

Dear Injured Employee: We would like you to return to work tomorrow!

Can Injured Employees Return to Work Successfully?

Employee retention, employee engagement and talent management are the buzz words in the human resource community. Every major publication predicts a dire staffing and talent shortage, yet every year employers allow trained talent to walk out their door after an occupational injury.

Historically, the workers' compensation laws have not adequately supported the return to work process - it is much easier to offer injured employees a settlement than it is to provide them with the opportunity to return to gainful employment. The only problem with this scenario - the next employee you hire could be someone else's settlement.

The key reason why employers do not make a valiant effort to retain injured employees – Fear! Fear of re-injury, fear of litigation or just fear of workers' compensation.

All too often, an injured worker is not put back into the workforce for one of three reasons.

1. Employers do not feel that they can offer the employee a limited but meaningful job.
2. The organization is worried that the recovering employee, who is not up to "full speed", many re-injure themselves and create additional injury claims.
3. The company may not have the resources to systematically implement a proactive injury management program.

And there's also, the negative side of injury management. Most employers do not want to deal with the attitude problems, productivity issues and the morale drain that can occur when injured employees do not want to be at work.

Unfortunately, employers are not in a win-win situation when it comes to workplace injuries. If you leave the employee at home, the insurance carrier pays them to be there. This, in turn, affects the amount of money your company pays for workers' compensation premiums. If you refuse to bring the employee back to work, you may be in violation of the Americans with Disabilities Act (ADA). If you bring the employee back to work in a nonproductive light-duty position that has them counting paperclips, you are paying state and federal taxes as well as benefits for an employee who is not contributing anything to your bottom line.

An effective injury management program starts before the injury happens, not on the day the employee files the First Report of Injury or Illness (FROI) form. Many companies have return-to-work programs but few realize the full benefits of the program, because they omit or overlook key elements of the process. To be effective, a comprehensive return to work program has to be implemented as a key component of a broader injury prevention and injury management or employee wellness program.

What are the Essential Components of a Successful Return-to-Work Program?

Return-to-work programs are only effective if they are implemented with the support of upper, middle and lower management. Do not exclude your employees from the process. Return-to-work programs are successful when you allow frontline employees to contribute to developing the overall plan—remember, they are the ones doing the job, their input and recommendations can be an eye-opener.

Before the Injury:

- Create a written return-to-work policy.
- Review the policy with new employees during their new-hire orientation or with existing employees during their annual review.
- Write a detailed job demand evaluation that identifies the specific tasks and physical demands associated with each job within the company.
- Create a detailed job description for every position.
- Establish a working relationship with a walk-in clinic or occupational medical center.
- Assign a specific person in your organization that will be responsible for administering the return-to-work program. This person should have a thorough knowledge of the Americans with Disabilities Act (ADA), the Family Medical Leave Act (FMLA) and the Workers' Compensation Statutes.

One of the complaints I hear from employers is, "I tried to bring the employee back to work but they complained the whole time they were here. Finally, in frustration we let the employee go home, and they never returned to work." The question asked by most employers is, how do I avoid this scenario?

To eliminate or reduce the employee's ability to manipulate the return to work process, you should implement the following post-accident procedures:

- Identify tasks that can be grouped together to accommodate the injured employee's restrictions. Focus on matching the employee's ability to do the job versus focusing on what they cannot do.
- Send a copy of the proposed modified-duty job description to the treating physician, and ask him or her to approve the position. You are asking the physician to acknowledge that the employee can complete the tasks based on the restrictions imposed. This avoids the "I'm in too much pain to do this job" scenario.
- Notify the injured employee by phone and in writing that you *can* accommodate their restriction. Ask them to come back to work.
- When the employee returns to work review the position and inform the employee that the treating physician confirmed their ability to perform the modified tasks.
- Educate your supervisors so they can effectively manage the injured employee.

- Communicate the job offer to your insurance carrier.
- Continue to monitor the employee until they are released to work full-duty or until they are at Maximum Medical Improvement. Review the final work status and any permanent restriction in compliance with the provisions outline outlined in the Americans with Disabilities Act (ADA).

The Conclusion: Injured Employees Can Return to Work Successfully!

Workers' compensation return to work programs, have to be an integral part of your retention policy or strategy. Your employees—are your most valued asset. If employees *are* your most valued asset, then you should recognize the importance of implementing a comprehensive return-to-work program. Your obligation as the employer does not end when the injury begins. Returning an employee to work is an investment in your company, and it shows that you still value your employees after they are injured.

The answer to getting injured employees back to work starts before you hire them and definitely before they are injured. Having well-defined return to work policies and procedures that can be implemented immediately will insure that the employee returns to work - successfully.



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Margaret works with companies who want to implement injury management, decrease litigation, costly settlements and learn how to incorporate a return to work strategies that eliminate lost work days.

She is the author of "From Workers' Comp Claimant to Valued Employee: Employer's Guide to Implementing a Proactive Return to Work Program." The book is available on her websites: www.WorkCompSeminars.com or www.TheyCanReturntoWork.com as well as on Amazon.com. Margaret can be reached at 561-795-3036.