



**HARFORD MUTUAL**  
INSURANCE GROUP

# Return to Work Program

FOR EMPLOYERS

2024

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## Section 1: Introduction

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Harford Mutual Insurance Group's Return to Work guide provides general guidance to help employers develop and implement effective return to work policies and procedures suitable to their individual business needs and covers the importance and benefits of timely return to work, reducing unnecessary lost time.

Also included are basic components necessary for successful return to work efforts, including suggestions for making appropriate productive work assignments, sample forms and letters, and suggestions to address challenges often faced by employers in getting their injured employees back to work.

Employers are encouraged to consult their general legal counsel or other experts when establishing policies or making decisions related to individual situations. In addition, other state and federal laws may apply.

### OUTLINE OF A BASIC RETURN TO WORK PROGRAM

The outline below explains the primary elements necessary for an effective Return to Work program. Additional detailed information to assist with developing each element is included in further sections of this document.

1. **Employer Commitment to a Return to Work Program:** *Change the expectations*
  - a. Develop a written Return to Work policy statement
  - b. Decide on specific details for the Return to Work program
  - c. Train supervisors and management
  - d. Hold all employees accountable for supporting the Return to Work program
  - e. Identify a coordinator to ensure thorough communication
  - f. Involve employees to spread ownership and support for program
2. **Employees Education:** *Provide program details to ALL employees before an injury occurs [\(See Section 3\)](#)*
  - a. Review Return to Work policy and purpose
  - b. Explain company expectation if they are injured
  - c. Identify what the employee can expect you to do
  - d. Explain what the insurance carrier/claims examiner will do
3. **Communication with Involved Parties:** *After an injury occurs [\(See Section 4\)](#)*
  - a. Communication with the injured employee who misses time from work
  - b. Communication with the employee who has returned with restrictions
  - c. Communication with the treating doctor
  - d. Communication with the claims examiner
4. **Work Assignments:** *Monitor and reevaluate as needed [\(See Section 5\)](#)*
  - a. Job task analysis – getting prepared with appropriate documents and job duty banks
  - b. Make assignments – decide if assignments are transitional or permanent
  - c. Monitoring progress – make updates as needed

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## Section 2: Commitment – Getting Started

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### IT STARTS AT THE TOP!

**You, your managers, and supervisors must all be equally committed to supporting your return to work efforts.**

A strong Return to Work policy is essential for maintaining a productive workforce and minimizing business disruption following employee injuries. It's crucial to provide medically suitable tasks for recovering employees, which can often include modified or partial regular duties. Consistency in offering appropriate work supports recovery and sets clear expectations for a swift return to work. Your commitment is the first step in creating this expectation.

A well-implemented Return to Work program is a win-win for both the business and its employees, promoting a quicker recovery and sustained contribution to the company's success.

### BENEFITS OF EARLY RETURN TO WORK FOR EMPLOYERS

- Workers' compensation costs are significantly reduced when Temporary Total Disability Benefits (TTD) cease to be paid or are reduced when an injured employee works during their recovery.
- Medical and disability costs may be lower and recovery time may be shortened.
- Decreased loss ratios and experience modifiers help reduce premiums.
- Retain trained workforce, reduce turn over, and avoid recruiting and training costs of hiring replacement employees.
- Pay wages for work instead of your insurance carrier paying benefits.
- Fosters a caring and engaged culture.
- Avoid or minimize unnecessary downtime.

### BENEFITS OF RETURN TO WORK FOR EMPLOYEES

- Recovery time may be shortened.
- Concerns about continued employment may be eliminated.
- Loss of physical fitness due to inactivity may be averted.
- Full or partial wages are earned bringing the injured employee's income closer to pre-injury wages.
- May help retain job skills.
- Less likely to experience secondary complications such as depression that may delay or complicate recovery.
- Permanent disability associated with the injury is more likely to be reduced.
- Maintain company benefits and seniority.
- May require less medical care and medication.
- Family and social lifestyles may be better maintained.
- Have a better chance of avoiding financial difficulties.



