

## **UCSD Mandatory Transitional Return-to-Work Program Guidelines**

### **PURPOSE:**

The Mandatory Transitional Return-To-Work Program (Workers' Compensation Policy (PPM 516-28) <http://adminrecords.ucsd.edu/ppm/docs/516-28.html>) supports the mission of the University by maximizing human and financial resources and complying with applicable Federal, State and UC disability regulations.

### **GOALS and OBJECTIVES:**

The University strives to return an injured/disabled employee to work as soon as the employee's condition permits. Studies have shown that the sooner an injured employee can be brought back to work, the faster they will recover and be able to return to regular assignments. Transitional work allows an employee with temporary work restriction(s) to work in a modified, alternative, or reduced-hours capacity, for a defined period of time, while recuperating from an injury or illness. Such work assignments are known as Transitional Return-to-Work (TRTW) assignments.

To the extent required by California Workers' Compensation Law, it is the responsibility of each department administrative unit to retain the injured employee's position. In addition, departments shall fully fund all Transitional Return to Work Assignments identified (by TRTW staff) for their employees while they recover from their work-related injuries. TRTW Assignments will be pursued outside of the injured employee's home department when available if the home department is not able to accommodate their injured employee's work restrictions.

### **APPLICATION:**

The Workers' Compensation Program facilitates mandatory TRTW assignments for employees who have a work-incurred injury or illness with temporary work restrictions. The Workers' Compensation Return-to-Work Disability team can be contacted at (858) 534-2454 or [ehswc@ucsd.edu](mailto:ehswc@ucsd.edu).

The Office of Disability Counseling and Consulting can provide assistance with TRTW assignments for employees who have non-industrial injuries or illnesses.

### **ELIGIBILITY:**

All UCSD campus employees with temporary Workers' Compensation restrictions are eligible for TRTW assignments.

Employees must obtain written medical documentation from their treating physicians indicating their specific temporary work restrictions.

For purposes of this policy, eligibility will be determined upon review of the employee's report of disability and supporting medical documentation through accepted University procedures; eligibility will not be determined by the status of claim acceptance.

Employees with work restrictions that would permanently prevent him/her from returning to the job and hours worked at the time of their injury are not eligible for TRTW assignments. The Office of Disability Counseling and Consulting will manage such claims in accordance with Federal, State and UC disability guidelines.

GUIDELINES:

- Employees will provide their supervisors with written documentation of all temporary work restrictions and any anticipated period of disability, as provided by the treating doctors, as soon as the injured workers receives such information. Upon receipt of this written medical documentation, the supervisor will initiate an "interactive dialogue" with the employee regarding the establishment of a TRTW assignment.
- If the employee and supervisor cannot determine an appropriate TRTW assignment, the Return-to-Work Manager/Coordinator will facilitate an interactive discussion between the supervisor and employee. If following this facilitated interactive discussion, it is determined that the department still cannot provide a TRTW assignment, the supervisor or department head shall notify the Return-to-Work Manager/Coordinator in writing of the unavailability of a TRTW assignment.
- Under the TRTW Program, the Campus does not intend to create long-term jobs to accommodate permanent disability.
- Workers' compensation TRTW assignments will be documented by a TRTW agreement and written for a period not to exceed 90 calendar days, unless otherwise amended by approval of the department and workers' compensation Return-to-Work Manager/Coordinator.
- Every effort will be made to place the TRTW assignment in the employee's home department. If, however, the home department cannot provide a TRTW assignment, every effort will be made to develop a TRTW assignment in a different department, with the home department to fund the TRTW assignment. The TRTW assignment will be reassessed every 90 days or when the employee's work restrictions change.
- The department, in conjunction with Employee Relations, has the option to change regular days off and work hours while an employee is working in a TRTW assignment.
- TRTW assignment supervisor monitors employee progress to ensure compliance with medical temporary restriction(s) and satisfactory performance of the clearly defined job duties.
- TRTW assignment supervisor confirms that the TRTW assignment does not exceed the end date of the TRTW agreement.

- TRTW assignment supervisor notifies the Return-to-Work Manager/Coordinator immediately of any changes in the TRTW agreement, any problems the employee may have in performing the TRTW assignment, or if the employee reports that, he/she is unable to continue working.
- Assignments are to be progressive so there is evidence of recovery.
- In accordance with provisions of the California Labor code, employees who do not accept TRTW assignments are subject to the loss of workers' compensation temporary disability benefits. Employees not receiving workers' compensation temporary disability payments are not eligible for University Extended Sick Leave (UCOP Absence from Work Policy).