



Guideline/Policy Name: **Return to Work/Work Accommodation Guidelines**

Date: 8/10/11

Approved by: Linda Bjornberg - Director, Human Resources University Services

### ***Introduction***

University Services provides a safe and healthy work environment and seeks to promote the health and welfare of its employees. University Services also recognizes the importance of medical health as it pertains to job performance. Therefore, University Services requires its employees to report for work and to perform assigned duties without any medical conditions which would unreasonably interfere with the employee's ability to safely perform the essential functions of their job. University Services will assist employees' efforts to remedy medical functional limitations which may adversely affect their ability to perform the essential functions of their jobs in a safe manner. University Services recognizes the value of assisting employees' return to work and work retention.

In deciding the practicality of an accommodation or work adjustment, management of the respective area must address each situation on a case-by-case basis. Such factors as medical functional limitations, work availability, physical demands, flexibility in scheduling, legal status under disability law and/or other interests of the department should be considered when reviewing such accommodations/adjustments.

### ***Procedures***

Listed below are the various responsibilities of all affected parties. It is expected that all parties will participate in this process.

#### **Employee's Responsibility**

1. Employees are responsible for being fit for duty when reporting to work and during working hours. In addition, employees are responsible for maintaining a state of health which promotes safety, productivity and efficiency in the work environment; for seeking assistance for medical issues; and for observing the regulations and procedures set forth in this policy.
2. Employees unable to perform the essential functions of their position are required to provide medical documentation stating their functional limitations.
3. Employees should notify their manager/supervisor when his or her medical condition may necessitate a request for a reasonable accommodation/adjustment.

#### **Manager/Supervisor's Responsibility**

1. Managers/supervisors are responsible for administering this policy according to the regulations and procedures identified herein. In addition, managers/supervisors are responsible for reinforcing an employee's understanding of this policy and for administering this policy in a fair, uniform and consistent manner.

2. If a manager/supervisor determines that evaluation is necessary, or an employee claiming a medical limitation does not have proper documentation, a referral will be made to Disability Services.
3. The supervisor will provide a letter to the employee, referring them to Disability Services and making the employee aware of EAP and other resources. The letter needs to have Disability Services and University Services Human Resources and University Services Work Comp (if appropriate) copied. A sample copy of the letter can be found at <http://www.uservices.umn.edu/hr/Page%20Headings/forms1.gif>
4. The supervisor will determine whether a functional limitation can be accommodated temporarily while restrictions are being assessed – this will be addressed in the letter as stated above in item 3.

#### **Human Resources' Responsibility**

1. Human Resources will coordinate the efficient and timely administration of the regulations and procedures identified herein.
2. Human Resources will coordinate a meeting between the supervisor, Disability Services, University Services Work Comp (if appropriate) and HR to discuss whether to accommodate the request for work accommodations for the essential functions of the position.
3. Human Resources will help coordinate an interactive process meeting between the employee, supervisor, University Services Work Comp (if appropriate) and Disability Services.
4. Managers/Supervisors are encouraged to contact Human Resources for assistance in implementing this policy.

#### **Disability Services Responsibility**

1. Disability Services will provide confidential counseling and referral to an employee requesting accommodations with the direct purpose of maintaining the interactive process.
2. Disability Services will also serve as a liaison with the physician, the supervisor, University Services Work Comp (if appropriate) and Human Resources when such assistance is needed.
3. The employee's right to privacy and confidentiality will be respected and maintained.

#### **Release from Duty**

If after medical evaluation it is determined that an employee is not fit for duty due to a medical condition, the manager/supervisor will discuss with the employee one or more of the following:

- (1) the employee may be placed on a medical leave of absence for a reasonable period of time as allowed under current laws, collective bargaining agreements and University policies, until they are able to perform the essential functions of the job. If the department is unable to extend the leave, the employee's employment may be terminated.
- (2) the employee may be immediately released from duty, (terminated) in accord with established policies, laws and collective bargaining agreements.
- (3) the employee may, with the assistance of the employer, need to look for other positions within the University system within their restrictions

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**Resources**

University Services Human Resources

Phone: 624-1536

Web Page: [www.uservices.umn.edu/hr](http://www.uservices.umn.edu/hr)

Disability Services

Phone: 624-3316

Web Page: <http://disserv3.stu.umn.edu/index2.html>

EAP (Employee Assistance Program)

Phone: 626-0253

Web Page: <http://www1.umn.edu/ohr/eap/>

University Services Workers' Compensation

Phone: 626-0552

Web Page: <http://www.uservices.umn.edu/workcomp/>