

Manual Section 2	Issue Date 09/16/10	Revision Date 06/15/21	Policy Number
	Return to Work, Alternate & Light Duty Policy		LLCP-020

Purpose

The purpose of this Policy is to provide a mechanism for GIS to assist injured employees to return to work as soon as possible after an accident, injury, or illness.

Scope

All LLC Companies including, Blanchard Industrial, LLC, GIS Engineering, LLC, Grand Isle Shipyard, Inc., and GWIS, Mack Steel, NuWave, Sun Industries; hereafter identified as “Company”.

Review

This Policy will be reviewed annually by the Corporate HSE Director or Designee with recommendations for revision presented to Company Leadership.

Policy/Procedure

Return to work policies includes light and alternate duty assignments whereby employees with work-related injuries or illnesses are encouraged to return to work as soon as possible, in accordance with the operational needs of the Company. The HSE Director and Company Physician will assist return-to-work (RTW) activities to ensure a quick return to work of the employee.

During the course of employment, employees may sustain non-work related injuries and or illnesses that inhibit an employee’s ability to perform his or her job duties. The Company shall not be required to provide alternative, light, or any other form of substitutive duties for employees with non-work related injuries or illnesses.

Furthermore, upon release back to full duty, it shall be the sole discretion of the Company Medical Director or his designated agent to determine if the employee is fit to return to his or previous job duties. The Company Medical Director or his designated agent may request but is not limited to request all documents associated with the said non-work related injury or illness including medical, surgical, and provider reports. In addition, medical releases, laboratory, or imagining results may also be requested in order to make this determination. All medical records for injured employees are kept confidential between the company physician and the essential personnel in the Corporate HSE department. Any failure of the employee to provide said documentation may result in the employee not being allowed to return back to duty.

1. Definitions

- a. Light Duty-** Also known as modified duty, a situation where an employee returns from a work-related injury to modified or restricted duties in the previously held position.
- b. Alternate Duty-** A situation where temporary duty restrictions preclude return to duty in the employee’s previous position and a temporary assignment to an alternate position is offered within the home department or a hosting department.
- c. Home Department-**The department, which provides alternate duty to an injured employee.

2. Intent

Where practical, employees on temporary disability due to a workers’ compensation covered injury will be afforded the opportunity to return to work in light duty or alternate status. In either of these instances, the duty being offered will meet the physician’s recommendations and be subject to the provisions of the Family and Medical Leave Act.

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ERTW policies should be used in all departments to keep an employee working and productive. In situations where RTW is not practical, the department should initiate and continue communications with the employee and the employee's physician to expedite the employee's return to regular duty.

Employees on temporary disability leave suffering any permanent disability as defined by the Americans with Disabilities Act (ADA) should be provided reasonable accommodation(s) and considered for other positions in the department for which they are qualified without job posting requirements.

3. Responsibilities and Procedures

- A. Granting alternate duty is optional to the Company. The offer of alternate duty may be terminated at any time in accordance with its operational needs. Termination of alternate duty should be forwarded to the employee in writing. The Company is not obligated to create alternate duty positions.
- B. Each department should implement procedures that encourage employees who are away from work due to a work-related injury or illness to return to work in such a capacity as the employee is able. Departments can facilitate this by identifying light duty assignments that conform to the employee's particular limitations as stated by their treating physician. This may consist of either modifying the employee's current job requirements (light duty) or assigning the employee other responsibilities in another position (alternate duty).
- C. Light duty may consist of any tasks, full or part-time, in an employee's position, which they are qualified to perform when unable to perform, regularly assigned duties. This procedure does not require elimination or reassignment of a substantial number of essential functions related to the position.
- D. The injured employee's home department has the first opportunity to offer temporary alternate duty, or alternate duty may be found in another department. Departments should cooperate with one another in providing alternate duty. The employee's salary shall be paid by the employee's home department or division.
- E. Employees on light or alternate duty shall maintain their salary and status except in such circumstances approved by Executive Management. The duration of light duty or alternate duty should be the lesser of the duration of the medical restriction or three months. At the end of three months, the case shall be reviewed for determination of status.
- F. Following the employee's release for restricted duty by a physician, the HSE Department shall review the medical limitations relevant to the essential functions of the employee's job description. The department shall offer the employee light duty if such duty is compatible with the employee's medical restrictions and is available.
- G. If alternate duty is required, the department should prepare an Alternate Duty Job Description (ADPDQ) demonstrating that such duty is in accordance with the employee's medical restrictions. The ADPDQ must be signed by the claimant's treating physician. Risk Management will assist departments in writing ADPDQ's as needed. Any offer of alternate duty must be approved by the Corporate HSE Director prior to forwarding such an offer to the employee.

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The offer for alternate duty assignment should clearly state the following:

- a. The position offered;
 - b. The duties of the position;
 - c. The expected duration of the alternate assignment;
 - d. That the employer is aware of and will abide by the physical limitations under which the employee's treating physician has authorized return to work;
 - e. The maximum physical requirements of the job; and
 - f. The wage.
- H. The employee's physician must review and certify that the tasks defined can be performed by the employee. If the physician modifies the ADPDQ, the employing department must determine whether the modification is acceptable and if additional duties should be substituted. The physician should recertify the job description if duties are added or revised. The department maintains the right to withdraw the offer of alternate duty if the job description, as modified by the physician, is unacceptable to meet operational needs.
- I. The employee who does not agree or accept a bona fide offer of employment that has been approved by their physician may be subject to disciplinary action (i.e. termination) and/or a reduction in income benefits.
- J. The employee shall be required to provide the department a medical report form the attending physician following each physician's visit, but not less than every 30 days throughout the duration of relevant medical restriction. At the end of alternate duty, the employee must either return to regular duty, seek reassignment to a position, which meets that employee's capabilities, or be placed on disability leave.
- K. All documentation pertaining to RTW cases are to be maintained by the Corporate HSE department.