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Job Accommodation Network

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Accommodation and Compliance Series

Accommodation and Compliance Series: Return-to- Work

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Introduction

Return to Work (RTW) and Stay at Work (SAW) programs are part of a business' strategy to retain valued employees and to enhance the productivity of its workforce. The ultimate purpose of a return-to-work program, also known as a transitional duty program, is to make changes and provide accommodations so employees with injuries or medical conditions can return to work.

As with workplace accommodation programs, a RTW program should have clear written policies articulating each party's responsibilities. Accurate job descriptions including the physical demands of particular essential functions should also be developed. This helps everyone in the process (e.g., doctors, rehabilitation staff, and accommodation specialists) understand the job requirements. A good understanding of the job demands and the employee's limitations and abilities is the starting point for determining if effective job accommodations will enable the employee to return to or stay at work while still recovering from injury. Effective job accommodations insure that the employee returns to work as soon as possible without risk to the employee or employer.

Situations and Solutions:

A teacher had been released to return to work following a stroke resulting in hemiparesis of her dominant left side.

The individual had undergone treatment and rehabilitation, but had trouble balancing, standing, walking, and grasping small items, such as a pen. Accommodations provided included a stand/lean stool, a height-adjustable laptop tray with a laptop connected to the classroom smart board, low-tech grip aids for writing, and grab bars placed along the walls of the class and in the hallways for assistance with balancing.

An account representative was out of leave due to treatment for Hepatitis C.

The employee wanted to return to work, but due to side effects of treatment, could not maintain the stamina needed to visit clients. The employer reassigned the employee to another account representative position that did not require travel.

A new employee had only worked for a manufacturing company for four months and had not accrued paid leave at the time that symptoms of Guillain-Barré Syndrome developed.

The employer provided unpaid leave as an accommodation and were able to hold the employees' position open for when they were able to return to work.

An employee voluntarily admitted herself to a hospital inpatient unit due to severe depression.

Her mother called the employer to let them know what had happened and to tell them her return date was uncertain at that time. The employer provided leave under the ADA for the employee and requested her mother to keep them informed about the employee's progress and possible return to work date.

A maintenance worker with alcoholism came to work under the influence of alcohol.

When confronted by his employer, he disclosed that he had recently relapsed after his son was diagnosed with a serious medical condition. His employer decided not to terminate him under the circumstances, but required him to sign a last chance agreement before allowing him to return to work.

A special education teacher with agoraphobia had been off on leave for a school year.

With her psychiatrist's help, she determined that she could return to work if the school was within a five-mile radius of her home – the distance she and her doctor considered safe for her to travel. There were actually six schools within that area. She asked for an accommodation of being placed in one of those particular schools when a special education position came open. The teacher was actually given the choice of two schools right off as the district knew those particular jobs were going to be open for the next year. She accepted the offer on the elementary position, since she felt most comfortable with that age group.

An employee who works as a truck driver has recently had her dominant arm amputated.

She has expressed concern in her ability to return to work because she is unable to shift the gears in the vehicle. As an accommodation, the employer arranged for the employee to drive an automatic transmission truck.

An individual with Guillain-Barré Syndrome was released to return to work following an extensive recovery period.

The employee asked to work light duty. In lieu of this the employer provided a modified schedule and job restructuring while allowing a transition work arrangement. With this type of arrangement the employee gradually increased their hours and work duties over a short period of time and was able to eventually work a typical schedule.

A teacher developed Guillain-Barré Syndrome during summer break, but was able to return to work at the start of the fall semester if provided with accommodations.

The employee used a wheelchair and was not able to access certain items in the classroom or the employee restroom. As an accommodation the employer modified the employee restroom so that the employee could access it independently, provided a smart board with a laptop and laptop tray for the wheelchair, purchased an accessible desk, and they lowered the shelves and bookcases that were inaccessible. The employee was permitted to come into the classroom prior to the semester starting to ensure that the classroom had been modified and prepared for her to successfully begin the new school year.

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