



**STANISLAUS COUNTY
PERSONNEL MANUAL
QUALIFIED INJURED WORKER PLACEMENT PROCEDURE**

The Board of Supervisors has confirmed that the employees of Stanislaus County are its most valuable assets. The Board's goal is to return employees, who are out of work because of injury or illness, to productive and rewarding jobs at the earliest appropriate time. The Board also realizes that access to proper medical care is an essential component to this process. Medical care is provided to all employees injured on the job through the Workers' Compensation system. All regular employees have access to group health coverage through the County of Stanislaus.

All efforts will be made to accommodate an employee with permanent work preclusions in their current job assignment. If permanent accommodation is not possible in the current assignment, Stanislaus County will make every effort to assist the employee in transferring to an alternate position. In order for a permanent accommodation to be made the following criteria must be met:

1. The employee must meet the minimum qualifications of the position.
2. The employee must be able to meet the physical demands of the job with or without reasonable accommodation.
3. There must be a vacant position available with adequate funding available for the employee to fill.

The County of Stanislaus will not create a position, or bump another employee from a position in order to accommodate the injured or ill employee.

The Disability Management policy applies to all employees with appropriate documentation of injury or illness from the treating physician or Accepted Medical Provider. If necessary, the Chief Executive Office will determine the most appropriate form of alternate work.

This regulation applies to all employees in all departments. The home department will accommodate whenever possible. If the home department is not able to accommodate the injured or ill employee, the **Chief Executive Office** will ascertain if a permanent accommodation is available in another department.

The County's obligation under the Americans with Disabilities Act is to return qualified individuals with disabilities to employment whenever they are qualified and able to perform the essential functions of their current position or a vacant alternate position within the County.

When an injured employee is determined to be a Qualified Injured Worker (QIW), unable to perform the essential functions of his or her job, the supervisor must first determine if a modification to the injured employee's duties, or the way their duties are performed, would enable the employee to perform the essential functions. This can sometimes be accomplished by sharing tasks with a co-worker. If the job cannot be modified, the supervisor together with other department personnel must look within their department. Following are criteria, which must be established:

1. Determine if there is an alternate position for which the injured employee is qualified;
2. Determine the availability of an alternate position with adequate funding available; and
3. Determine if the job is physically appropriate.

The employee will be given the opportunity to transfer into the vacant alternate position. If the department does not have an alternate position available, the Disability Management Unit of the CEO-Risk Management Division will work with CEO-Personnel to determine if other departments have an open position for which the injured worker is qualified. In some instances the injured employee may be eligible for on-the-job training. Each affected employee must be evaluated on a case by case basis.

When an injured employee is qualified for an alternate position the following procedure will be followed:

1. CEO-Personnel will administer testing when applicable and/or the receiving department will interview the affected employee to determine if he/she possesses all skills required for the vacant position.
2. Once the determination has been made that the injured employee is qualified, the receiving department will provide the Disability Coordinator with a written description of the essential functions of the job.
3. The CEO-Risk Management Division will request the injured workers' treating physician review the essential functions and if the treating physician believes the employee can safely perform the functions of the job, the job offer will be extended to the affected employee.

If two or more job possibilities are available, the injured worker will be asked to interview for each position. The **Chief Executive Office**, will make the final determination of which job offer will be extended to the injured worker, based on the criteria above.



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FREQUENTLY ASKED QUESTIONS

1. What type of information should be provided to the receiving department?

The injured employee is a QIW and the home department is unable to make a permanent job accommodation. A list of any permanent work restrictions must also be provided.

2. What can the receiving department ask the injured worker?

The same questions allowed during a typical employment interview.

3. Will a new application be required?

No. The injured worker will complete a transfer form and either bring an updated resume or have the option of completing an application. This will assist all parties in determining if there is an appropriate fit for the position.

4. What type of seniority will the injured worker have?

Pursuant to County policy, employee's seniority will be based on the amount of total continuous service with the County.

5. What if the new position is a lower level?

If the employee is eligible for retirement benefits and he/she files for retirement, but accepts an alternate position, retirement may supplement. Certain restrictions apply.

6. What if the injured worker refuses to accept the alternate position?

Refusal could jeopardize Vocational Rehabilitation or Supplemental Job Displacement Benefits through the Workers' Compensation system. Retirement benefits could also be jeopardized. The injured employee should consult with the CEO-Risk Management Division and Retirement to determine if any benefits will be jeopardized.

7. Will there be a new probationary period?

Yes. There will be a departmental probationary period identical to the probationary period any transferred employee would be required to complete. See Stanislaus County Ordinance code section 3.16.090.

8. What if the injured worker has a disciplinary problem while on probation?

The injured employee shall be treated the same as any other employee pursuant to County policy.

9. How long will the County continue to look for permanent alternate or modified work for the injured worker?

As long as the injured worker remains an employee e.g. in paid status or is on an approved leave of absence or until one job offer has been made. It is suggested that employees aid in the search by completing interest cards for any and all positions for which they are qualified.