Studies show that employees who miss work for six months because of a job-related injury have only a 50 percent chance of ever returning to work.

Employees who continue to do medically appropriate work while they are recovering are more likely to remain employable throughout their lifetime.

The longer an employee is away from work, the more difficult returning to work becomes.

## DEFINING YOUR POLICY

Appoint a coordinator for Return to Work initiative to ensure efficient communication and coordination among all parties involved, including the claims examiner, medical professionals, the injured employee, and supervisors. Clearly identify this individual to all employees and provide contact information.

Establish a clear policy with details on maximum length of time you will provide and options for modified work. Be sure to consider legal requirements and coordinate with other company policies such as attendance, leave of absence, and FMLA or ADA ([See Section 6](#)).

Involving employees in developing a Return to Work policy and tasks not only garners their support but also ensures a smoother transition back to work. Moreover, empowering managers to provide suitable work assignments aligns with the company's financial interests by reducing workers' compensation costs, which can be redirected towards business growth and employee benefits.

**Every employee should have a clear understanding of the duties and responsibilities of the designated Return to Work coordinator and how to contact them as well as clearly understand your policy.**

## SAFETY AND LOSS PREVENTION

The Loss Control Team at Harford Mutual Insurance Group can help conduct a job hazard analysis and help determine specific jobs that can help accommodate injured employees returning to work on transitional duty. We will also work with our insureds to pinpoint hazards and uncontrolled exposures to help create a safer work environment for the employees. [Contact the Loss Control](#) team for more information.

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## Section 3: Education – Changing Expectations

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### BEFORE AN INJURY OCCURS

Educate employees on the Return to Work program by emphasizing its importance and procedures. Proactive communication prevents misunderstandings and boosts program success. Encourage employee input on the policy. Hold meetings and use newsletters to share return to work strategies, highlighting benefits for both staff and the company. Utilize resources from your state’s insurance department and insurer to provide clarity on workers' compensation and dispel myths.

### EMPLOYER EXPECTATIONS

Ensure all employees understand what to do and expect if an injury occurs by providing clear information and visibly posting roles and responsibilities. Specify details such as:

- How and when to report an injury.
- Who to report the injury to.
- Expectation of discussing your Return to Work program with doctors.
- Expectation of communicating work status and restrictions to the employer and claims examiner.
- Requirements to follow doctor’s instructions for recovery at home and work.
- Any additional company policies or reporting requirements.

Outline specifics so employees understand what to expect after an injury and your role in the process. This communication helps set clear expectations and supports recovery. Include details:

- You will investigate incidents per your safety program.
- If they are away from work, you (or a designee) will stay in touch to answer questions, provide updates, discuss return to work options, and maintain a positive and reassuring employee-employer relationship.
- You will coordinate with their doctor and claims examiner on return to work opportunities.
- Share the contact info of the person responsible for communication and coordinating return to work efforts.
- Assure employees that only work within their doctor's guidelines will be assigned while they recover.
- Explain any relevant policies, such as leaves of absence or FMLA.
- Notify employees that injuries must be investigated by your insurer before benefits or medical bills are handled, and they may be contacted by the insurance company. *(Employers often neglect to explain the claims examiner’s role. An unexpected call from the insurer can create distrust, complicating or delaying claim resolution and return to work.)*

### CLAIMS EXAMINER EXPECTATIONS

Discuss your Return to Work policy with the claims examiner and clarify your expectations for their support. The examiner is required to offer return to work coordination services and assess if a case manager is needed. Ensure communication with the case manager to facilitate the employee’s return.

You or a representative should attend any workers' compensation dispute resolution hearings with your insurer to monitor the process effectively.

### **PHYSICIAN EXPECTATIONS**

Ensure all doctors involved with the injured worker understand your Return to Work policy and your commitment to minimizing employees' time away from work. Consider visiting the doctors or their staff to clarify your intentions, as they often rely solely on information from the injured employee.

