


Transitional Return to Work

	Louisiana Department of Health (LDH)	
	Policy Number	109.2
	Content	Establishes policy and procedures for administering a return-to-work program for employees who have sustained job-related injuries or illnesses and are temporarily prevented from performing their normal job functions
	Effective Date	December 12, 2017
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LDH is committed to fostering, cultivating, and preserving a culture of equity, diversity, and inclusion. Our human capital is the most valuable asset we have. The collective sum of the individual differences, life experiences, knowledge, inventiveness, innovation, self-expression, unique capabilities, and talent that our employees invest in their work represents a significant part of not only our culture, but our Department’s reputation and achievement as well.

If there is a discrepancy between an LDH Policy and a Program Office or facility policy, the LDH policy shall govern/overrule/supersede the conflicting section within the Program Office or facility policy.

I. POLICY STATEMENT

The goal of ORM's Transitional Return to Work program is to assist an employee who is injured on the job return to work as soon as medically possible, within the physical restrictions determined by their physician, until they are capable of returning to regular duty. This may be achieved through temporary modification of the injured employee's job tasks, equipment, or work schedule, as appropriate.

More expansively, the ADA requires employers, upon request, to provide workplace modifications, known as reasonable accommodations, to assist an employee with a disability in performing the essential functions of their job. The disability need not have occurred as a result of an on-the-job injury, which may be compensable as a workers' compensation claim.

Thus, LDH has an obligation to all employees, regardless of the cause of their medical condition, to provide reasonable accommodations to facilitate their expedient return to work.

This policy provides procedures to provide a safe return to work for injured employees, give employees return to work options, and ensure that appropriate documentation is maintained regarding transitional return to work activities.

II. APPLICABILITY

This policy is applicable to employees of LDH who are off duty as a result of work-related injuries or illnesses and are receiving Workers' Compensation benefits.

III. POLICY PROVISIONS

For the workplace injury/illness of an employee, LDH shall:

- A. CLAIMS REPORTING: Electronically report the workers' compensation claim immediately, but not later than 5 days after the injury or knowledge, via ORM's Third-Party Administrator's (TPA) [online claims management system](#).
- B. MEDICAL LIMITATIONS: If the workplace injury/illness results in "lost time," meaning the employee is unable to work, LDH shall provide the employee with a Physician's Modified Work Information Sheet for completion by the employee's healthcare provider. Employees have the right to seek medical treatment from a healthcare provider of their choice for a work-related injury/illness. Employees are required to return the Physician's Modified Information Sheet to Human Resources (HR) within 24 hours of receipt of the signed form from their treating physician.
- C. ADA INTERACTIVE PROCESS: Upon receipt, LDH shall consider a completed Physician's Modified Work Information Sheet to be an ADA accommodation request. Such documentation shall substitute for any department-specific Request for Accommodation

and/or Medical Inquiry forms. Based on such documentation, LDH shall initiate the interactive process with the employee in order to fully understand their functional limitations and to discuss possible accommodation(s), if available, that would facilitate the employee's return to duty status. The accommodation analysis and procedure shall be in accordance with the agency's ADA policy mandated by [La. R.S. 46:2594](#), which is [Policy Number 81, Americans with Disabilities Act](#).

- D. **ACCOMMODATION DETERMINATION:** The final determination regarding the employee's return to duty status, consistent with identified medical restrictions, shall be made by the Appointing Authority. This determination will be made in accordance with ADA requirements and considerations, including: the employee's ability to perform the essential functions of the job; the nature, extent, and duration of accommodation(s) needed; and whether such accommodation(s) are reasonable or would impose an undue hardship on LDH.
1. NOTE: The ADA does not require the removal of essential functions, displacement of an existing employee, or the creation of a new position as a reasonable accommodation for an employee with a disability.
- E. **VOCATIONAL REHABILITATION:** ORM, through its TPA, provides a Return to Work Coordinator who is a licensed vocational rehabilitation specialist to serve as a liaison between employees and agencies, if warranted, on matters related to disability management and return to work planning. This RTW coordinator works with the employee (or legal representative) and agency representatives to facilitate the employee's return to work, including communicating with medical providers and providing progress reports to agency personnel. The RTW coordinator is responsible for ensuring that vocational rehabilitation standards are adhered to as required by law.

IV. RESPONSIBILITIES

- A. Human Resources Director (or designee).
Human Resources Director (including Facility Human Resources Directors where applicable) or designee shall be responsible for:
1. Assuring that existing employees review this Transitional Return to Work policy within 90 days of hire and every 5 years thereafter.
 2. Assuring that all new hires review this Transitional Return to Work policy during orientation.
 3. Coordinating the day-to-day administration of the transitional return to work program.
 4. Assuring that required documentation is maintained for audit purposes, as the Office of Risk Management (ORM) will audit LDH's performance in this area.
- B. Appointing Authorities, managers, and supervisors are responsible for:

1. Providing job descriptions that include the physical demands and essential functions of the job.
 2. Reporting work-related injuries or illnesses to the Human Resources Director or designee and LDH Safety Director or designee immediately upon being notified of the injury or illness.
 3. Assuring that injured workers are treated with dignity and respect.
 4. Working with the ADA Coordinator to develop suitable return-to-work plans for injured employees while staying within the outlined abilities/limitations.
 5. Monitoring the progress of the employee through the return to work plan and notifying the Human Resources Director or designee if there are any changes in circumstances.
 6. Promoting and enforcing safe work practices.
 7. Ensuring a work environment that is conducive to a successful return to work program.
- C. Each LDH employee is responsible for:
1. Reporting work-related injuries or illnesses immediately to their immediate supervisor or other individual in the chain of command.
 2. In case of a lost-time injury, submitting a completed and signed Physician's Modified Work Information Sheet to their supervisor no less than 24 hours prior to their returning to work with restrictions (if the employee does not submit the completed Physician's Modified Work Information Sheet as required the supervisor shall notify the Human Resources Director or designee who will immediately contact the ORM Third Party Administrator).
 3. Following all procedures as outlined in this policy or as directed by their supervisor, the Human Resources Director or designee, the ORM Third Party Administrator Return to Work Coordinator, or other appropriate agency personnel.

V. VIOLATIONS

Violations of this policy may result in corrective action or disciplinary action. Corrective action includes Improvement Letters (Civil Service Rule 12.9), verbal counseling, documented counseling, and/or reprimand. Letters issued for corrective action are at the sole discretion of the Appointing Authority. Disciplinary actions are Suspension without Pay, Reduction in Pay, Involuntary Demotion, and Dismissal (Civil Service Rule 12.3). Any disciplinary action taken is at the sole discretion of the Appointing Authority.

VI. REFERENCES

AUTHORITY: The Transitional Return to Work Plan for the Louisiana Department of Health (LDH) has been established in accordance with the following regulations:

- A. Office of Risk Management (ORM) [[La. R.S. 39:1547](#) and Insurance Information Notice 2025-3]
- B. [R.S. 23:1020.1\(B\)\(3\)](#); [R.S. 23:1020.1\(C\)\(2\)](#); [R.S. 23:1226](#) of the Louisiana Workers' Compensation Law
- C. Americans with Disabilities Act (ADA), as amended [[29 CFR 1630.1 – 1630.16](#)]

VII. REVISION HISTORY

Date	Revision
March 04, 2015	Policy created (Replaced #51.1 – Return to Work Policy for Employees on Workers' Compensation)
November 06, 2017	Policy revised
December 12, 2017	Policy revised
October 31, 2024	Policy reviewed
February 13, 2026	Policy updated