



City of Riverside, California
Human Resources Policy and Procedure Manual

Approved:

Human Resources Director

City Manager

City of Arts & Innovation

Number: VI-02 Effective Date: 11/12

SUBJECT: TEMPORARY MODIFIED DUTY PROGRAM FOR WORK RELATED INJURIES ~~Modified Duty Program for Work Related Injuries~~

PURPOSE:

To provide a policy for uniform response and handling of a Citywide modified duty/return to work program for employees temporarily disabled from their regular jobs due to a work related injury. This modified duty program is intended to provide temporary reassignment only until the employee is either able to return to his/her regular job or his/her medical condition is permanent and stationary (P&S)/maximum medical improvement (MMI).

POLICY:

It is the goal of the City, with the cooperation of all departments, to locate and assign modified duty, when feasible, to employees who are released to modified duty by a physician as a result of a medically documented on-the-job injury. Employees with temporary restrictions due to an on-the-job injury will continue to receive regular pay ~~be placed on industrial leave and remain on industrial leave from their regular and customary duties~~ while participating in the City's modified duty program. All such modified duty work assignments are to be within the limitations as determined by a physician, and are temporary in nature. The treating physician shall provide the work status of the employee which describes any limitations in sufficient detail that would enable the City to make a determination of suitable work or task assignments for the employee.

During participation in the temporary modified duty program, the City maintains its prerogative to modify the work schedule of participants at all times. Temporary duty assignments should alternate every 60 days. This applies across the board to all full and part time employees. Employees must keep their home department apprised promptly of any changes in their work status and medical appointments.

Employees must attend all scheduled medical appointments to assist in their rehabilitation and are expected to report on time to their assigned work site. Employees must also follow all expected attendance standards and procedures and to stay in their assigned work area while on duty unless authorized to leave by their designated supervisor. Employees are not eligible for

overtime while participating in the temporary modified duty program. This program is not intended to include absences covered by an employee's sick leave provisions. Any problems or difficulties in performing assigned tasks must be promptly reported to their supervisor and to the Workers' Compensation Division.

4. INTERDEPARTMENTAL TRANSFERS: ~~Interdepartmental Transfers~~

The home department is responsible for notifying the Workers' Compensation Division if there is no assignment available within the employee's work division. If the usual work division is unable to assign suitable work, other divisions within the department shall be contacted in order to determine if a suitable work assignment exists. If no suitable temporary assignment is available within the department, the Workers' Compensation Division will be notified. The Workers' Compensation Division will attempt, when feasible, to coordinate and effect a temporary re-assignment of the employee on an inter-departmental basis. The department to which the employee is regularly assigned will continue to be charged for any wages paid under the program. Interdepartmental transfers shall be approved by the Human Resources Director or his/her designee.

Employees must notify their "~~Home~~" home department and the department providing the temporary modified duty assignment of any changes in work status and medical appointments. If a temporary modified duty placement is in another City facility and the employee's condition warrants, the employee will be provided with a temporary parking permit in a City parking structure closest to the assignment for the duration of the assignment.

If the employee declines to participate in the modified duty assignment, then he or she will be ineligible for Salary Continuance, Temporary Disability, State Disability and/or Sick/Vacation Leave benefits, and may be subject to disciplinary action. Vacation use is at the department's discretion.

PROGRAM PARTICIPATION LIMITS: ~~2. Program Participation Limits~~

Upon release to regular work without restrictions, the employee shall be returned to his/her permanent work unit and his/her regular position. Individuals who become P&S/MMI during the course of a temporary modified duty assignment and are unable to perform their usual and customary jobs, will be invited to participate in the Reasonable Accommodation Interactive Process. Employees may not participate in the modified duty program for longer than one (1) year without approval from the Human Resources Director.