

# **Board of County Commissioners**

## **Escambia County, Florida**

Title: TEMPORARY DUTY PROGRAM POLICY AND  
PROCEDURE  
Date Adopted: **November 24, 1998**  
Effective Date: **December 1, 1998**  
Reference:  
Policy Superseded:

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### **1.0 PURPOSE:**

The purpose of the Temporary Duty Program is to *temporarily* place employees who have sustained work-related injuries, in positions consistent with the medical restrictions prescribed by an authorized treating physician. Ideally, the employee will work within his or her own department. However, it may become necessary to place the employee in another department or shift to accommodate their medical needs.

The goal of the program is to promote psychological recovery and to minimize lost time by encouraging appropriate levels of activity for injured employees.

Risk Management will be responsible for administering the Temporary Duty Program.

### **2.0 GENERAL GUIDELINES:**

**2.1** Departments may request temporary duty assistance by submitting the Request for Temporary Duty Assistance to Risk Management.

**2.2** Departments should be innovative in developing and assigning meaningful tasks which will allow the employee to utilize his/her experience, education and physical capability.

**2.3** The temporary duty employee's home department is responsible for all expenses associated with the employee for the duration of their temporary duty status.

**2.4** It is the responsibility of the employee to adhere to the temporary limitations identified by his/her authorized treating physician.

**2.5** The supervisor of the assigned department is responsible for ensuring that employees in temporary duty assignments work within the identified medical restrictions.

**2.6** The employee's work schedule, leave, etc., will be coordinated by the supervisor of the assigned department.

**2.7** The supervisor of the temporary duty employee will be responsible for submitting time sheets to his/her home department. If the employee is assigned to more than one department, the supervisor from each department must submit a time sheet to the employee's home department.

**2.8** The supervisor of the assigned department will be responsible for completing the Temporary Duty Employee Performance Evaluation, which will be used to support the employee's personnel evaluation. *The evaluation form is required only if the employee is assigned temporary duty under a different supervisor.*

**2.9** The duration of the temporary duty assignment may range from one day to a maximum of twelve weeks, unless otherwise approved by Risk Management. Temporary duty assignments may be used in conjunction with FMLA.

### **3.0. TEMPORARY DUTY ASSIGNMENT:**

**3.1** Risk Management will maintain a list of available temporary duty positions requested by departments.

**3.2** Once the physician assigns an employee to temporary duty status, the employee must submit a copy of the Physical Capacity Evaluation Form to Risk Management (via fax). The employee or the employee's supervisor may call Risk Management the next working day for a temporary duty assignment. *Exceptions would be those employees who are capable of performing in their regular duty assignment or department, with accommodations being made by their home department.*

**3.3** Risk Management, under the advisement of the adjuster, authorized treating physician and/or rehabilitation professional, will assign the employee to a temporary position which meets the employee's medical restrictions. Consideration will be given to the employee's home department, assignment, shift, etc. However, if temporary duty cannot be arranged within the employee's home department, the employee will be assigned to a different department, if available.

**3.4** The temporary duty employee has an obligation to adhere to the policies of the assigned department. If the employee's work habits are not conducive to the overall effectiveness of the assigned department, then the assigned supervisor may request that the temporary employee be placed elsewhere. This request must be submitted to Risk Management in writing.

**3.5** If an employee chooses not to work in an assigned temporary duty position within the medical restrictions prescribed by the authorized treating physician, then indemnity benefits will not be paid

**3.6** Risk Management is responsible for notifying the employee's home department of the employee's temporary placement and providing updates regarding changes in the employee's medical restrictions.

### **4.0. RETURNING TO FULL DUTY:**

**4.1** Once the authorized treating physician releases the employee to full duty, the employee must return to his/her home department **with** the Return to Work authorization. The home department is responsible for notifying Risk Management before the next working day by faxing a copy of the Return to Work authorization. Risk Management will inform the assigned department of the employee's change in work status.

**4.2** Florida workers' compensation law does not require the County to hold the injured employee's position until he/she can return to work. Employees whose injury constitutes a serious health condition as defined in the Family and Medical Leave Act (FMLA) and is on leave will be placed on FMLA for up to twelve weeks. If an employee is unable to return to full duty at the end of FMLA, a maximum of twelve weeks of temporary duty will be offered to transition the employee back into the workplace. Employees ineligible for FMLA will be granted up to twelve weeks of temporary duty.

**4.3** While assigned to temporary duty, Risk Management will obtain status reports from the authorized treating physician. If the physician determines that the employee is unable to return to his/her permanent position, Risk Management will request that a rehabilitation professional perform a job accommodation analysis or a transferable skills analysis. Based on this analysis, the County will assist the employee with obtaining a position which meets his/her skill level and medical limitations.

**4.4** In the event the employee's permanent restrictions meet the ADA requirements, the County, upon the employee's request, will make reasonable accommodations for the employee's placement based on a job accommodation analysis performed by a rehabilitation professional.

**4.5** If the County cannot accommodate employees who have received permanent restrictions, Human Resources will work in collaboration with Civil Service and a rehabilitation professional to determine a position which is appropriate for his/her skill level and medical limitations.

**4.6** As an incentive to departments to hire permanently restricted employees that cannot return to their former position, Risk Management will reimburse the hiring department for six weeks salary and up to \$3,000.00 for training and ergonomic equipment that may be needed to accommodate the employee's restrictions. Reimbursement will be made upon request for placement of employees with permanent restrictions in a full time permanent position outside of the home department.

## **5.0. DEFINITIONS:**

**5.1** *ADA* - American with Disabilities Act - a civil rights bill giving individuals with disabilities protection from discrimination in employment and in access to commercial facilities, transportation, telecommunications, and state and local governmental services.

**5.2** *Assigned Department* - department where injured employee is placed pending full medical release to job of injury.

**5.3** *Authorized Treating Physician* - physician who is authorized by the County's Managed Care Provider to provide treatment to County employees.

**5.4** *Home Department* - department in which employee was hired. In most instances, the department where the employee worked at time of injury.

**5.5** *Indemnity Benefits* - cash benefits paid to an injured worker to replace part of wages lost as a result of a work injury.

**5.6** *Job Accommodation Analysis* - an analysis of a position which attends to any specific work station modification that would allow someone to do their job.

**5.7** *Rehabilitation Professional* - person certified and approved by the State of Florida in the field of disability management.

**5.8** *Return to Work Authorization* - written authorization, from the authorized treating physician, allowing the injured employee's return to duty.

**5.9** *Temporary Duty Assignment* - temporary job assignment which meets the medical restrictions as prescribed by an authorized medical physician. Assignment is not to exceed six months.

**5.10** *Transferable Skills Analysis* - an analysis of the injured employee's past employment skills which would allow a transfer to new employment.

**5.11** *Physical Capacity Evaluation Form* - notification from the authorized treating physician which outlines the medical limitations of the injured employee.

**6.0. FORMS:**

All forms relative to this policy may be accessed from Risk Management's web page at [www.co.escambia.fl.us/riskmanagement](http://www.co.escambia.fl.us/riskmanagement).

***ADOPTED: 11/24/98***

***EFFECTIVE DATE: 12/01/98***