
SUBJECT: Return to Work After Illness or Injury

1.0 PURPOSE

- 1.1. Snow College's goal is to provide meaningful work activity for employees who are temporarily unable to perform all, or portions, of their regular work assignments or duties due to work-related or non-work-related injury or illness. Snow College values its employees and desires for them to return to productive, regular work as quickly as possible. By providing temporary transitional or modified work activity through approved arrangements with the Human Resources Office, injured and recovering employees remain an active and vital part of the College operations.
- 1.2. This policy supersedes all Snow College Return-to-Work After Illness or Injury policies prior to the approval date listed above and does not supersede federal or state law.
- 1.3. The College reserves all rights afforded to it under applicable law. Nothing in this policy or related policies, procedures, and practices of the College or the College's governing institutions shall be read to offer or constitute a legal agreement or be subject to legal jurisdiction in the law courts of any kind. The College policies, procedures, and practices are subject to change at any time.

2.0 REFERENCES

- 2.1. [Utah Labor Commission, Workers Compensation Guide](#)
- 2.2. [Snow College Leave Policies 340, 341, 343, and 349](#)
- 2.3. [Americans with Disabilities Act \(ADA\)](#)
- 2.4. [Code of Federal Regulations, Title 29, Salaried Based Employees](#)

3.0 DEFINITIONS

- 3.1. **Altered Schedule:** An approved work schedule that provides an alternative to the standard workweek.
- 3.2. **Alternate Duty:** A placement service for individuals who have reached maximum medical improvement and are still unable to perform the essential functions of their pre-injury jobs.
- 3.3. **Compensable Work-Related Injury:** Injury which occurs while the employee is on duty or at a prescribed workplace, as well as all other times during which the employee is required to officially work for the College.
- 3.4. **Non-Work-Related Injury:** Injury which occurs when the employee is not officially working for the College.
- 3.5. **Transitional Work Duty:** A therapeutic tool used to accelerate an injured employee's return to work by addressing the physical, emotional, attitudinal and environmental factors that otherwise inhibit a prompt return to work.

4.0 POLICY

- 4.1. All full-time and part-time employees who becomes temporarily unable to perform their regular job duties due to a compensable work-related or non-work-related injury or illness may be eligible for transitory work duties within the provisions of this program. Return-to-Work options may be in the form of:
 - 4.1.1. Modified work duties and worksite modifications within the scope of the employee's current position.
 - 4.1.2. Transitional or Alternative work for which the employee qualifies, outside of the scope of his or her current position or job duties.
 - 4.1.2.1. Meant to be temporary and may be limited to 90 days. Snow College may permit multiple 90-day assignments back to back if medically warranted.
 - 4.1.2.2. In no case will the Alternate duties extend more than six (6) months for a given illness or accident. If an employee is not able to return to their permanent position after six (6) months, with or without reasonable accommodation, the provisions of the American with Disabilities Act and applicable laws will be applied to determine suitability for employment.
 - 4.1.3. An Altered Schedule of work hours
- 4.2. Snow College may, at its discretion, require that the employee seek care for a work-related illness or injury at a provider chosen by the College. The College will be responsible for the associated costs.
- 4.3. Snow College may, at its discretion, require that the employee seek a second medical opinion from a provider chosen by the College. The College will be responsible for the associated costs.

5.0 APPLICABILITY

- 5.1. Qualification – Transitional or Modified duties will be available to all employees on a fair and equitable basis with temporary assignments based on skill and abilities. Eligibility will be based upon completion of the College's medical release form by the employee's attending medical provider. An employee on Modified Duty will be considered part of the regular shift staffing, with recognition of the employee's limitations within the department.
- 5.2. Length of Duty - If work is available that meets the limitations or restrictions prescribed by the employee's attending medical provider, that employee may be assigned Transitional or Modified work for a period not to exceed 90 days,

unless Snow College permits additional 90-day assignments based on medical necessity. Transitional duty is a temporary program, and an employee's eligibility in these reduced assignments based strictly on medical documentation and recovery progress.

6.0 RESPONSIBILITIES

- 6.1. Executive Employees will ensure the policy's enforcement among all levels at the College and will actively promote and support this policy and the Return-to-Work Program as a whole.
- 6.2. Supervisors will support the employee's return to work by identifying appropriate modified assignments and ensuring the employee does not exceed the medical provider's set restrictions. Supervisors will also stay in regular contact with absent employees and clearly communicate the College's attendance expectations. They are also responsible for reporting any issues with employees and this policy to the Human Resources Office.
- 6.3. Ill or injured employees will:
 - 6.3.1. Notify their supervisors within the first three (3) business days of their absence and that their condition will require additional absence. State law requires employees notify the College of work-related injuries and illnesses within specific time frames in order to qualify for certain benefits and protections. For personal medical conditions the employee need not go into great detail about their health status, but provide a simple explanation, impact on work responsibilities, and what accommodations will help; this will require supporting documentation from a medical provider.
 - 6.3.2. Adhere to their medical provider's treatment plan.
 - 6.3.3. After receiving approval from the HR Office to return to work, actively participate in Snow College's Return-to-Work Program, which includes following all the guidelines of this policy.
 - 6.3.4. Will not exceed physical restrictions without a release from their medical provider and will not return to their regular responsibilities until cleared by their medical provider.
 - 6.3.5. Work with their supervisors to identify potential options for transitional duties.
 - 6.3.6. Maintain weekly communication with their direct supervisor and the HR Employee Relations Specialist about their condition and status.
 - 6.3.7. If applicable, complete all required forms in a timely manner or as dictated by State Workers Compensation directives.

