Policy 0509

From Human Resources

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PERSONNEL POLICY MANUAL
MoDOT Personnel Policy Title: Temporary Modified Duty Assignments **Policy Number**: 0509 **Chapter Title**: Employment **Effective Date**: July 1, 2007 **Supersedes Policy Number**: 0509 **Dated**: July 1, 2005
Approved By: Micki Knudsen, Human Resources Director (Signature on file)

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POLICY STATEMENT

The department will assist employees who have a temporary work-related or non-work-related injury, illness, or condition by authorizing temporary modified duty assignments, when possible. The nature, location, and length (not to exceed six months) of temporary modified duty assignments will be determined by the appropriate district engineer or division leader/state engineer, based upon each employee's individual circumstances and the needs of the department.

DEFINITION

Temporary Modified Duty Assignment: A full-time or part-time work assignment that meets an employee's temporary health restriction during his/her period of recuperation from a work-related or non-work-related injury, illness, or condition.

PROVISIONS / REQUIREMENTS

1. Temporary modified duty assignments will be allowed only when there is productive work to be accomplished. Temporary modified duty assignments will be provided for employees and may not exceed six months. It is not the intent of this policy to require an employee to commute an unusual distance or to change his or her place of residence to work in a temporary modified duty assignment.

2. While on temporary modified duty assignments, employees will be paid their regular salary, if working full-time, or the wage equivalent of their regular salary, if working part-time.

3. The Missouri Department of Transportation and Highway Patrol Employees' Retirement System sets a 180-day waiting period extending from the date of disability to the effective date of long-term disability payments. During this waiting period, if an employee is capable of returning to work on full workday schedules, his/her waiting period might be impacted. If an employee returns to work before the 181st day and works for 30 or more full workdays, he/she must begin a new waiting period and thereby defer the effective date of long-term disability benefits. Partial work days do not count toward this 30-day period. Also the 30-day period is not limited to consecutive workdays. The supervisor, the employee, and the treating physician should pay close attention to the employee's condition while the employee is in a temporary modified duty assignment. Any employee who feels his or her injury, illness, or condition is not temporary (as certified by the treating physician) and wishes to file a claim for long-term disability benefits should not be authorized to begin or continue a temporary modified duty assignment.

4. Personnel Policy 0507, "Workers' Compensation," states, "Workers' compensation lost time benefits cease the day the employee is released to return to work." If an employee is released to part-time work in a temporary modified duty assignment, the employee must complete Form A-450, "Workers' Compensation Disability Preference," indicating whether he or she wishes to supplement workers' compensation lost time benefits with sick leave benefits.

5. If an employee refuses to accept a temporary modified duty assignment because of reasons other than written advice from the treating physician, the employee may be dismissed from employment unless mitigating circumstances require other action.

6. If the district engineer or division leader/state engineer believes any employee's physical or mental limitation and/or medical restriction would prohibit a safe work environment for the employee, his or her coworkers, or the general public, the temporary modified duty assignment should not be authorized or should be withdrawn. Refer also to Personnel Policy 0602, “Fit for Duty Review Program.”

CROSS REFERENCES

Personnel Policy 0602, “Fit for Duty Review Program”

Personnel Policy 0507, “Workers' Compensation”

A-450, “Workers' Compensation Disability Preference" (http://wwwi.gh.modot.local/intranet/ri/documents/LOSTTIMEPREFERENCEA-450.doc)

Temporary Modified Duty Handbook (http://wwwi/intranet/hr/documents/TMDHandbook.pdf)

PROCEDURE

Procedure 0509, Temporary Modified Duty Assignments

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