3-02/040.40 - Return to Work - Sworn Members - Medical Restrictions

The following process shall be complied with for the return to work of Department members with work restrictions. This process shall apply whether the medical authority is a personal physician, Occupational Health Services, or the Workers' Compensation system.

The employee shall instruct the medical authority to provide, in writing, all applicable restrictions to the Disability Management and Compliance Unit. The restriction statement must be sufficiently definitive to enable the Disability Management and Compliance Unit to identify appropriate assignments. The Disability Management and Compliance Unit shall perform the Disability Management and Compliance Unit function, be the central repository for this information and act as the liaison between the employee, the concerned unit and division, medical authorities, the concerned insurance carrier, County Counsel, Payroll Services, Personnel Administration Bureau, Employee Relations/Advocacy Services, Sheriff's Relief Association, and all involved parties.

Telephonic notification to the Disability Management and Compliance Unit, followed by written documentation, can be acceptable.

When the Disability Management and Compliance Unit receives medical restrictions, the following process will be followed:

- The assigned Disability Management and Compliance Unit coordinator shall review the employee's medical restrictions to ensure that it contains sufficiently specific information regarding an employee's limitations, restrictions, and/or ability to perform the essential job functions;

- If the information provided is insufficient, the Disability Management and Compliance Unit coordinator shall request additional information and/or clarification for the information from the appropriate medical authority;

- If the information is sufficiently specific, the Disability Management and Compliance Unit coordinator shall first review the employee's medical restrictions against the essential functions of the employee's current assignment;

- If the work restrictions are compatible, the employee may return to his assignment. Prior to returning to work, the employee's unit will be provided a copy of the written work restrictions and a "Request for Reasonable Accommodations" form. This form must be completed by the returning employee and the unit, then returned to Disability Management and Compliance Unit;

- If the work restrictions preclude returning to usual and customary duties, the Disability Management and Compliance Unit coordinator will begin developing alternative return to work placement;

- Alternative placement will begin when the Disability Management and Compliance Unit coordinator provides a copy of the restrictions to the employee's unit. Along with the restrictions, the Disability Management and Compliance Unit coordinator will supply a "Request for Reasonable Accommodations" form. This form must be completed by the returning employee and the unit. If the requested accommodations can be met by the employee's current unit, the employee will then return to

work. If the requested accommodations cannot be met by the current unit, alternative placement within the employee's division will be sought. If the employee's division is also unable to meet the requests, the Disability Management and Compliance Unit coordinator will prepare documentation of the employee case for the captain/director of Personnel and Training Command. The captain/director shall then bring forward, in executive session of the Executive Planning Council, the need for placement. The Executive Planning Council shall decide final placement of the employee. In some cases, restrictions will prevent an employee from returning to work anywhere within the Department. Should this occur, the Disability Management and Compliance Unit coordinator will explore placement throughout the County; and

- Should an employee not be able to return to work for the County, release or retirement options will be explored. Reasonable accommodations at a unit-level do not include creation of a position. This does not prevent a unit from allowing an employee to return to modified duty on a temporarily basis until permanent work restrictions are received by the Disability Management and Compliance Unit. If a unit is able to temporarily accommodate a returning employee, the Disability Management and Compliance Unit shall assist the concerned unit and the employee with an acknowledgment that specifies the duties for the employee, the length of time that the agreement shall be valid, and the information that the employee's status and accommodation will be reviewed at the termination of the agreement.

Once an employee has been placed in an assignment as a result of a request for reasonable accommodation, any change in duties, re-assignment within the unit or division, or inter-division transfer shall be coordinated with the Disability Management and Compliance Unit.