- 6.4. Any employee who fails to follow the restrictions set by the medical provider may cause a delay in healing or may further aggravate the condition. Employees who disregard their established restrictions may be subject to disciplinary action up to and including termination.
- 6.5. The HR Office will:
 - 6.5.1. Maintain communications with the injured or ill employee, the employee's direct supervisor, and, if necessary, the employee's medical provider – to the extent allowed by law.
 - 6.5.2. Be responsible for working with the employee, direct supervisor, and the College adhere to the restrictions set by the medical provider and, if necessary, coordinate modified work duties and worksite modifications within the scope of the employee's current position.

7.0 PROGRAM ADMINISTRATION

- 7.1. Work Schedule
 - 7.1.1. Snow College will do everything in its power to tailor a restricted work schedule to the injured employee's normal, pre-condition work schedule. However, the medical provider's restrictions may require the employee to work a specifically designed, temporary schedule.
- 7.2. Reasonable Accommodations
 - 7.2.1. Snow College will do everything in its power to modify or adjust job duties and/or the work environment for the employee as per the medical provider's instruction. However, depending on the job limitations, it may be necessary for the employee to perform duties in an Alternate Work assignment, for which they are qualified or capable, to accommodate these restrictions.
- 7.3. Payment of Wages
 - 7.3.1. If qualified authorities determine an employee's injury is work-related, Snow College will pay benefits and wages in accordance with the State Workers' Compensation statute and with the College's personnel policies. These benefits will be coordinated with all applicable state, federal, and College benefits.
 - 7.3.2. Employees performing Modified Duty on a restricted work week will receive payment for hours worked for the College. For work-related illnesses or injuries, employees may be eligible for benefit payments through Workers' Compensation.
 - 7.3.3. An exempt (salaried) employee performing Transitional Duty for a non-work-related injury or illness on a normal work schedule will

continue to receive their salary as per their signed MOU/LOA. The HR Office shall adjust the salary percentage to the medical provider's time restrictions the employee is allowed to work.

- 7.3.4. An hourly employee performing Transitional Duty for a Non-Work-Related injury or illness on a normal work schedule shall receive an hourly rate for all time worked, which may not necessarily equal the full-duty hourly rate. The HR Office shall notify the employee in writing prior to the employee beginning to the Transitional Duty assignment.
- 7.3.5. Employees performing Transitional Duty on a restricted work week following a period of short-term disability may receive a combination of regular pay and partial disability benefits. The employee shall notify the College HR Office of payments received in disability pay. The HR Office will work out the combination with the employee on a case-by-case basis.
- 7.3.6. If employees take vacation or there is a holiday during restricted duty, they are entitled to their regular vacation selection or holiday pay as it would apply to normal, non-restricted duty, except in circumstances where Workers Compensation and/or disability determinations define restricted working hours.
- 7.4. Communication of Expectations
 - 7.4.1. If an employee is unable to work in any capacity and the College approves of the absences, the employee must update the HR Office and the direct supervisor weekly on their medical status. Failure to do so may result in a reduction in available benefits and disciplinary action up to and including termination.
 - 7.4.2. If job restrictions/accommodations are required, the employee must submit the College's medical release form no later than three (3) business days before their scheduled return to work date to allow time to determine if restrictions may be accommodated.
- 7.5. Medical Appointments
 - 7.5.1. The employee shall, when possible, schedule medical appointments at times resulting in the least interference with work hours. Employees may use available time off for medical appointments. Employees should inform their direct supervisor of all medical appointments as soon as possible after scheduling. Failing to notify direct supervisors in advance of scheduled medical appointments may be cause for denial of time off.

7.5.2. The employee's medical provider must complete the College's medical release form at each visit to evaluate the employee's restrictions. It is the employee's responsibility to submit the form to their direct supervisor and the HR Office after each visit; this applies for both work-related and non-work-related injuries and illnesses which interfere with work assignments.

7.6. Work Related Injury or Illness

7.6.1. In the event an injury or illness is work related, report it to the direct supervisor as soon as possible. If feasible in the event of serious injuries, the employee's supervisor or coworker may accompany them to their initial medical treatment.

7.6.2. Immediately complete and sign all required College and Workers Compensation Fund documents.

7.6.3. Inform the direct supervisor when seeking medical treatment and obtain the College's medical release form. The medical release form must be completed for each medical provider visit and regardless of whether the condition is work-related or not.

7.6.4. Participate in the Return-to-Work Program on temporary transitional work for up to 90 days while the medical provider and supervisor continuously review the medical condition. Snow College may extend the 90-day period based on medical necessity.

8.0 EMPLOYEE REFUSAL TO PARTICIPATE

8.1. Employees who choose not to participate in the College's return-to-work program may:

8.1.1. take vacation and/or sick leave;

8.1.2. if eligible, take leave under the Family and Medical Leave Act;

8.1.3. take a leave without pay after exhausting all vacation and sick leave, which will require approval from the supervisor and the HR Office or

8.1.4. be subject to applicable laws to determine suitability for employment.

9.0 FMLA AND OTHER BENEFITS

9.1. This policy is meant to work in concert with other Snow College benefits programs including Staff Paid Leave, Faculty Paid Leave, Short- and Long-term Disability benefits, and Worker's Compensation benefits. Employees should consult with Human Resources to determine how these benefits apply to their particular case.