Visiting can improve communication and the working relationship. Accompanying an injured employee to appointments allows for immediate discussions on return to work options. Inform employees in advance that this may happen.

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## Section 4: Communication – Positive and Continuous

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### MAINTAINING THE EMPLOYER-EMPLOYEE RELATIONSHIP

**Regular, supportive communication is key to a successful return to work.**

An injured employee may feel disconnected from their employer the longer they're away from work. Maintaining regular supportive and caring communication will help reduce the probability of unnecessary and lengthy lost time.

Coordinate between the employee's supervisor and designated Return to Work contact to maintain positive communication, expressing care and discussing return to work possibilities. Help employees stay connected with the workplace and co-workers through company news, updates, and invitations to formal or informal company events.

Ensure they know how to contact, and have been contacted by, the claims examiner. Involve them in decisions that affect them and provide options that would enable them to return during recovery by offering a temporary part-time schedule or temporary reduced production requirements.

After the employee returns, continue regular communication to support recovery efforts without pressure and adjust as needed in collaboration with their doctor to transition back to their pre-injury work schedule and responsibilities.

### COMMUNICATING WITH THE TREATING PHYSICIAN

To facilitate return to work, contact the treating physician to inquire about the injured employee's ability to carry out various work-related tasks.

Nurse Case Managers (NCMs) can help maintain communication between you and the doctor to ensure a clear understanding about the employee's capabilities and limitations and to discuss part-time or modified work options.

If the doctor specified that the employee must be completely off work, provide them with a Job Task Analysis for the employee's regular job and/or contact them directly to discuss the possibility of an early return with modified responsibilities or an adjusted schedule that meets the employee's capabilities. Read more about [Job Task Analysis and making assignments](#).

If no information about restrictions or limitations was provided, follow up with the doctor to get clarification.

Employers are not entitled to all health-related information from an employee's doctor. However, understanding any work limitations or capabilities, as determined by the doctor, is crucial for making appropriate assignments. While some doctors may cite HIPAA privacy restrictions, workers' compensation-related medical information is exempt from HIPAA. To ensure compliance, focus communication strictly on work-related diagnoses and status.



## **CLAIMS EXAMINER, INSURANCE CARRIER, AND EMPLOYER**

You should maintain regular communication with your claims examiner on all workers' compensation claims, especially for lost-time, to monitor the progress of the claim and to communicate your Return to Work program. Remember, this is your employee and the longer the employee is away from work, the higher your costs may be.

All lost-time claims will be reviewed by Harford Mutual Insurance Group to determine if a Nurse Case Manager will be assigned for coordinating return to work efforts.

Make sure to stay abreast of any disputes with the claim and attend any scheduled hearings to address disputes, clarify information, and support claim resolution.

## **MAKING A BONA FIDE OFFER OF EMPLOYMENT**

Coordinate with the claims examiner that all requirements of the injured worker are met and notify Harford Mutual Insurance Group if you are making a written "Bona Fide Offer of Employment". If an employee refuses the offer, benefits may be reduced or suspended.

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## Section 5: Work Assignments

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### REAL WORK, NOT “LIGHT DUTY”

**The primary goal is to return the injured employee to his or her regular full duty job as soon as possible.**

When an employee is recovering, consider if they can still perform parts of their regular job. You benefit from their experience, and they remain in their normal work setting. *For instance, if an employee is supposed to avoid lifting more than 20 pounds, determine if they can continue doing their other tasks while recovering.*

Even part-time work is beneficial—you will pay wages for necessary work instead of your insurance carrier paying temporary total disability benefits, and helps the employee stay active, recover faster, and continue contributing as a productive member of your company. Many common injuries like sprains, strains, and bruises don't prevent the employee from working completely.

