

**UNIVERSITY OF NEW HAMPSHIRE**  
**WORKERS' COMPENSATION TEMPORARY ALTERNATIVE WORK PROGRAM**

1) PROGRAM STATEMENT/MISSION

It is the policy of the University of New Hampshire to effectively manage workers compensation losses and invoke cost containment measures for workers' compensation claims while maintaining the dignity and working status of our employees. The State of New Hampshire regulations require that we develop temporary alternate work opportunities for injured employees (RSA 281-A:23-b). To meet this requirement, the University will employ strategies to manage the situation and return the injured employee to work as quickly and as safely as possible. The University will assist in the early evaluation of work related injury/condition claims to determine early job placement, rehabilitation or retraining needs. The Workers' Compensation Temporary Alternative Work (TAW) Program will be implemented by using the procedures outlined below.

2) Definitions of Responsibility

To achieve the MISSION of the TAW Program, a **Case Management Team** will be established. **Primary Team Members** will include the Workers' Compensation Coordinator, the Environmental Health and Safety Coordinator, and the Workers' Compensation Insurance Claims Specialist. The Primary Team is charged with reviewing accidents to establish cause, effect, and methods of prevention. The Primary Team Members will further determine, on a case-by-case basis, the necessity to involve **Extended Team Members**. Extended Team Members will include the Human Resources Representative, the Supervisor or Departmental designee and the Americans with Disabilities Compliance Officer. The members of the team and their responsibilities are identified below.

a) Workers' Compensation Coordinator

- Facilitates all case management activity.
- Reviews all forms to ensure that appropriate individuals fully and accurately complete them.
- Informs the employee involved of benefit options and procedures.
- Initiates and maintains contact with necessary parties:

- The affected employee and affected employee's supervisor
- The Workers Compensation Insurance Claims Specialist
- The medical personnel involved
- The case management team including the extended team
- Coordinates activities on campus with outside investigation and rehabilitation professionals.
- Maintains thorough knowledge of workers' compensation and UNH reporting procedures including FMLA and LTD.
- Coordinates and supplies job specific information to medical personnel.

b) Environmental Health and Safety Coordinator

- Investigates accident scene when appropriate; talks to affected employee and supervisor, makes necessary safety recommendations.
- Completes forms as necessary.
- Assists with additional investigation of claims.
- Provides history of injuries to spot trends.
- Develops and implements training programs as necessary.
- Encourages supervisor to accept workers on TAW duty.
- Coordinates with the UNH Occupational Safety Committee to assist with the identification and definition of temporary alternate tasks.

c) Human Resources Representative

- Supports Workers' Compensation Coordinator as necessary.
- Provides specific job information as needed, if not available from supervisor.
- Facilitates, with receiving department, work assignments for affected workers when necessary.
- Encourages supervisors to accept workers on TAW duty.

d) Workers' Compensation Insurance Company Claim Specialist

- Provides assistance and strategies for handling difficult or questionable claims.
- Assists in providing history of past claims and accidents to spot trends.
- Recommends physicians, rehabilitation consultants and other outside support.
- Provides information on workers' compensation benefits.

e) Supervisor or Departmental Designee

- Initiates immediate medical treatment when necessary.
- Reports the incident; investigates the cause, initiates corrective work place measures (in coordination with the Environmental Health and Safety Coordinator).
- Cooperates with Human Resources to establish TAW duties that are meaningful.
- In coordination with the Workers' Compensation Coordinator maintains contact with the employee throughout the TAW duty period displaying a concerned and caring attitude.
- Monitors employee's progress and coordinates the return to full duty/full time

work date with the Workers' Compensation Coordinator.

