

# A Crash Course in Return to Work Programs

Over the past few months there has been an increase in activity by the state Department of Labor & Industries (L&I) to move claims into and through the system in a more timely manner. One of the changes that have been made is the referral of new claims to the outlying service locations where employers can be provided with local assistance with return to work efforts.

### The ROII Advantage

But if your company is a member of BIAW's Return on Industrial Insurance (ROII) program you are already equipped with the tools to facilitate a speedy return to work for your injured employees. Participation in ROII means you have access to experienced BIAW Claims Specialists who can assist in cost containment efforts.

BIAW provides all ROII participants with the *Implementing a Return to Work Program* booklet. This is a valuable tool regardless of your company's size. The booklet includes an explanation of why having a return to work program is so important to containing claim costs. There are sample forms and letters designed to meet the specific guidelines set forth by L&I. But be warned—if you modify the forms and letters, there is a good chance L&I, or the claimant's attorney, will find a reason not to consider the job offer to be valid or reasonable and time loss benefits will be paid. It may seem like a lot of paperwork and time, but it cannot be stressed enough that clear documentation is the best way to reduce the length of a claim or stop a claimant from fraudulently obtaining benefits.

By utilizing these valuable resources provided by BIAW, you can reduce the time and money spent in return to work efforts, thus reducing claims costs.

### The First Step

If you are contacted by your BIAW Claims Specialist or L&I regarding light duty for an injured worker, the best way to respond is by stating you are at least willing to look at options in your company that will accommodate a worker's restrictions. Usually light duty is temporary and there are many strategies to effectively contain costs.

Having job analyses of all of your

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company's regular jobs and some light duty jobs readily available to an injured employee before they go to the doctor will shorten the time they are off of work. Making sure all of your employees, especially field supervisors, know about your return to work policy is also crucial.

But the most important aspect is that top management is committed to supporting the field and office staff when the issue of offering light duty arises. Top management's willingness to see that workers' compensation costs are contained will guarantee a faithful adherence to the return to work program by mid and lower management.

### How It Saves You Money

Oftentimes employers are reluctant to offer light duty to a questionable employee—especially when the employee's

motives are suspicious and it appears he/she wants to stay on time loss as long as possible. Offering light duty can interfere with that plan.

When a worker is provided with a reasonable light duty job that has been approved by the doctor, it is the worker's responsibility to accept the job offer—or L&I will terminate the time loss benefits. If the employee accepts the job offer, he/she is obligated to adhere to the company's policies. If the worker fails to comply, the progressive disciplinary action outlined in your company policy should be enforced. A well-documented termination from employment due to failure to comply with the company's policies will also result in termination of time loss benefits.

The light duty job can be offered at reduced hours or pay. L&I pays 80 percent of the difference between the job of injury wages and the light duty pay. Often just the reduction in pay is enough for the worker to experience a "miraculous recovery" and have the doctor write a release for full-duty work. If the claimant is sincere, then a reasonable return to work will usually result in the worker feeling that he is an important part of your company and there is a strong likelihood of forging a loyal relationship after the worker is released to full duty.

### Questions

If you have any questions about how to implement or facilitate a return to work program please contact your BIAW Claims Specialist. A copy of the *Implementing a Return to Work Program* booklet is available online at [www.biaw.com](http://www.biaw.com) or call our office at 800-228-4229 to have a copy mailed to you. 

