

RESTORING EMPLOYEES TO WORK PRACTICAL IMPLICATIONS



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**“No problems ...
only solutions.”**

FULLY RECOVERED WITHIN ONE YEAR

- **EMPLOYEES WHO HAVE FULLY RECOVERED WITHIN ONE YEAR AFTER COMPENSATION BEGAN**
 - **FORMER OR EQUIVALENT POSITION**
 - **UNLESS SEPARATED FOR CAUSE OR UNDER A RIF**

FULLY RECOVERED MORE THAN ONE YEAR

- **EMPLOYEES WHO HAVE FULLY RECOVERED MORE THAN ONE YEAR AFTER COMPENSATION BEGAN**
 - **PRIORITY PLACEMENT TO FORMER OR EQUIVALENT POSITION**

PARTIALLY RECOVERED

- **EMPLOYEES WHO HAVE PARTIALLY RECOVERED**
 - **EVERY EFFORT TO RESTORE THEM TO AN APPROPRIATE POSITION THAT MATCHES THE RESIDUAL LIMITATIONS**
 - **REASONABLE ACCOMMODATION**

APPOINTING AUTHORITIES

- **REINSTATEMENT**
 - IF QUALIFIED
- **NEW APPOINTMENT**
 - PERMANENT OR TEMPORARY
- **HANDICAPPED APPOINTMENT**
 - IF QUALIFIED

REINSTATEMENT

- **EMPLOYEE WHO QUALIFIES RETURNS TO DUTY UNDER THE APPOINTMENT THE EMPLOYEE PREVIOUSLY HELD**

NEW APPOINTMENT

- **EMPLOYEE RECEIVES A NEW APPOINTMENT**
 - **TITLE 5 COMPETITIVE PROCEDURES**
 - **TITLE 38 APPOINTMENT**

HANDICAPPED APPOINTMENT

- **MAY BE APPROPRIATE IN CASES WHERE EMPLOYEE PARTIALLY RECOVERED**
 - **PHYSICAL OR MENTAL LIMITATIONS**
 - **REQUIRES MEDICAL DOCUMENTATION & CERTIFICATION BY OFFICE OF VOCATIONAL REHABILITATION**

REASONABLE ACCOMMODATION

- **MEDICAL DOCUMENTATION**
 - **WHAT ARE THE LIMITATIONS?**
 - **OBTAIN DOCUMENTATION SIGNED BY THE EMPLOYEE'S TREATING PHYSICIAN**
 - **CA-17 IS USEFUL**
 - **LIMITATIONS SHOULD BE DESCRIBED IN SPECIFIC, BEHAVIORAL TERMS**
 - **HOURS PER DAY, POUNDS ABLE TO LIFT, TIME DOING A CONTINUOUS TASK, ENVIRONMENTAL CONDITIONS**

REASONABLE ACCOMMODATION

- **HOW CAN YOU ACCOMMODATE THE LIMITATIONS?**
 - **EQUIPMENT**
 - **SCHEDULING**
 - **PART-TIME, DIFFERENT HOURS TO REDUCE TRAVEL STRESS**
 - **BREAK IN MIDDLE OF THE DAY**
 - **MODIFY POSITION DUTIES WITHOUT CHANGING THE ESSENTIAL ELEMENTS OF THE JOB**

REASONABLE ACCOMMODATION

- IF YOU CANNOT THINK OF HOW YOU CAN ACCOMMODATE THE LIMITATIONS
 - TALK TO A PROSTHETICS REPRESENTATIVE, A VOCATIONAL REHABILITATION SPECIALIST, AN OCCUPATIONAL THERAPIST, OR THE STATE VOCATIONAL REHABILITATION AGENCY

CONTRACTUAL OBLIGATIONS

- **REVIEW THE NATIONAL AND LOCAL CONTRACTS**
 - **ARE THERE ANY CONTRACTUAL LIMITATIONS ON WHAT YOU WANT TO DO?**
 - **TALK TO HUMAN RESOURCES MANAGEMENT & YOUR LOCAL UNION PRESIDENT**
 - **CREATE A SITUATION WHERE ALL PARTIES CAN “WIN”**



If you want to restore an employee to duty, you can always find a way, provided you really want to.