

Return to Work Program

Date Adopted: 4/14/1998

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References: See Page 2

Sierra Joint Community College District supports the development, implementation and monitoring of an early return to work policy that is consistent with all applicable laws of California and Board Policy.

The purpose of a Return to Work Program (RTW) is to return employees who have suffered a work-related, and when applicable a non-work-related injury or illness, to work in a modified or alternative position that is within the temporary work restrictions assigned by their treating doctor medical provider. This program is designed to transition an employee back to their usual and customary position after an injury or illness; and improve the capability of identifying and appropriately managing temporary or permanent disabilities.

Occupational Injuries or Illnesses

The District will make reasonable efforts to assist employees who while in the course and scope of their employment have sustained an occupational injury or illness, to return to work when determined to be medically feasible. The District will, to the greatest extent possible and appropriate, assist eligible employees unable to return to full duty by temporarily modifying work assignments or duties, or arranging for temporary reassignments until the employee is medically released to resume regular duties without restriction.

Non-Occupational Injuries or Illnesses

The District will make reasonable efforts to enable its current employees on sick leave or short-term disability, under the provisions of applicable federal or state regulations, to return to full duty. Eligible employees will be assisted, to the greatest extent possible, through temporary duty modification(s) or temporary reassignment(s).

Definitions

1. Alternative Work – Work that the employee has the ability to perform.

2. Occupational Injury or Illness – For the purposes of this RTW program, an occupational injury or illness means an injury or disease arising out of the employment with Sierra College and compensable under the workers’ compensation laws in the State of California.
3. Modified Work – Regular work modified so that the employee has the ability to perform all functions of the job.
4. Reasonable Accommodation – Requires an employer to provide reasonable accommodation to qualified individuals with disabilities who are employees or applicants for employment, unless to do so would cause undue hardship.

Duration of the Return to Work (RTW) Program

The return to work policy is designed to meet the needs of both the employer and employee, by returning the employee to a productive environment as quickly as possible. Participation in the program should not exceed 180 calendar days. Modified or alternative work assignments are temporary arrangements intended to complement and facilitate the recovery and healing process. Modified or alternative work assignments should be reviewed every thirty (30)- forty-five (45) calendar days and are subject to the employee’s treating medical provider’s statement, which is required upon each re-evaluation.

Refusal of a Bona Fide Offer of Modified or Alternative Work

An eligible employee may accept or reject a bona fide offer of modified or alternative work. Under the state’s workers’ compensation regulations, the eligible employee should be informed however that the rejection of the bona fide offer of employment may jeopardize continued temporary income benefits. If the employee rejects the bona fide offer of employment, then the employee remains off-work until the end of any approved leave period or until the employee is certified by their treating medical provider to return to full duty.

Legal Reference:

EDUCATION CODE

88192 Required rules for industrial accident and illness leave

88127 Industrial accident and illness leave for classified employees

GOVERNMENT CODE

12900-12996 Fair Employment and Housing Act

12945.1-12945.2 California Family Rights Act

UNITED STATES CODE, TITLE 29

2601-2654 Family Care and Medical Leave Act

UNITED STATES CODE, TITLE 42

12101-12213 Americans with Disabilities Act

See Administrative Procedure 7349.