



April 2008

Early Return-to-Work can significantly reduce workers' compensation claim costs

-Third in a series

Statistics show that injured worker's off work for six months have only a 50% chance of returning to their regular job. If time loss exceeds one year, there is a 10% chance of their returning to work. Early Return-to-Work (ERTW) has been shown to reduce recovery times by up to 50% and reduce medical expenses.

The purpose of ERTW is to provide physician-approved productive temporary transitional jobs for injured workers. For this to happen employers must be proactive in their approach to transitional or modified work and encourage workers to return to productive work as soon as possible after injury.

There is an additional financial incentive to developing and using ERTW, known as the Employer at Injury Program (EAIP). This program was created to encourage employers to help their workers return to temporary transitional work by providing financial incentives which include:

- **Work site modification:** A maximum of \$2,500 can be used for appropriate worksite modification(s) by renting, purchasing, or supplementing equipment that will enable a worker to perform transitional work.
- **Tools and equipment:** Up to \$2,500 worth of approved items can be purchased in order to enable an injured worker to perform transitional work.
- **Tuition, books, fees, and material:** A maximum of \$1,000 per class or course for required instruction for transitional work or skills building.
- **Clothing:** \$400 is available to purchase required clothing not normally provided by the employer.
- **Wage Subsidy:** Employers qualify for a wage reimbursement of 50% of a worker's gross wages

for 66 work days of transitional or modified duty work during a 24 month consecutive month period of an open claim.

EAIP is funded through the Workers Benefit Fund. Using this program will not negatively affect worker's compensation premium or claim costs. It is voluntarily activated by the employer.

For an employer to be eligible for EAIP benefits they must:

- Maintain Oregon workers' compensation coverage for their employees;
- Be the employer at injury;
- Be willing to re-employ their eligible workers to temporary transitional work within the workers restrictions provided by the medical provider while the claim is still open.

An effective ERTW program will require regular communication with the injured worker, health care providers, company management, immediate supervisor and worker's compensation insurer. The key aspects of ERTW include:

- A written **return to work policy** which clearly states the intent of the company to return all individuals with work related injury to productive transitional or modified work as soon after injury as possible.
- Written **modified transitional/temporary job descriptions** identifying duties, physical requirements, working conditions, working hours, pay rate, first day of modified release and duration (if duration is unknown you may use the phrase "temporary, to be reviewed periodically"). These

will be sent to the attending health care providers for review.

- **Consistent communication with health care providers.** Even before you have a work injury, let your health care provider know your willingness to accommodate physical restrictions and to work with them to return injured workers to meaningful work. Part of this is sending a form with injured workers when they go for treatment which states your willingness to return injured workers to work and asks the health care provider to provide physical restrictions so you (the employer) can find suitable work. This form can be developed in house with the assistance of a return to work specialist and tailored to your organizations needs.
- **Review restrictions** as soon as possible with the injured worker and remind them of your return to work policy; decide on an appropriate restricted duty job and send it to the health care provider for approval.
- Upon receipt of a **signed transitional/temporary job description**, review it with the injured worker. Make sure the work restrictions are clear to the worker and then have him/her sign the job description. Inform all necessary levels of

supervision and notify your claims adjuster and return to work consultant of the employee's return.

- It's also wise to put together a bonafide job offer letter in case the injured worker refuses modified work. Your workers compensation carrier can help you put this letter together and tell you how to handle it.

If you don't get a response from the health care provider you will need to contact them and request work restrictions from them. If you need assistance with any aspect of ERTW or EAIP contact your claims adjuster or return-to-work consultant.

While there is work in returning injured workers to transitional work, there are many benefits including quicker recovery times, generally happier employees, reduced claims cost and available funds to reimburse some of the costs associated. If you have specific questions about return-to-work, contact your worker's compensation carrier.

Respectfully,

Sandra Sigüenza
Carlton Plants

The OAN safety committee is looking for new committee members. The committee is a great way for people to learn new OSHA rules, new ideas on safety training and to network with other nursery people involved with safety programs. The committee meets 6 times per year at the OAN office in Wilsonville. If you or anyone else at your nursery is interested in becoming involved, please contact Krista Jeli at the OAN at 503-682-5089 or email kjeli@oan.org.

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