10. What if an injured worker completes a Vocational Rehabilitation Plan and secures a position with another employer, and then a County position becomes available for which the injured worker is qualified and is physically capable of performing the essential functions of the job with or without reasonable accommodation?

The employee would have the option of applying for the position and would be given the same consideration as any new hire to the County.

11. How long does the employee's department have to make a decision on an accommodation issue?

Departments will have 20 calendar days from the date they are made aware of a need for a permanent accommodation to determine if they will be able to accommodate on a permanent basis. If they cannot make the determination within 20 calendar days, departments must communicate their concerns to the CEO-Risk Management Division's Disability Management Unit and to the employee. If additional information is needed from the employee's physician, the department must request this in writing within the 20-calendar day determination period.

In order to avoid time delay, the department must be considering permanent accommodations while the employee is working in the Temporary Modified Duty assignment (refer to Stanislaus County Modified Return to Work Program). Departments shall give the employee advance notice if they will not be able permanently accommodate an injured or ill employee.

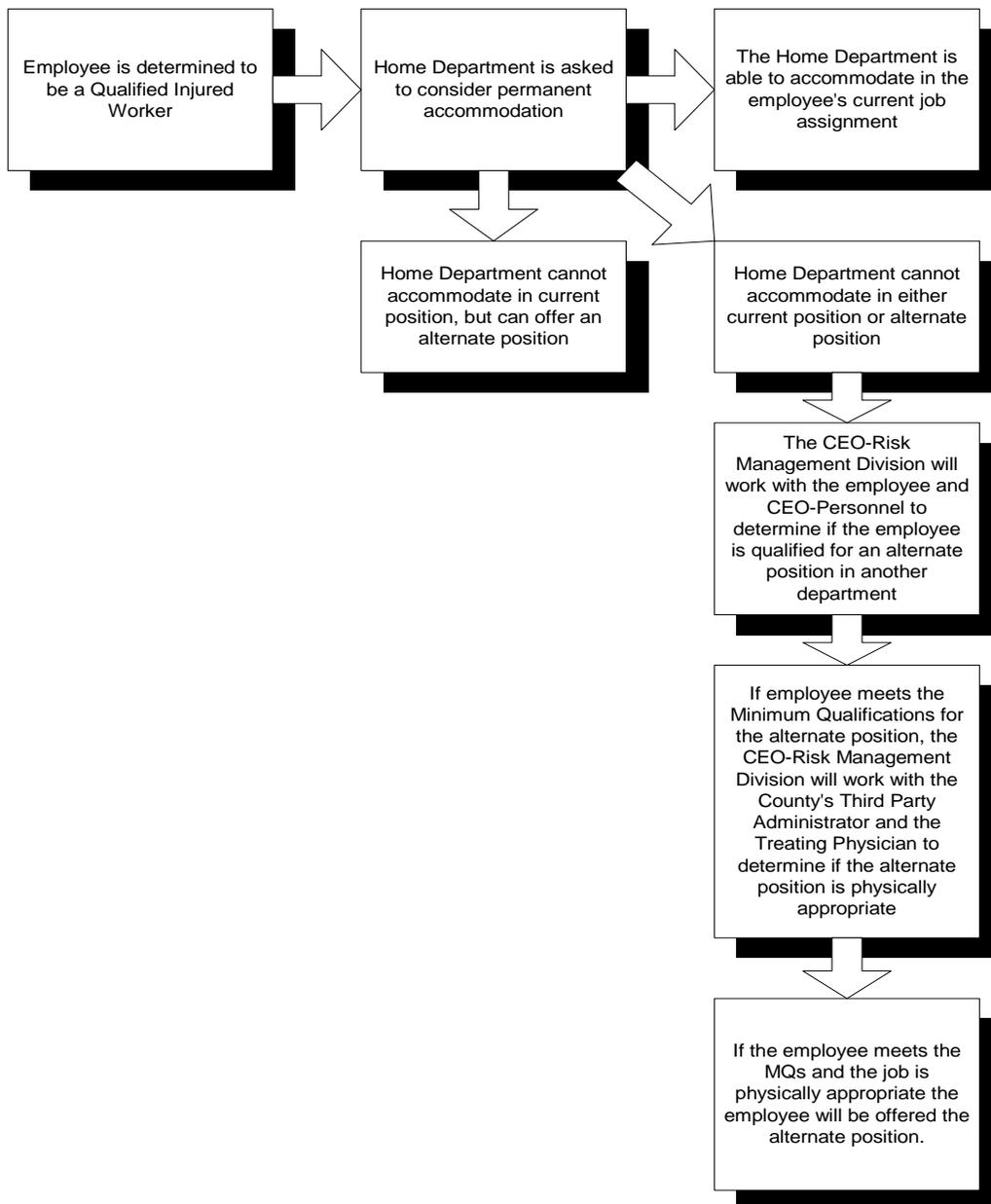
A department representative shall discuss the ability to accommodate any work restrictions on a permanent basis while working with the employee on a temporary accommodation. This will help prepare the employee in the event the department is not able to make a permanent accommodation.

Stanislaus County

CEO-Risk Management Division

Qualified Injured Placement Procedure

Flow Chart



April 2000