

CITY OF ROCHESTER ORGANIZATIONAL POLICY

Light-Duty/Return to Work

Purpose

The City of Rochester recognizes the mutual benefit to provide a safe and secure working environment for all employees and to support employees who experience a personal or work-related injury or occupational illness. With that in mind, the City of Rochester encourages the implementation and administration of a return-to-work program that returns employees to safe and productive employment as soon as medically possible following a temporary injury or illness. Temporary light-duty work assignments may be granted; however, this is done so at the sole discretion of the employer on a case-by-case basis.

This policy is not intended to supersede or modify the procedures applicable to employees eligible for reasonable accommodation or provisions under federal/state law such as: the Americans with Disabilities Act (ADA) or Family and Medical Leave Act (FMLA). Furthermore, this policy is not intended to be a contractual commitment or a guarantee of continuity of benefits or employment rights. Assignments under this policy shall not be precedent setting nor shall they be grievable.

Light-Duty Work Program

The City defines light-duty work as temporary, modified work assignments that are compatible with an employee's temporary medical work restrictions. When possible, light-duty work assignments will be made available to temporarily injured employees to minimize or eliminate time lost from work. However, light-duty work assignments are not guaranteed. In using its discretion to assign an employee light-duty work assignment, the City may consider several factors including, but not limited to: availability of work, consideration of the employee's work restrictions, organizational needs and financial resources, the affected employee skills and job qualifications, and medical expectation that the employee will fully recover from the illness or injury and return to full duty without restrictions within a reasonable time frame.

A light-duty work assignment may result in a different work schedule and/or less than full-time schedule (40 hours per week). Employees on a light-duty work assignment will be sent home when light-duty work is no longer available on either a daily or weekly basis.

When an employee is temporarily restricted from performing the duties of their job due to an injury or illness and has been released to work with restrictions by a medical provider, a light-duty work assignment may be approved jointly by the employee's department head and Human Resources Director or their designee, and if necessary the City Attorney may be consulted. The availability and assignment of a light-duty work assignment is evaluated on a case-by-case basis. An extension of the light-duty work assignment may be considered, or granted, on a case-by-case basis. The City will re-evaluate all light-duty work assignments on an ongoing basis. A new position will not be created to accommodate permanent restrictions.

Any light-duty work assignment may be discontinued at the discretion of the City at any time.

A temporary light-duty work assignment may be within the employee's home department or in another department. An assignment in another department other than an employee's home department does not constitute a transfer to the department within which the employee has been temporarily assigned. The employee's home department remains responsible for an employee's salary and benefits while the employee is working in a temporary light-duty assignment with another department. If the assignment is with another department, that department will report the hours worked to the employee's home department.

**CITY OF ROCHESTER
ORGANIZATIONAL POLICY**

If the City offers a light-duty assignment to an employee who is covered by workers' compensation benefits, the employee may be subject to penalties if they refuse such work. In such cases, the City will notify the City's third party workers' compensation administrator.

If an employee's restrictions are deemed "permanent" and the condition requires permanent restrictions, the employee must provide a doctor's report to Human Resources.

Employee Responsibilities


When an employee is unable to perform the essential requirements of their job due to a temporary illness or injury, they must submit a "Reasonable Accommodation Request" form to Human Resources. This form must be accompanied by the "Request for Information from Medical Provider" form..The notice must include the expected time frame regarding return to work with no restrictions, meeting all essential requirements and functions of the City's job description along with a written request for light-duty. Due to the classification of this information pursuant to the Data Practices Act, supervisors should direct employees to give these forms directly to Human Resources. The City may require an independent medical exam conducted by a physician selected by the City at its discretion.

If provided a light-duty work assignment, the employee is responsible for ensuring personal work restrictions are adhered to and promptly providing regular updates from their medical provider. Employees shall immediately notify Human Resources of any change in restrictions or limitations as determined by their health care provider. An employee assigned to light-duty must provide a medical status report no less than once every 30 days. Employees who knowingly exceed their designated work restrictions, or who fail to comply with City's worker's compensation administrative procedures, may be subject to disciplinary action.

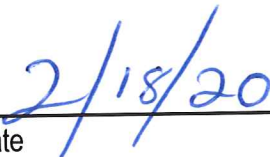
Prior to returning to full-duty status, employees shall be required to provide a statement signed by their medical provider indicating that they are medically cleared to return to work with no restrictions, meeting all essential requirements and functions of the employee's position.

Adopted 8/7/17. Revised 2/06/20.

Policy revisions approved by City Administrator:



Steve Rymer



Date