

# **CITY OF COMMERCE ADMINISTRATIVE POLICIES**

## **MODIFIED DUTY**

### **1.0 PURPOSE**

- 1.1 To provide for a uniform response and handling of a citywide modified duty/return to work program for employees who have been injured while on duty.**
- 1.2 These policies and procedures apply to any situation where an employee is being treated for a work related injury or illness and is determined fit by a City approved physician or practitioner to return to work on a temporary basis with modified duties.**
- 1.3 Exception: This program is not intended to include employees whose disability has been caused by an off duty injury.**

### **2.0 POLICY**

- 2.1 It is the policy of the city, with the cooperation of all departments, to locate and assign modified duty, when feasible to employees who are temporarily disabled from their regular job as a result of an on-the-job injury.**
- 2.2 All such modified duty assignments are to be within the limitations as recommended by a City approved physician or practitioner.**
- 2.3 The City approved physician/practitioner will be encouraged to release temporarily disabled employees to modified duty work status and to describe the employees physical limitations in sufficient detail to enable the city to identify a suitable work assignment or to modify the tasks of the regular assignment which may be eliminated or adjusted.**
- 2.4 The department in which the employee works will attempt to locate a work assignment or modify the work duties of the regular assignment within the limitations recommended by the physician or practitioner.**
- 2.5 If the department is unable to assign suitable work, other departments will be contacted to determine if suitable work assignment can be accommodated.**
- 2.6 If no suitable assignment is available within the department, the city administration will be contacted immediately in order to consider other alternatives.**
- 2.7 City administration will attempt to coordinate, where feasible, a temporary reassignment of the employee on an interdepartmental basis.**

- 2.8 The Department to which the employee is regularly assigned will continue to be charged for the employee's wages and benefits.
- 2.9 The employee will be responsible for reporting to their immediate supervisor following each medical appointment and providing the supervisor with the appropriate medical status slip from the authorized treating physician/practitioner.
- 2.10 The employee will cooperate to the fullest extent possible by performing the tasks and duties within the modified assignment to the best of his/her ability.
- 2.11 Employees will be advised of the City's policy of mandatory modified duty in accordance with the employees work restrictions.
- 2.12 Employees refusing to accept an appropriate modified duty assignment provided by the attending physician/practitioner and offered by the City will forfeit their workers compensation benefits.
- 2.13 The immediate supervisor will be responsible for monitoring the employee's performance during the period of modified duty.
- 2.14 Performance appraisals will be conducted at the appropriate intervals.
- 2.15 Employees will be entitled to earn their usual base salary while on modified duty.
- 2.16 It is the City's policy that no overtime will be authorized unless the employee is expressly given permission by the Department Head.
- 2.17 All overtime assignments must be approved in advance by the Department Head, and must be in accordance with the work restrictions set forth by the attending physician/practitioner.
- 2.18 Upon release to regular work without restrictions, the employee will be returned to his/her regular work unit in the usual work assignment.

### 3.0 PROCEDURES

- 3.1 Each Department will be responsible for implementation of this policy within their unit.
- 3.2 Department Heads will instruct their employees on the City's modified duty policy.
- 3.3 The Accounting Supervisor will inform the treating physician or practitioner and employee of the City's policy on modified duty.
- 3.4 Supervisors will contact the Accounting Supervisor to confirm the employees return to work on modified duty.

- 3.5 The **employee's** timecard will be maintained by the Department to which the employee is regularly assigned.
- 3.6 In the event a work unit cannot reasonably accommodate a modified work assignment due to operational difficulties or the employees work restrictions, the Director of Administrative Services is to be notified within 24 hours or by the next business day. This will apply to either the initial request or the period following the provision of modified duty.
- 3.7 The Department of Administrative Services will coordinate alternative assignments on an inter-department basis for employees whose home Departments cannot accommodate them.
- 3.8 In the event the Department of Administrative Services cannot locate an assignment, the employee will remain off work and will be provided compensation in accordance with applicable state law.
- 3.9 The Department of Administrative Services is authorized and directed to develop and implement any forms to be used in this modified duty program.
- 3.10 For further information about the modified duty program, contact the Director of Administrative Services.


#### 4.0 DEFINITIONS

- 4.1 **Work-related injury or illness:** a physical injury or illness deemed to have been caused by the employees occupation.
- 4.2 **Employee:** any person who renders service to the City for pay, excluding persons who work under a professional service contract. Employees include persons in probationary, regular or temporary status.
- 4.3 **Modified Duty:** work restrictions (modifications of work duties or tasks) determined and recommended by a City approved physician or practitioner who has been rendering treatment to the employee or who is qualified to render an opinion on the employee's physical abilities.

EFFECTIVE: 06-01-97

LAST REVISED: 09-20-94

CITY MANAGER APPROVAL:



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