



Transitional Duty Procedure

Purpose:

The Transitional Duty Program enables employees with temporary work restrictions to return to the workplace and perform tasks consistent with medically documented capabilities.

Transitional Duty, Light Duty, Restricted Duty, Modified Duty, and Alternate Duty are often viewed as synonymous, interchangeable terms. However, “Transitional Duty” best describes the principles and intent of the program at KU. Our Transitional Duty program is available to employees who require up to 60 calendar days of Transitional Duty utilization. Transitional Duty tasks are temporary in nature and not considered to be permanent assignments.

Objectives of the Transitional Duty Program:

- Provide a safe and timely transition back to work
- Expedite employee’s return to regular job duties
- Enhance employee productivity and morale
- Facilitate physical reconditioning
- Reduce departmental needs for replacement personnel

Eligibility:

In order to be eligible for the Transitional Duty Program, the employee must:

1. Be a regular, non-probationary, full-time or part-time employee. Temporary employees and student employees are not eligible for the Transitional Duty Program.
2. Have a medical condition that temporarily prevents the employee from performing regular job duties, documented by the authorized treating physician as set forth below.

To establish eligibility of an employee, the employee’s authorized treating physician must complete the [Work Status Report](#) and therein:

1. Certify that the employee has a medical condition with temporary physical restrictions that are expected to last for 60 days or less.
2. Identify the specific restrictions on the employee’s current physical capabilities.
3. Provide a written release for the employee to return to work to perform duties consistent with the specified restrictions.

Once the authorized treating physician has returned the completed [Work Status Report](#), the University will determine whether a Transitional Duty assignment is available for the employee as follows:

- Human Resources (HR) will communicate with a department to determine if tasks accommodating the specified restrictions are available, and whether such work serves the University's best interests. Transitional Duty assignments will be approved only if appropriate tasks are available and the temporary assignment is in the best interests of the University.
- HR will notify the Office of Accessibility and ADA Education of employees participating in Transitional Duty Program so that Office of Accessibility and ADA Education may provide the employee with information about University resources.

Program Duration:

The duration of Transitional Duty is 60 calendar days ("Transitional Duty period"). If, after 60 days, the worker is has not been given full release to return to regular duties as expected, but the authorized treating physician anticipates such release within no greater than 30 days, a 30-day extension of Transitional Duty ("Transitional Duty extension period") may be granted. Under no circumstances will the Transitional Duty Program extend beyond 90 days.

Conclusion of the Transitional Duty assignment will occur at the earliest of the following:

- When the Transitional Duty period or extension period has been exhausted;
- When the employee is given medical release to resume regular work duties;
- When the employee demonstrates an inability to meet Transitional Duty task performance expectations, or
- A medical determination, prior to maximum program length, indicates that the employee will not be able to resume regular duties within the Transitional Duty period.

Participation:

The Transitional Duty Program is mandatory for all employees who have experienced a work related injury or illness and meet the eligibility requirements.

Program Coordination:

In coordination with the home/host department(s) and other University resources, the program will be managed and directed by Human Resources. For each case, the appropriate department supervisor or designee will work closely with Human Resources personnel, ensuring that medical restrictions are followed and that the employee receives monitoring and feedback in the performance of Transitional Duty tasks.

Roles and Responsibilities:

The employee:

- Reports injury to supervisor within 24 hours, as required by the [KU Workers' Compensation Policy](#)
- Reports to the authorized treating physician at the Lawrence Business Health Center for injury assessment or seeks medical treatment as may be otherwise appropriate under the circumstances.
- Returns the [Work Status Report](#), the treating physician's release with any medical restrictions, to KU Human Resources.
- Plans to participate in Transitional Duty Program as approved by authorized treating physician.
- Signs [Transitional Duty Program Agreement \(Form C\)](#) and thereby agrees to:
 - Abide by the restrictions given by the authorized treating physician in the Work Status Form, understanding that exceeding these restrictions is a violation of this agreement.
 - Perform assigned tasks pursuant to the supervisor's objectives/expectations as listed in the Program Agreement, and optionally detailed in the Dept. Task Inquiry [Form A](#).
 - Provide the supervisor and HR with medical updates and supporting documentation within 48 hours of receipt, especially documentation of a change in medical condition.
 - Communicate to the supervisor any concern for work assignments that may cause further injury or may exceed the authorized treating physician's restrictions.

NOTE: Overtime is not considered medically conducive to timely recovery and will not be permitted during the transitional duty process. Under no circumstances may the employee perform duties beyond the employee's work restrictions.

The supervisor:

- Completes [Employer's Report of Accident, I101-A](#), in conjunction with the employee and applicable departmental staff per KU Workers' Compensation Policy.
- Communicates with Human Resources to determine the availability of Transitional Duty tasks consistent with medical restrictions (optionally detailing tasks and expectations using Form A).
- Signs the Transitional Duty Program Agreement (Form C) and thereby agrees to:
 - Review medical restrictions specified by the authorized treating physician with the employee prior to or upon his/her return to work. Discussions may include Department of Human Resources, the employee and the department supervisor.
 - Provide work safely accommodating the restrictions specified by the physician.

- Facilitate and monitor the task(s) being performed to ensure safe conditions and satisfactory performance, immediately notifying HR of issues with either requirement.
- Ensure that the employee provides medical updates and documentation within 48 hours of receipt.
- Limit disclosure of the employee's medical restrictions recorded on the [Work Status Report](#) and [Program Agreement \(Form C\)](#) to the **minimum necessary** to accomplish program purposes. While the HIPAA Privacy Rule does not apply to workers' compensation insurers, administrative agencies, or employers, such entities are still required to reasonably limit the disclosure of protected health information (PHI).

Human Resources personnel:

- Coordinate the efficient and timely administration of the Workers' Compensation Policy and Transitional Duty procedures, specifically:
 - Ensure the return of the completed Work Status Report from the authorized treating physician detailing the employee's medical restrictions.
 - Communicate with department supervisors to determine the availability of Transitional Duty tasks consistent with medical restrictions (recorded in [Form A](#) and/or Form C).
 - Ensure that the employee receives notification of the Transitional Duty assignment ([Form B](#)) and the Program Agreement (Form C) with completed descriptions of restrictions and tasks, and that the employee signs and returns the Agreement.
 - In consultation with the department, ensure fulfillment of the Program Agreement.
 - Maintain appropriate tracking of employees currently in the Transitional Duty Program and their assignment dates.
 - Limit disclosure of the employee's medical restrictions recorded on the Work Status Report and Program Agreement (Form C) to the **minimum necessary** to accomplish program purposes. While the HIPAA Privacy Rule does not apply to workers' compensation insurers, administrative agencies, or employers, such entities are still required to reasonably limit the disclosure of protected health information (PHI).
- Act as liaison with the employee, authorized treating physician, and State Self-Insurance Fund as required by the State of Kansas, the KU Workers' Compensation Policy, and the Transitional Duty Procedure.

State Self Insurance Fund:

- SSIF and/or the Nurse Case Manager acting on SSIF's behalf will assist as a liaison with the authorized treating physician, obtaining clarifications on restrictions and answers to other questions whenever possible. SSIF needs to be informed of the final decision regarding the employee's return to work status.