

# Workers' Compensation & Return to Work

Personnel – General

**EWU Policy 401-07**

**Effective: March 21, 2014**

**Authority: EWU Board of Trustees**

**Proponent: University President**

**Purpose:** This policy prescribes standards and responsibilities related to workers' compensation and transitional return to work programs at Eastern Washington University.

**History:** This policy supersedes UGS Policy 600-080-080 and -090. It was adopted by the Board of Trustees on March 21, 2014 and is effective as of that date.

**Applicability:** This policy applies to employees and registered volunteers (as described under Title 51, RCW), who perform services for the university. Transitional return to work applies to all employees eligible to receive wage replacement benefits under RCW 51.32.090.

## 1. GENERAL

### 1-1. Policy

The goal of Eastern Washington University's workers' compensation program is to provide relief to employees and registered volunteers injured in their work in accordance with the Industrial Insurance Act, Title 51 RCW. The university purchases workers' compensation insurance from the Washington State Department of Labor and Industries (L&I).

#### a. Coverage:

(1) Employees: Coverage begins automatically the first day of employment for all employees.

(2) Registered Volunteers: Registration of all volunteers is required per EWU Policy 401-04. Registered volunteers are entitled to receive medical aid benefits for injuries sustained during approved volunteer activities.

#### b. Injury/Illness Reporting:

(1) Employees and volunteers must report a work-related injury or illness to their supervisor as soon as possible and complete a university Incident Report within 24 hours.

(2) In the case of an occupational disease, employees/volunteers should report the condition to their supervisor and fill out an Incident Report within 48 hours of the date a medical professional informs them that their condition may be related to their employment/volunteer service at EWU.

(3) If an employee is prescribed modified duty, limited hours, or not released to work, the employee shall provide a copy of the Activity Prescription Form to their supervisor. Supervisors shall forward the Activity Prescription Form to HRRR.

(4) Supervisors with knowledge of a work-related injury or occupational disease will ensure that the Incident Report is completed and forwarded to Human Resources,

Rights, and Risk (HRRR). If the employee/volunteer is unable to complete his or her portion, the supervisor may complete that portion.

(4) Department heads must immediately notify the Director of HRRR of any incident that results in the hospitalization, serious injury, or death of any employee or volunteer. If unable to reach the Director of HRRR, the department head must call the University Police Department.

#### c. Filing a Workers' Compensation Claim:

Employees/registered volunteers may obtain workers' compensation claim forms from their treating physicians. The employee and physician sections of the report are completed at the medical visit. The form must be filed directly with L&I.

## 2. RETURN TO WORK

If the employee is released to return to work by his/her medical provider, HRRR will contact the employee's supervisor to discuss Return to Work.

### 2-1. Transitional Return to Work (RTW)

Transitional Return to Work (RTW) is a program for employees receiving wage replacement benefits who, due to their work-related injury or occupational disease, are temporarily unable to return to their full duties at their job of injury. The objective of the RTW program is to maximize the recovery of injured employees after a work-related illness or injury.

#### a. Limitations

(1) Transitional RTW opportunities are limited and not guaranteed.

(2) An employee who is permanently restricted by their attending physician from performing the

essential functions of their job of injury is no longer eligible for the RTW program.

(3) Upon completion of a transitional RTW plan, the employee is expected to return to the same position he or she performed at the time of injury. The employee's permanent status and the essential functions of his or her job are not altered beyond the period of the transitional RTW plan.

**b. Transitional RTW plans:** The development of a transition RTW plan is a collaborative effort by the employee, attending physician, department, HRRR, and, where appropriate, a vocational rehabilitation counselor. All RTW plans must be documented in writing and approved in writing prior to the commencement of the plan by the employee, employee's attending physician, and department head or designee. Copies of all RTW plans shall be provided to HRRR. Transition RTW plans are subject to the following:

(1) Plans may include restricted duties, reduced or flexible hours, duties outside of normal job duties that are within the employee's restrictions and further the work of the department and/or the university, or combinations of the above;

(2) are temporary and may not exceed 90 days, unless such time is extended by written agreement of the department, HRRR, and the employee; and,

(3) may be terminated at any time by the university if the transitional work is no longer available or benefiting the university or if the employee's physical restrictions have changed.

**d. Employee Rejection of Transitional RTW**

An employee may decline to accept a transitional RTW plan. If the employee rejects the RTW offer, EWU will notify the employee's claims manager at L&I of such rejection. Refusal to accept an approved plan may result in termination of workers' compensation wage replacement benefits.

**2-2. Responsibilities**

**a. The Chief Human Resources Officer (CHRO) will:**

(1) administer the university's workers' compensation program and be the primary point of contact for L&I claims managers and vocational rehabilitation counselors;

(2) coordinate the transitional RTW program; and,

(3) ensure information and training regarding worker's compensation and transitional RTW is made available to employees as deemed necessary.

**b. The temporarily disabled employee's immediate supervisor will:**

(1) provide a healthy and safe work environment for the employee;

(2) keep the CHRO updated on the progress of the injured employee;

(3) participate in the RTW process and related activities;

(4) meet with the employee and his/her work unit to explain the modified work, the employee's restrictions and any temporary changes in the work unit during the RTW period; and,

(5) take all reasonable measures to ensure the injured employee is not directed to perform work other than those duties approved in the RTW plan, unless the employee consents to the performance of such duties and such duties are approved in advance in writing by the employee's attending physician.

**c. The employee will:**

(1) report all work-related incidents to the supervisor;

(2) actively participate and cooperate with the RTW policies and procedures;

(3) provide medical documentation when requested;

(4) carefully work within the attending physician's restrictions;

(5) immediately notify his or her supervisor if any of the assigned duties violate the restrictions imposed by his or her attending physicians. If the problem cannot be resolved with the supervisor, employees may contact the CHRO for further assistance; and,

(6) promptly notify the supervisor and CHRO if he or she changes attending physicians.