



# School District of Somerset

P.O. Box 100, Somerset, WI 54025  
www.somerset.k12.wi.us

Dave Gerberding, Director of Business Services & Operations  
Phone: 715-247-3313 • Email: dgerberding@sds.school

## RETURN TO WORK PROGRAM

### Transitional Work Program for Work Related, Injured Employees

In the case of an employee receiving or applying for Workers Compensation benefits, whose injuries were incurred during the course of their employment, a temporary, transitional work assignment within the limits of restrictions imposed by a physician will be made whenever possible.

Following a work related injury, physicians may direct that an employee have certain restrictions from normal duties and activities. The restrictions are intended to promote healing. They may include lifting restrictions and/or limited movements such as avoidance of bending and twisting. The School District of Somerset realizes the importance of a transitional work assignment in assisting an employee's return to his/her normal course of employment in as short a time period as possible. The transitional work program maintains established work habits, morale, personal contact with fellow workers, aids reintegration into the work environment, and assists the injured employee back to a productive lifestyle.

Reporting for transitional reassignment is mandatory once the employee's doctor indicates a release to any level of modified duty for a work-related injury. Refusal to perform modified/transitional duty, when medically released for it, will result in suspension of Worker's Compensation benefits, and may result in disciplinary action. Should the employee have difficulty in performing the duties assigned by the district, they must return to their physician to have the temporary restrictions modified to better suit their recovery. The School District of Somerset has the right to contact the treating physician to either clarify temporary restrictions, or to discuss our transitional work program to determine if the employee qualifies for such an assignment.

In most cases, modified duty will continue until the employee is released to his/her regular job duties by the treatment provider or has reached an end of healing as it relates to the work related injury.

Workers Compensation leave may be counted as part of any Family Medical Leave Act (FMLA) entitlement, provided the employer appropriately designates it as such. When an employee otherwise eligible under the FMLA takes or requests leave for an apparent FMLA purpose, the School District of Somerset will inform the employee of FMLA rights and obligations. An on-the-job injury that requires three days off from work and continuing medical care will generally qualify as FMLA.

If any employee has been on a worker's compensation absence during which FMLA has been taken concurrently, and after 12 weeks of FMLA leave the employee is still unable to return to work, the employee no longer has the protections of FMLA and must look to the worker's compensation statute or the ADA for any protections.

-----See next page for Return to Work Procedure-----

## SOMERSET SCHOOL DISTRICT - RETURN TO WORK PROCEDURE

### Transitional Work Program for Work Related, Injured Employees

Upon being injured and seeking medical treatment for an injury, the employee will take a copy of the School District of Somerset Physician's Memo and the Physician's Return to Work Form to the treatment provider. These forms are available from your building Health Care Provider.

After completion of the Return to Work Form by the doctor, the employee must turn in the form to the appropriate building Health Care Provider. The completed Return to Work Form will be sent to the Business Office. If necessary, the Business Office will then complete an evaluation of the possible transitional duties, and complete a Temporary Transitional Work Agreement, based on the restrictions advised by the physician.

One of the following will then occur:

- 1) The employee is released to return to work without restrictions.
- 2) The employee is released to return to work with temporary restrictions. The supervisor assures the employee can return to work with restrictions, and will perform temporary duties until such time they are able to return to normal duties, and that such duties will not jeopardize the employee's safety. This may require providing a reasonable accommodation for the employee.
- 3) The employee is released to return to work with temporary restrictions that prevent the employee from performing the essential functions of the job. The supervisor indicates that based on the employee's position duties, the district cannot allow the return to work, as the type of duties will not promote a safe work environment within the limitations imposed by the physician.

The temporary transitional work assignment may be in another building, and hours scheduled may change, to meet the needs of the temporary assignment. (Reasonable accommodations include modifications to the work environment or to the manner in which the job is performed. Possible types of accommodations include making facilities more accessible, changing the job, modifying work schedules, altering equipment, changing tests, training materials, or policies, providing readers or interpreters, or assigning an employee to another vacant position.)

The employee's supervisor will contact the employee informing them of the transitional work assignment. If/when an employee is unable to perform their duties as assigned, the employee must return to their physician and obtain medical verification prior to any additional benefits being paid to the employee. The employee will notify the supervisor and obtain medical verification prior to any additional benefits being paid to the employee. The employee will notify the supervisor and the building Health Care Provider of any such change or lifting of restrictions.

It is a joint responsibility of the supervisor and employee to manage the situation, and ensure the work performed does not exceed the restrictions.