

POLICY

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Approved By:

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RCW 51.32.090

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Approved By: Vice President for
Business & Financial Affairs

See Also: POL-U5950.13 Workers' Compensation Claims Management
POL-U1600.03 Accommodating Persons With Disabilities

POL-U5950.10 PROVIDING WORKERS' COMPENSATION AND TRANSITIONAL RETURN-TO-WORK

This policy applies to individuals who are engaged in employment and registered volunteers performing services for the university under Revised Code of Washington (RCW), Title 51.

Transitional return-to-work applies to all employees receiving compensation under RCW 51.32.090.

Definitions:

Injury – Is defined by RCW 51.08.100 as “a sudden and tangible happening, of a traumatic nature, producing an immediate or prompt result, and occurring from without, and such physical conditions as result there from.” The definition has been expanded by case law (Longview Fibre Co. v. Weimer 1981) to include musculoskeletal conditions caused by normal bodily movement.

Occupational Disease – Is defined by RCW 51.08.140 as a “disease or infection that arises naturally and proximately out of employment.” The definition is expanded by case law (Dennis v. Dept. of Labor and Industries 1987) to include work related aggravation of a pre-existing nonwork-related disease.

Registered Volunteer – An individual who is registered by the university's Human Resources Department to perform assigned or authorized volunteer duties by a department of the university.

Transitional Return-to-Work (RTW) Program – A program for employees receiving workers' compensation who, by reason of their work-related injury or illness, are temporarily unable to return to their full duties but are capable of carrying out work that will allow them to transition to full duties.

Work-Related – Occurring or arising while the worker is in the course of employment.

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1. University Provides Workers' Compensation Benefits

The university purchases workers' compensation insurance from the state in order to provide for the retention and speedy recovery of employees or volunteers who develop a work related injury or illness.

2. Benefits Begin the First Day of Employment

Coverage begins the first day of employment for all employees.

3. University Provides Limited Benefits for Registered Volunteers

The university provides industrial insurance, medical aid benefits only, for registered volunteers.

4. Department Heads Ensure Volunteers Are Registered With Human Resources Department

Department heads must ensure volunteers are registered with Human Resources in order to receive benefit coverage.

5. Employees and Registered Volunteers Must Report Work-Related Injuries or Illnesses Within 24 Hours

Employees and registered volunteers must report a work-related injury or illness to their supervisor as soon as possible and complete a university Accidental Injury/Occupational Illness Report within 24 hours.

Supervisors with knowledge of a work-related injury or illness will ensure that the accident report is completed and forwarded to Environmental Health and Safety. If the employee is unable to complete his or her portion the supervisor may complete that portion on the employee's behalf.

6. Department Heads Notify Environmental Health and Safety (EHS) Immediately in the Event of Work-Related Death or Hospital Admission

The university is required by Washington Administrative Code (WAC) Section 296-800-32005 to report any death, probable death, or inpatient hospitalization of an employee within 8 hours.

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Department heads must notify EHS immediately in the event of an employee's work related death or transport to a hospital.

If direct voice contact is not made with EHS then a call should be placed to the University Police Department to request a callout to EHS.

7. Employees Receiving Workers' Compensation Are Eligible for Transitional Return-to-Work (RTW) Program

All employees receiving workers' compensation are eligible for the transitional RTW program.

The need for providing a RTW opportunity of a transitional nature is determined by a written statement of the workers' current capabilities from his or her attending physician.

Transitional RTW opportunities:

- a) May include restricted duties, restricted hours, duties outside of normal job duties that are within the employee's restrictions and further the work of the department, or combinations of the above;
- b) Are identified and plans are then developed through collaboration among the employee, the attending physician, the department, the workers' compensation manager, and Human Resources; and
- c) Are documented in a written plan, approved by the employee's attending physician and department head or designee and signed by the employee.

8. Transitional RTW Opportunities Are Limited and Not Guaranteed

Each situation is unique and requires a viable match between the employee's temporary capabilities and the ability of the department to provide work, of benefit to the university, within those capabilities.

Transitional RTW plans:

- a) Are temporary and limited to 90 days or less in duration. This time limit may be extended by written agreement of the department, Human Resources, and the employee;

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- b) May be terminated at any time the department is unable to provide work due to changes in the employee's restrictions or the availability of the transitional duties;
- c) May not exceed the duration of a temporary appointment; and
- d) Do not change the permanent status of the employee or the essential functions of the employee's position at the time of injury or illness. Status or essential functions may change due to other factors such as a reduction in force or a change in department processes.

9. Transitional RTW May Be Declined With Possible Consequences

The employee may decline to accept a transitional RTW plan. Refusal to accept an approved plan may result in termination of workers' compensation disability benefits.

10. Workers' Compensation Manager Administers and Coordinates the Workers' Compensation and Transitional RTW Program

The workers' compensation manager:

- a) Administers the workers' compensation program;
- b) Coordinates the transitional RTW program of the university; and
- c) Provides information and training regarding the university's transitional RTW program to employees and their departments.

11. Permanent Restrictions Are Evaluated by Human Resources Department

The purpose of the transitional RTW program is to assist the employee in returning to the job of injury. An employee who receives permanent restrictions from their attending physician which preclude performance of the essential functions of the job is no longer eligible for the transitional RTW program.

Permanent restrictions will be reviewed by the Human Resources Department to determine if job modifications or disability accommodations can be made in accordance with the university's Reasonable Accommodation Policy (POL-U1600.03).