- Provides specific job information as needed.

f) Americans with Disabilities Compliance Officer

- Reviews medical documentation and determines whether a person with an occupational injury has a disability as defined by the ADA.
- Assists with disability-related questions and medical examinations relating to occupational injury and workers' compensation.
- Provides assistance with the analysis where ADA, FMLA, and Workers' Compensation and USNH Policy overlap and identify which one has precedence.
- Provides assistance to Supervisors and Human Resources in determining "Essential Functions" of a specific job as defined under the ADA.
- Provides guidance on when and what type of a reasonable accommodation as defined under the ADA should be provided when making a return to work decision.
- Provides guidance as to the application of the "direct threat" standard as defined under the ADA

3) The Supervisor or Departmental Designee's Role When an Injury/Condition Occurs

- Provide/Direct needed medical attention immediately.
- Conduct the initial accident scene investigation as soon as possible.
- Complete the "Report of Occupational Illness/Injury" within 24 hours of the accident and forward to the Workers' Compensation Coordinator and EH&S.

The investigation is the first step toward avoiding future accidents. It should determine what happened and why the accident occurred. Ideally the supervisor and the Environmental Health and Safety Coordinator should conduct the investigation and recommend corrective workplace measures. The focus of the investigation should be to determine the cause of the accident and not to assess blame.

#### 4) Bringing the Employee Back to Work

It is important to maintain contact on a regular basis with the employee involved and the treating physician. The immediate home supervisor or departmental designee is responsible for maintaining contact with the employee while in a TAW duty position. The Workers' Compensation Coordinator and the injured employee will maintain contact with the attending medical personnel to procure medical information.

The injured employee shall obtain a note from his or her doctor for each subsequent medical appointment and immediately furnish a copy of the note to their supervisor. The note should contain a brief statement about the injured employee's progress and should also indicate the date of the next appointment. This information can be furnished through a New Hampshire Workers' Compensation medical report form. The injured employee must immediately contact the supervisor and the Workers' Compensation Coordinator as soon as the physician authorizes any return to work.

The program's objective is to get the employee back to work in a productive position. *It is important that a return to work date be established as soon as possible.* If the individual cannot return to his/her original position due to temporary limitations, the Case Management Team will establish when and under what limitations the employee may return to work based on the medical recommendations.

##### a) Identifying TAW

The immediate supervisor or departmental designee, working with the Case Management Team, should identify tasks that may be accomplished in a TAW job. In constructing a TAW position, the following should be considered:

- Focus on what the employee can do rather than the tasks they cannot perform.
- The value of the alternative work to the total work unit and to the other employees. TAW should be a meaningful assignment.

##### b) Temporary Duty Outside the Home Department

The TAW Program prefers to establish work in the injured employee's home department. However, it may become necessary to seek out positions in other University areas. If temporary duty cannot be accommodated in the employee's immediate work area, the University will consider alternative sites. The primary case management team in conjunction with Human Resources will screen requests for employment and other unfilled positions that the University may have for a satisfactory temporary fit. If no

vacant positions are appropriate, other work that may be done by the employee will be considered in the following order:

- within the employing division
- within the University

If temporary work is established outside of the employing department, the salary of the employee will be split equally between the home and outside departments. When absolutely necessary, alternative methods of funding will be investigated.

c) Returning the Employee to Work in a Temporary Assignment

- Advise the employee that we have established a temporary alternative work assignment with feedback from his/her physician. This is generally done by the supervisor or departmental designee.
- Complete a Return to Work Agreement, signed by both supervisor and employee, identifying restrictions and the new assignment. The employee's refusal to report to work and perform the TAW may jeopardize the Workers' Compensation benefits.
- Maintain contact with the injured employee and co-workers to ensure good communication and positive reinforcement.
- Emphasize the temporary and dynamic nature of the position and review the employee's progress at regular intervals.

d) Communication with Employees on Temporary Alternative Work and their Co-workers.

It is important to make sure that the employee and the entire work unit understand the benefits of TAW assignments such as: a more rapid return to work; little or no lost wages; continued earnings of sick leave, vacation and retirement; feeling like part of the team.

The co-workers should be:

- informed that the TAW is temporary
- updated on a regular basis on the progress of the employee involved

- made aware that the benefit would be extended to them if necessary and possible
- encouraged to build team spirit and welcome the employee back to work

Our Return to Work Program intends to demonstrate to employees that we care about them and value their importance and contributions to the organization. The Supervisor or Departmental Designee and the Workers' Compensation Coordinator will work together with the employee and the attending physician to return the employee to their permanent position as soon as possible.