### TOOLS FOR MAKING APPROPRIATE WORK ASSIGNMENTS

**A Job Task Analysis provides a foundation for determining work assignments. Preparing a Job Task Analysis for positions that commonly face injuries can help expedite the process for an injured employee returning to work.**

The first step in this analysis is to identify and outline all job tasks or functions of the employee's regular job. This helps quickly identify tasks an injured employee can or cannot do based on the injury type. Cross-training opportunities could allow for the employee to temporarily transfer to another role that fits their medical restrictions. Also consider tasks that often go unfinished due to time or staffing constraints.

Involve your employees in developing these analyses—they know their work best and may offer valuable solutions! Ask what they think could be done with their job so that they can continue to work. For example, an adjustment to the employee workstation. Consider input from other employees as well; they can suggest tasks the injured employee can assist with, creating a collaborative and supportive work environment. Also, employee contributions provide a sense of ownership that lends to increased job safety and efficiency.

Temporary modifications to the employee's regular duties, such as adjusted schedules or reduced hours, can ease their transition back to work. Alternate assignments should be productive and meaningful, not punitive.

The following provides information and tools to help you identify the various tasks that make up a particular job.

### REDESIGNING TASKS FOR RETURN TO WORK AND TO PREVENT RE-INJURY

As mentioned, modifying job tasks can expedite an injured employee's return to work. Additional benefits include identifying unsafe practices and redesigning tasks to prevent future injuries. Many solutions are simple and cost-effective. It's important to remember that just because a task has always been performed a certain way doesn't mean it's the only or best way to do it. While some changes may require investment in new equipment, the expense is often outweighed by the long-term savings from preventing injuries and reducing workers' compensation claims.

Consulting with a rehabilitation or ergonomics specialist can help you implement these changes effectively. Your claims examiner can assist you in finding the right resource for this type of support.

The following are examples for employers to explore in considering possible changes:

### **Minimize significant body motions**

- **Minimize bending motions**
  - Use lift tables, work dispensers or similar mechanical aids
  - Raise work level to appropriate height
  - Lower employee
  - Provide materials at work level
  - keep materials that must be lifted later at work level
- **Reduce twisting motions**
  - Place all materials and tools in front of the employee, or move to another side
  - Use conveyors, chutes, slides, lifts and turntables to change the direction of material flow
  - Provide adjustable swivel chair for seated employee
  - Provide sufficient workspace for the whole body to turn
  - Improve layout of work area
- **Reduce reaching motions**
  - Provide tools and machine controls close to the employee to eliminate horizontal reaches over 16 inches
  - Place materials, work pieces and heavy objects as near to the employee as possible
  - Reduce the size and weight of cartons or objects being loaded, or allow the employee to walk around and rotate them
  - Allow object to be kept
  - close to the body

### **Reduce object lifting forces**

- **Reduce the need to lift or lower**
  - Use lift tables, lift trucks, cranes, hoists, drum and barrel dumpers, work dispensers, elevating conveyors and similar mechanical aids
  - Raise work level
  - Lower work level
  - Use gravity dumps and chutes
  - Alternate sitting and standing
- **Reduce the hand distance**
  - Change shape of object
  - Provide grips or handles
  - Provide better access to object
  - Improve layout of work area

### **Reduce object pushing or pulling**

- **Eliminate need to push or pull**
  - Use powered conveyors
  - Use powered trucks
  - Use slides and chutes
- **Reduce distance of push or pull**
  - Move workstations closer or further way

- **Reduce required force**
  - Reduce weight of load
  - Use non-powered conveyors, air bearings, ball caster tables, monorails and similar aids
  - Use four-wheel hand trucks and dollies with large diameter casters and good bearings
  - Treat surfaces to reduce friction
  - Provide good maintenance of hand trucks, floor surfaces and other work surfaces
  - Use air cylinder pushers and pullers

## TRANSITIONAL RETURN TO WORK OPPORTUNITIES

Insurance carriers often partner with Return to Work (RTW) vendors to facilitate a transitional return to work for injured employees. This approach helps keep workers engaged and motivated during their recovery, reducing medical costs and lost workdays.

