



Policy #: 86  
Page: 1 of 4  
Owner Dept: HR  
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**Title:** Return to Work Program

**Purpose:** UNC Asheville's Return to Work Program is designed to promote rehabilitation and enhance the recovery process for employees experiencing non-work-related injuries and illnesses. The goals of the program are to promote positive workplace morale through communication and support for the injured employee; minimize the potential for re-injury or permanent disability; reduce medical and disability costs; and increase productivity by decreasing lost work time.

This program also supports compliance with the Americans with Disabilities Act and associated guidelines. This is accomplished through a partnership including the employee, medical providers, and University personnel working together toward the common goal of expediting the employee's return to physical and psychological well-being.

The program provides guidelines for employees who, due to an injury or illness, are restricted from performing some or all of their regular duties for a temporary period of time. The program also addresses placement efforts for employees who, after recovery, are permanently restricted from performing their regular duties. The procedures and policies contained herein apply to non-work-related injuries.

**Scope:** Permanent UNC Asheville SPA and EPA non-faculty employees are covered by the Return to Work Program.

**Definitions:** **Transitional Duty** - Transitional Duty or Work (restricted duty) is defined as work activity performed by an employee who has had an injury or illness which has resulted in that employee's inability to perform some or all of their normal job activities.

**Policy:** When an employee of UNC Asheville has been out of work for an approved extended absence due to a non-work-related injury or illness and has been released to return to work by the treating physician, a physician's statement authorizing the return to work must be submitted at least two business days prior to reinstatement to work status. The physician's office can fax the return authorization to the Human Resources office. The University retains the right to require an FCE (Functional Capacity Evaluation) for any injury before permission can be granted to return to work. Note that the policies addressing the Family Medical Leave Act and the Americans with Disabilities Act (*Reasonable Accommodations*) provide more in-depth details about conditions that fall under the guidelines of these policies.

**Procedures:**

Communicating with the injured employee on a regular basis and bringing them back into the workforce as soon as possible following an injury will improve the employee's physical and mental well-being and promote cooperation between employee and management.

The University Leave Coordinator, consulting as needed with the Director of Employee Relations, and the University Safety Officer, will coordinate the program. The Leave Coordinator will coordinate with medical providers, the employee, the supervisor, and the University Employment Manager to facilitate return to work.

Transitional Duty, when possible, should be specified with a starting and ending date that is monitored by the Leave Coordinator. The employee should be monitored continually by his/her supervisor until able to return to work without restrictions.

For any employee of the University who has been released to return to work, there are three possible return to work situations:

**1) Employee has been released to return to work with no restrictions.**

When an employee has been released to return to work by the treating physician, the University strives to return the employee to the same position or one of like seniority, status, and pay held prior to the University approved extended absence.

**2) Employee is ready to return to restricted duty work.**

When an employee is ready to return to restricted duty work with the approval of the treating physician, but retains some condition which might limit or otherwise prevent successful performance in the original position, the University will seek to provide work reassignment (transitional duty) suitable to the employee's capacity to work, in accordance with the ADA (Americans with Disabilities Act).

Transitional duty work should be temporary and not exceed 90 days without approval from the Director for Human Resources. All transitional duty work is subject to the University's ability to provide such work. The University will not create work if it is not productive work.

If there are no assignments in the employing department compatible with the restrictions as defined by the physician, the department head should contact the Leave Coordinator in Human Resources to request the employee be given a suitable work assignment elsewhere in the University. However, the employing department's personnel funds will be used to pay the individual during the transitional duty assignment. With discussion and approval from both departments, the receiving department may split the cost with the employing

department during the temporary assignment. The Leave Coordinator will notify the Employment Manager of the employee's availability for placement in a suitable work assignment. Other possible benefits options will be reviewed with the employee.

**3) Employee has a permanent condition which precludes him/her working in original position of employment.**

When an employee who has been released by their treating physician has a permanent condition which prohibits employment in the previous position, the University shall attempt to place the employee in another position suitable to the employee's capacity to work, which is productive and in accordance with the ADA (Americans with Disabilities Act). Please refer to the University's Reasonable Accommodations policy. This work placement may be a permanent assignment, or may be a temporary assignment or a part-time assignment until a permanent assignment is found. Other possible benefits options will be reviewed with the employee.

If the employee accepts a position in a lower pay grade than the pre-injury position, the employee's pay must be adjusted, as appropriate, within the range of the lower pay grade. Separation may occur anytime in accordance with the Separation Due to Unavailability Policy (State Personnel Manual, Section 11)

**Return to Work Program Guiding Principles:**

All University departments are expected to support transitional duty work procedures.

Temporary accommodations should be made to the employee's current position without permanent change to the job description.

Duties assigned should be tailored to the abilities of the employee, to maximize recovery, and maximize organizational needs.

The supervisor should provide close oversight of the progress of the employee to assure compliance with restrictions and to maximize recovery while maintaining communication with the Leave Coordinator.

If the restrictions are permanent and there are no assignments in the employing department compatible with the employee's restrictions, employees will be reassigned to positions in the following order of preference:

- 1) Current division (other than employing department)
- 2) Any suitable University vacancy

3) Any temporary assignment

Reassignments to positions listed above are subject to department approval and continued supervisory review and feedback for the trial return to work period. These reassignments will be supported by a signed letter of understanding between the employee and the respective departments.

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