwarded to the medical provider through the workers' compensation third party administrator.

4. From this point on, Occupational and Non-Occupational disability cases are handled identically.

- a) When a work status prescription releases the employee to work with limitations, the Disability Program Office will send an e-mail to the employee's appropriate administrator
 - i) providing the beginning and ending date of the prescribed work limitations;
 - ii) inquiring whether the work limitations will prevent the employee from performing his or her regular work duties; and
 - iii) attaching documents for the supervisor and appropriate administrator to complete.
- b) If regular duties are not impacted, no transitional assignment is necessary and the appropriate administrator and supervisor will complete the documents to this effect and return them to the DPO.
- c) If the work limitations will prevent the employee from performing his or her usual and customary work duties and the department (or other department within the Vice President's area) will be able to provide a transitional employment assignment, the appropriate administrator and supervisor will:
 - i) meet with the employee to discuss the limitations, develop a plan, and complete the documents with the following information:
 - (1) the regular duties the employee can still perform;
 - (2) duties that the employee can't perform because of prescribed limitations that will be temporarily reassigned to co-workers; and
 - (3) additional duties the employee can perform temporarily to make up for other duties that he or she can't perform.
 - ii) They would then return the completed, signed documents to the DPO, acknowledging the conditions of the Transitional Employment Plan as agreed to by all parties.
- d) If a transitional work assignment will be provided in another department within the Vice President's area, the appropriate administrator and supervisor will obtain permission and cooperation and a job description from the other managers involved.

- e) If no transitional employment assignment can be provided to the employee in either his or her own or in another department within the same VP area, the supervisor and appropriate administrator will complete the DPO's paperwork to this effect. The employee will remain off work.
 - i) In the case of an industrial injury, the employee would be eligible for wage compensation in the form of Industrial Disability Leave or Temporary Disability.
 - ii) in the case of a non-industrial injury, the employee could use his or her own leave credits or may be eligible for Non-Industrial Disability Insurance with supplementation of Catastrophic Leave.
 - f) Each time the employee's work status is medically re-evaluated, steps #a through #e will be applied until the employee is returned to full duty or until the 90-day or one semester duration has expired.
 - g) If an employee refuses a medically authorized transitional employment assignment the employee's eligibility for Family and Medical Leave will not be affected, however,
 - i) he or she will not be eligible for Industrial Disability Leave or temporary disability benefits for the resulting period of absence.
 - ii) he or she may use his or her own leave credits to cover the resulting absence, but will not be eligible for Catastrophic Leave.
 - iii) whether or not the employee would be eligible for Non-Industrial Disability Insurance would be determined by the Employment Development Department.
5. **There may be rare cases where it is appropriate for the transitional employment of an employee to extend beyond the 90-day period.** The following conditions must exist, as determined by the Transitional Employment Program administrator, in order to extend the normal 90-day limit:
- due to the special skills or expertise of the employee, no other employee could, in their absence, perform the function(s) of their position; and
 - not performing the function(s) of this position would result in legal liability, or would jeopardize a fundamental operation of the University.