### **Temporary placement with a non-profit organization**

If the employer cannot accommodate medical restrictions, the injured worker may be temporarily placed in a light-duty position with a non-profit organization. For example: A delivery driver sustains a wrist injury and is placed on lifting restrictions (e.g., no more than 10 lbs).

### **Online Training Courses**

Some RTW vendors offer online training programs focusing on safety, health, and wellness, and are designed as temporary light-duty work. In many instances, these are available in English and Spanish. These programs provide a meaningful and “bona fide” transitional 8 hours/day job opportunity, with interactive training modules for workers recovering from injury. Accessible via computer, tablet, or phone, they can be used as full or supplemental light-duty assignments.

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## Section 6: Complying with Federal and State Law

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Employers should seek expert advice and/or legal advice regarding the coordination of return to work efforts, the Americans with Disabilities Act (ADA), and/or the Family Medical Leave Act (FMLA). Consistent application of your Return to Work policies can alleviate concerns of disparate or discriminatory treatment of employees.

These laws serve different purposes; however, they interrelate in a return to work context when an employee with a compensable injury also meets the criteria for protections under ADA and FMLA.

### AMERICANS WITH DISABILITIES ACT (ADA)

The Americans with Disabilities Act (ADA) was enacted to protect people from discrimination based on disability. Disability as defined under the Act and ADA are not the same.

### FAMILY MEDICAL LEAVE ACT (FMLA)

The FMLA was enacted to provide job security to employees who have serious medical conditions or who must meet personal, and family obligations tend to vital needs at home.

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## Section 7: Example RTW Policy Statement

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This example RTW Policy Statement outlined below can be used by our insured partners to assist in fostering a more robust safety and health program for their respective operations.

### ADVISORY STATEMENT FOR THE EXAMPLE RTW POLICY STATEMENT:

**This information is not designed as a substitute for reasonable accommodation under the applicable federal and state laws. This document is shared by Harford Mutual Insurance Group as an advisory only. Prior to adopting any formal policy as a company, management should consult with legal advice on the subject matter.**

See the following two pages (15-16) for an Example RTW Policy Statement

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## EXAMPLE—RETURN TO WORK POLICY STATEMENT FOR [YOUR COMPANY NAME]

### **Objective:**

[Your Company Name] has developed a Return to work Policy. The purpose of this initiative is to return workers to employment as early as possible following any injury or illness that may occur throughout their employment. The intent of this policy is to ensure injury recovery occurs in a reasonable time frame in a safe manner provided by [Your Company Name]. This policy will also allow injured members to remain in the workforce and resume productive employment as soon as possible.

[Your Company Name] will work toward facilitating the injured employee to a timely return to work in the original position held. All attempts, outlined below, to place the employee in another area will be done in cooperation with primary care physicians, managers, workers, union representatives, and the employee.

### **Modified Duty:**

[Your Company Name] defines “modification” work as a temporary shift in work assignments within the worker’s physical abilities, knowledge, and skills.

Where feasible, these modifications will occur to employee duties to minimize loss of time that is associated with an injury or illness.

All physical requirements of the assigned modified duties will be provided to the employee and the attending physician of the injured party. All duties are then developed with the ultimate consideration of the worker’s abilities at the physician’s discretion and the corresponding work availabilities present at the company.

[Your Company Name] will determine appropriate hours, shifts, duration, and location of all applicable transitional duties. [Your Company Name] reserves the right to determine the availability and continuation of all transitional assignments and modified activities.

Examples of these modified duties may include rework or sorting materials, clerical work, visitor escorting, labeling and filing items, errands in a company vehicle, janitorial duties, etc.

### **Responsibilities:**

If professional medical treatment is needed in the event of injury, the worker should inform the attending physician that [Your Company Name] has a Return to Work program with light duty/modified assignments available.

It is the responsibility of the worker to notify management of any changes concerning the extent of the worker’s restrictions or limitations provided by their physician in relation to the injury.

It is the responsibility of the worker to adhere to all medical advice and directives as prescribed by the attending physician. Do NOT perform any activity which is not in accordance with the job-related restrictions, both on and off the job.

