

## LIMITED DUTY POLICY

### 1.0 Purpose

To outline a policy for when a physician has determined that an employee can only perform limited duties for a temporary period. This would apply to both injuries on-the-job as well as non-work-related injuries and illnesses.

Limited duty is work that, in accordance with written medical authorization, can be performed with only a minimum of physical exertion without risk to the recuperation process and without potential harm to others. Assignments are made for work of a temporary duration. They may include work within the employee's normal duties, duties normally handled by another position within the department, duties in another department, or a combination thereof.

If a limited duty assignment is available that meets the employee's skills and medical restrictions, the employee is required to perform the limited duty assignment.

### 2.0 Scope

To ensure that all employees have a clear understanding of the City's policy regarding limited duty.

The City's limited-duty program is intended to:

1. Assist employees in the rehabilitation process when limited duty is approved by the attending physician and is consistent with an overall medical plan.
2. Prevent and discourage sick leave abuse and the abuse of worker's compensation benefits, and reduce reliance on such leave.
3. Assist in evaluating the injured employee when making determination of fitness for duty.
4. Protect the best interests of the employees and the City.

### 3.0 Policy

3.1 An employee who submits a physician's written order limiting his or her performance of duty may be given a limited duty assignment if such work is available and consistent with the employee's skills and medical restrictions. Such assignment will generally be in the employee's section or another section in his or her department. However, when the employee's department head cannot find suitable work, suitable restricted work shall be sought in other departments.

3.2 While on limited duty assignment, the employee will receive regular salary and benefits from the employee's department.

- 3.3 If the injured employee refuses a light duty assignment, a certified letter will be sent to the employee advising where and when to report to work in accordance with the medical evaluation. This letter shall advise the employee that failure to report for this work will result in notification to IRMA and that Temporary Total Disability (TTD) payments may be terminated. If the injured employee does not report for a light duty work assignment, the Department Head shall immediately advise the City's claims coordinator. The refusal of limited duty may also result in further disciplinary action up to and including termination.

Under no circumstances will payment for reasonable and necessary medical treatments related to work injuries be discontinued. The employee has the right and may appeal discontinuance of TTD payments to the Illinois Industrial Commission.

- 3.4 Employees on limited duty shall be advised that they are **not permitted**, under any circumstances, to perform any work that violates their return to work restrictions.
- 3.5 If no limited duty assignment is available, the employee will be placed on appropriate leave until he or she is released to work full duty. The City will make every effort to provide reasonable accommodation to an otherwise qualified individual with a disability who, with or without a reasonable accommodation, can perform the essential functions of the employment position that the individual holds or desires. No special positions will be created to accommodate employees who are unable to perform at full duty.
- 3.6 Employees on limited duty shall be evaluated on a weekly basis by their department head according to the following criteria:
1. Ability to perform the limited duty assignment.
  2. Compliance with work restrictions.
  3. The limited duty assignment may be modified if necessary.
- 3.7 Regardless of any other City policy, procedure, or directive, the time on limited duty (or less than full duty) due to employee illness or injury may not exceed six (6) months (or 30 days beyond the expiration of benefits pursuant to the Public Employee Disability Act for full-time sworn police and fire personnel entitled to such benefits), even if the employee has not exhausted all accumulated leave, unless an exception is made by the City Manager or otherwise required by law, such as the Family and Medical Leave Act. If an employee is not able to return to work full duty at the conclusion of this six (6)-month time period (or 30 days beyond the expiration of benefits pursuant to the Public Employee Disability Act) and the law does not otherwise require the City to allow the employee to remain on limited duty or less than full duty, the employee may have the opportunity to apply to the appropriate pension or retirement fund for eligible benefits or for a leave of absence.
- 3.8 An injured or ill employee must submit a signed authorization from his or her worker's compensation or personal physician on a bi-weekly basis detailing the employee's status and intent to return to work. An employee who has been limited in duty may not return to work full duty until he or she has submitted a proper "Return to Work" notice completed by his or her physician. A second doctor's opinion may be required by the City.

4.0 Distribution

4.1 Human Resources website: [www.citylf.org](http://www.citylf.org).

A handwritten signature in black ink, appearing to read "Robert R. Kiely, Jr.", written in a cursive style.

Robert R. Kiely, Jr.  
City Manager

Created 10/90  
Reviewed 7/91, 5/95, 5/99, 5/00, 5/03, 5/04, 5/06, 5/09, 5/14

## **EXHIBIT A**

### **LIMITED DUTY PROTOCOL FOR ON-THE-JOB INJURIES**

- Employee reports injury to his/her immediate supervisor.
- Supervisor arranges transport to the assigned Medical Management Network facility. A hospital emergency room should only be utilized if severity of injury dictates.
- Supervisor completes Employees First Report of Accident (Form 45) and Supervisors Investigation Report Form and routes to claims coordinator.
- Supervisor begins accident investigation process.
- Claims coordinator reviews/approves and sends completed forms to claims processor as soon as feasible, but no longer than five work days from date of injury.
- Completed accident investigation forms submitted to Accident Review Board by Claims Coordinator.
- Supervisor follows-up with employee to obtain completed “duty status report” from medical provider.
- If employee is not treated by a Medical Management Network facility and did not receive a release to work with or without restrictions, the employee should contact the claims representative to determine if an evaluation is needed with a Medical Management Network facility.
- If return-to-work instructions include “restrictions,” employer checks for appropriate placement of injured employee. If questions on restrictions exist, the Director of Human Resources will send a detailed letter to the physician of potential limited-duty assignments. The employee may not work until a response is received from the treating physician.
- Employee is placed in temporary limited duty position and is closely monitored by supervisor.
- Claims staff is notified of limited duty assignment.
- Supervisor continues to follow-up with employee on status of full duty release. Employee provided with full-duty release from medical provider, when appropriate.
- Employee is transferred to original full duty position with no restrictions.
- Claims staff is notified of full duty release and transfer to original position.
- Supervisor and claims representative continue to monitor employee medical treatment until released by physician.