

RETURN-TO-WORK PROGRAM POLICY

Adopted: [DATE] Reviewed: [DATE]

Resolution No. [NUMBER]

Purpose

[District Name] is committed to assisting employees in safely returning to work following a work-related injury, illness, disability, or medical condition. **[District Name]** recognizes that returning employees to productive work as soon as medically appropriate benefits both the employee and the organization.

[District Name] will administer its Return-to-Work Program in compliance with all applicable federal and state laws, including the Americans with Disabilities Act (ADA), the Fair Employment and Housing Act (FEHA), and California Workers' Compensation laws.

1. Interactive Process

Upon receiving notice that an employee has work restrictions, limitations, or requires accommodation related to a medical condition, injury, or disability, **[District Name]** will engage in a timely, good-faith interactive process with the employee.

The purpose of the interactive process is to:

- Review medical restrictions and limitations;
- Identify the essential functions of the employee's position;
- Explore reasonable accommodations;
- Determine whether modified work, transitional work, reassignment, or other accommodations may be available; and
- Document all discussions and determinations.

The interactive process may involve the employee, Human Resources, the employee's supervisor, legal counsel, and other appropriate representatives as necessary.

District-Specific Information to Insert:

- *Title of person responsible for coordinating the process (e.g., Human Resources Manager, Fire Chief, General Manager)*
- *Contact information*

- *Internal forms or procedures*

2. Modified Duty and Transitional Work

When operationally feasible and medically appropriate, **[District Name]** may offer temporary modified duty, transitional work assignments, or other reasonable accommodations to employees returning to work.

Modified duty assignments may include:

- Temporary adjustment of job duties;
- Reduced physical requirements;
- Altered schedules;
- Alternative assignments; or
- Other accommodations consistent with the employee's medical restrictions.

Modified duty assignments are temporary in nature and do not alter the essential functions or classification of a position unless otherwise required by law.

Nothing in this policy guarantees the availability of modified duty assignments.

District-Specific Information to Insert:

- *Maximum duration of modified duty (e.g., 60, 90, or 180 days) before reviewing again*
- *Approval authority*

3. Medical Documentation

Employees participating in the Return-to-Work Program are required to provide medical documentation from a licensed healthcare provider.

Medical documentation may include:

- Work restrictions or limitations;
- Expected duration of restrictions;
- Ability to perform essential job functions;
- Recommendations for accommodations; and
- Fitness-for-duty certifications when returning to work.

[District Name] may request updated medical information as reasonably necessary to evaluate accommodations or return-to-work opportunities.

Employees are responsible for providing requested documentation within the timeframe established by **[District Name]** unless otherwise excused.

District-Specific Information to Insert:

- *Submission deadlines*
- *Whether independent medical examinations may be utilized*

4. Non-Retaliation

[District Name] strictly prohibits retaliation against any employee who:

- Reports a work-related injury or illness;
- Requests a reasonable accommodation;
- Participates in the interactive process;
- Files a Workers' Compensation claim;
- Provides medical documentation;
- Participates in an investigation; or
- Exercises any right protected by law.

Any employee who engages in retaliation will be subject to disciplinary action, up to and including termination of employment.

District-Specific Information to Insert:

- *Reporting contact for retaliation complaints*
- *Internal complaint procedure reference*

5. Confidentiality and Recordkeeping

[District Name] will maintain the confidentiality of medical information and accommodation records to the fullest extent permitted by law.

Medical records, accommodation requests, fitness-for-duty certifications, Workers' Compensation records, and Return-to-Work documentation shall be maintained separately from personnel files and accessed only by authorized individuals with a legitimate business need.

[District Name] shall maintain all required records in accordance with applicable federal and state record retention requirements.

District-Specific Information to Insert:

- *Retention schedule*
- *Electronic storage procedures*

6. Training

[District Name] will provide training to all staff regarding Non-Retaliation in the Workplace. Additional training shall be provided to supervisors, managers, and designated personnel responsible for implementing this policy.

Training may include:

- Interactive process obligations;
- Reasonable accommodation requirements;
- Return-to-Work procedures;
- Workers' Compensation coordination;
- Medical confidentiality requirements; and
- Anti-retaliation obligations.

Training shall be conducted upon appointment to a supervisory role and periodically thereafter.

District-Specific Information to Insert:

- *Training frequency (annual, biennial, etc.)*
- *Responsible department*
- *Training Sign-In and Date of Last Training*

Board Adoption

This policy was adopted by the Board of Directors/Trustees of the:

[DISTRICT NAME]

On: _____

Chairperson: _____

General Manager / Fire Chief / Executive Director: _____