It is the responsibility of management to ensure all employees with job-related modifications are adhering to their restrictions as determined by the attending physician.

It is the responsibility of management to immediately notify the worker and the attending physician of any changes concerning the nature of the modified work activities.

If the attending physician releases the worker to return to work without restriction, the employee must provide a written note from the provider to management which states the end of work modifications.

**Worker Acknowledgement:**

- I understand the Return to Work Policy of [Your Company Name].
- I have read this policy and understand my applicable responsibilities.
- I understand that failure to follow this guideline may affect my re-employment or reinstatement of my job duties.

Employee Name Printed \_\_\_\_\_

Employee Signature \_\_\_\_\_ Date \_\_\_\_\_



## Section 8: Employer’s Modified Duty Worksheet

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**Company Name:** \_\_\_\_\_

**Employee Name:** \_\_\_\_\_

**Is modified duty work available?** (Circle one)    YES    NO

**How many hours per day is the job available?** (Circle one)    8    6    4    2    0

**Classification of Work – Material Handling (Circle one):**

- Sedentary    Exerting up to 10 lbs. of force maximum. Occasionally lift/carry small objects.
- Light        Exerting up to 20 lbs. of force maximum. Frequently lift/carry up to 10 lbs.
- Medium      Exerting up to 50 lbs. of force maximum. Frequently lift/carry up to 25 lbs.
- Heavy        Exerting up to 100 lbs. of force maximum. Frequently lift/carry up to 50 lbs.
- Very Heavy   Exerting over 100 lbs. of force occasionally. Frequently lift/carry over 50 lbs.

**Non-Material Handling (Circle one in each category below):** *Based on total working hours per day.*

Bending	0%	25%	50%	75%	100%
Turning/Twisting	0%	25%	50%	75%	100%
Kneeling	0%	25%	50%	75%	100%
Squatting	0%	25%	50%	75%	100%
Crawling	0%	25%	50%	75%	100%
Climbing	0%	25%	50%	75%	100%
Repeated Arm Motions	0%	25%	50%	75%	100%
Reaching Above Shoulder	0%	25%	50%	75%	100%
Foot Controls	0%	25%	50%	75%	100%

**Comments:**

\_\_\_\_\_

\_\_\_\_\_

**Employer Name/Title:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Approving Physician:** \_\_\_\_\_ **Date:** \_\_\_\_\_

## Section 9: Transitional Duty Job Banks

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When an employee is injured and temporarily unable to perform their usual duties, they can return to work through transitional work programs designed to accommodate their recovery. There are two key types of transitional work:

**Transitional Work** - The employee's current role is adjusted to fit their temporary physical or medical limitations, allowing them to continue contributing while managing their recovery.

**Alternate Productive Work** - The employee is assigned to a different set of tasks, aligned with their current abilities and restrictions. These tasks are often drawn from the company's Job Bank, which contains a variety of roles that can be performed within the employee's temporary capabilities.

### SETTING UP THE JOB BANK

Be creative when setting up the job bank for transitional work assignments. Find opportunities to:

- Reduce the number of hours worked.
- Provide help from other employees with parts of existing jobs.
- Make ergonomic or design improvements to accommodate injured employees.
- Provide training or re-training to accommodate the restrictions if appropriate.
- Be flexible and open to alternatives. Outside work that is suitable in warm weather months, may not be suitable in winter months for the injured worker.

When Job modifications cannot be made use the alternate productive work method and determine work assignments that meet the criteria needed. Some task examples that fall under alternate productive work are:

- Reception
- Storage / cleaning
- Checking inventory
- Safety inspections
- Security
- Mail Pick up / Delivery
- Training
- Fire watch
- Vehicle inspections
- Office work (filing, phones, data entry)
- Helper / assistant

Keep in mind that these are just a few ideas, and that the employer and employee must always work within their doctor recommended restrictions and should not perform a job that could reinjure them or aggravate the injury.

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