

# Oak Ridge Schools

## Office of the Superintendent



# Administrative Procedure 3.602

## Worker's Compensation

July 1, 2004

## **Return to Work Practices for Work Related Injuries**

**Purpose:** The purpose of this instruction guide is to provide for the implementation of a Return to Work procedure for employees that have sustained work related injuries in the course and scope of employment.

**Concept:** It is the Practice of Oak Ridge Schools to provide temporary or alternative duty assignments to employees who have been injured because of an incident which arises out of the course or scope of employment.

1. It shall be the responsibility of Department Directors or Principals to make available a temporary "alternative" duty assignment for an injured employee under their supervision who is temporarily partially disabled and has been released back to work with restrictions by their treating physician. A Department Director or Principal may, with the permission and assistance of his or her immediate supervisor, find a temporary alternative duty assignment for the injured employee within another department of the same division or school if the Department Director or Principal cannot provide an alternative duty assignment due to a clear unavailability of work; a threat to the health, safety, and welfare of the employee in question; a threat to the health, safety, and welfare of fellow employees; or due to a legal bar to providing such alternative duty assignment. However, it is first and foremost the responsibility of the employing department to provide alternative duty assignments.
2. Employees who are offered temporary alternative duty assignments are expected to report for duty and to fulfill their alternative duty assignment during the period of time they are temporarily disabled as they would their regular position. Employees may use their accrued leave time in accordance with Board Policy; however, such leave time may not be utilized for avoiding alternative duty assignment.
3. Temporary alternative duty shall mean all periods of time when the employee's physician has determined that the injured employee may return to some form of restricted duty. Such temporary alternative duty assignment(s) shall continue until terminated by the treating physician; until the injured employee reaches Maximum Medical Improvement; or until all statutory requirements have been exhausted.
4. Such temporary alternative duty shall take into account and accommodate those restrictions which have been placed upon the injured employee by their treating physician. As restrictions or limitations may change during the recovery process, the Supervisor shall continue to modify the work environment to accommodate the employee.
5. During this alternative duty assignment, the employee shall continue to receive his/her normal rate of pay for the hours worked in accordance with the salary administration practices of the school board and shall be paid from the employing department's budget. Departments which require shift work which results in total accumulated hours to an employee in excess of 40 hours per week may pay an employee at their normal rate of pay for their normal hourly work week as long as the employee performs an alternative duty position with total accumulated hours of no less than 40 hours per week. Such employees who accumulate less than 40 hours per week shall be

July 1, 2004

paid their normal rate of pay for the number of hours worked. Other benefits to which the employee may be entitled shall be paid in accordance with Tennessee Workers' Compensation.

6. Once an employee has reached Maximum Medical Improvement, they are responsible to report this to their Supervisor. Upon reaching Maximum Medical Improvement, the employee's medical condition shall be assessed as to his/her permanent medical restrictions and his/her ability to perform the duties of the position to which he/she was hired. If the injured employee cannot return to his/her regular position, the Superintendent in association with the employee's Department Director or Principal shall attempt to find employment within the employing department. If such employment cannot be accommodated within the employing department, the Superintendent shall attempt to find employment in another department or school within the school board. Such attempts are not a guarantee that a position will be offered or that future employment is assured.