RESTORING EMPLOYEES TO WORK
PRACTICAL IMPLICATIONS

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“No problems …
only solutions.”

FULLY RECOVERED WITHIN ONE YEAR

- EMPLOYEES WHO HAVE FULLY RECOVERED WITHIN ONE YEAR AFTER COMPENSATION BEGAN
  - FORMER OR EQUIVALENT POSITION
  - UNLESS SEPARATED FOR CAUSE OR UNDER A RIF

FULLY RECOVERED MORE THAN ONE YEAR

- EMPLOYEES WHO HAVE FULLY RECOVERED MORE THAN ONE YEAR AFTER COMPENSATION BEGAN
  - PRIORITY PLACEMENT TO FORMER OR EQUIVALENT POSITION

PARTIALLY RECOVERED

- EMPLOYEES WHO HAVE PARTIALLY RECOVERED
  - EVERY EFFORT TO RESTORE THEM TO AN APPROPRIATE POSITION THAT MATCHES THE RESIDUAL LIMITATIONS
  - REASONABLE ACCOMMODATION

APPOINTING AUTHORITIES

- REINSTATEMENT
  - IF QUALIFIED
- NEW APPOINTMENT
  - PERMANENT OR TEMPORARY
- HANDICAPPED APPOINTMENT
  - IF QUALIFIED

REINSTATEMENT

- EMPLOYEE WHO QUALIFIES RETURNS TO DUTY UNDER THE APPOINTMENT THE EMPLOYEE PREVIOUSLY HELD

NEW APPOINTMENT

- EMPLOYEE RECEIVES A NEW APPOINTMENT
  - TITLE 5 COMPETITIVE PROCEDURES
  - TITLE 38 APPOINTMENT

HANDICAPPED APPOINTMENT

- MAY BE APPROPRIATE IN CASES WHERE EMPLOYEE PARTIALLY RECOVERED
  - PHYSICAL OR MENTAL LIMITATIONS
  - REQUIRES MEDICAL DOCUMENTATION & CERTIFICATION BY OFFICE OF VOCATIONAL REHABILITATION

REASONABLE ACCOMMODATION

- **MEDICAL DOCUMENTATION**
  - **WHAT ARE THE LIMITATIONS?**
    - **OBTAIN DOCUMENTATION SIGNED BY THE EMPLOYEE'S TREATING PHYSICIAN**
      - **CA-17 IS USEFUL**
    - **LIMITATIONS SHOULD BE DESCRIBED IN SPECIFIC, BEHAVIORAL TERMS**
      - **HOURS PER DAY, POUNDS ABLE TO LIFT, TIME DOING A CONTINUOUS TASK, ENVIRONMENTAL CONDITIONS**

REASONABLE ACCOMMODATION

- HOW CAN YOU ACCOMMODATE THE LIMITATIONS?
  - EQUIPMENT
  - SCHEDULING
    - PART-TIME, DIFFERENT HOURS TO REDUCE TRAVEL STRESS
    - BREAK IN MIDDLE OF THE DAY
  - MODIFY POSITION DUTIES WITHOUT CHANGING THE ESSENTIAL ELEMENTS OF THE JOB

REASONABLE ACCOMMODATION

- IF YOU CANNOT THINK OF HOW YOU CAN ACCOMMODATE THE LIMITATIONS
  - TALK TO A PROSTHETICS REPRESENTATIVE, A VOCATIONAL REHABILITATION SPECIALIST, AN OCCUPATIONAL THERAPIST, OR THE STATE VOCATIONAL REHABILITATION AGENCY

CONTRACTUAL OBLIGATIONS

- REVIEW THE NATIONAL AND LOCAL CONTRACTS
  - ARE THERE ANY CONTRACTUAL LIMITATIONS ON WHAT YOU WANT TO DO?
  - TALK TO HUMAN RESOURCES MANAGEMENT & YOUR LOCAL UNION PRESIDENT
    - CREATE A SITUATION WHERE ALL PARTIES CAN "WIN"

If you want to restore an employee to duty, you can always find a way, provided you really want to.