

 <p>HAWAII HEALTH SYSTEMS CORPORATION <i>Quality Healthcare for All</i></p> <p>PROCEDURE</p>	<p>Department:</p> <p>Human Resources</p>	<p>Procedure No.:</p> <p>HR 0009B</p>
		<p>Supersedes Procedure No.:</p>
<p>Subject:</p> <p>RETURN TO WORK PRIORITY PROGRAM (RTWPP)</p>	<p>Approved By:</p> <p><i>Linda Rosen</i></p> <p>By: Linda Rosen, M.D., M.P.H. Its: President & CEO</p>	<p>Approved Date:</p> <p>September 23, 2021</p> <p>Last Reviewed:</p> <p>May 26, 2021</p>

I. PURPOSE:

To establish procedures for the administration of Hawaii Health Systems Corporation’s (HHSC) Return to Work Priority Program (RTWPP) Policy.

II. PROCEDURES:

A. Return to Work Assessment

The Claims Manager shall make a continuous assessment of medical information received related to employees who are subject to the Return to Work Priority Program. The employee’s Physician or APRN shall make a determination whether to return the employee to Alternate Work. If the employee’s Physician or APRN determines that an employee is able to return to their Regular Work, no further assessment is necessary.

If the Claims Manager’s assessment indicates that the employee could return to Modified Work, Light Duty or Alternate Work, the Claims Manager shall request that the Physician or APRN document any restrictions that are necessary to accommodate the employee and provide a certification indicating these restrictions.

The Corporate office or Regional Chief HR Officer (RCHRO) for the employee’s work location shall consider temporary modification of the employee’s Regular Work to accommodate any restrictions documented by a Physician or APRN.

If an employee refuses a temporary assignment created to accommodate the employee’s limitations, the employee shall be placed on unauthorized absence from work for the hours that the employee is scheduled to work, which may impact the employee’s wage-loss replacement.

Certificates from APRNs applies to all employees, except for employees in UPW units 1 and 10 until such time that an agreement is reached to allow APRN certificates.

B. Inability to Return to Regular Work on a Permanent Basis

1. **Schedule Meeting with Employee.** When a Physician or APRN determines that the employee is permanently unable to perform any/all of the essential functions of the employee’s Regular Work, the Vice President & Chief Human Resources Officer (VP/CHRO) or Regional Chief HR Officer or designee shall prepare for and schedule a meeting with the employee to formally review the employee’s status and to explain the employee’s rights, responsibilities and options including the option to participate in the Return To Work Priority Program.

2. Provide Written Notice to Employee. The RCHRO or designee shall inform the employee of this meeting in a letter delivered to the employee notifying them of the meeting. At the very least, the letter shall include the information listed below:
 - Purpose;
 - Date and time;
 - Location to include address and room or office number;
 - Facility contact person and telephone number;
 - Right to have representation - union, legal or other at the meeting;
 - Documents or other information the employee is required to bring to the meeting;
 - A notice that failure to respond to the meeting notification shall be deemed as a negative response to participate in the Return To Work Priority Program and shall result in the initiation of a discharge action by the HR department; and
 - Name and telephone number of the person the employee must call, five (5) working days prior to the scheduled meeting, to confirm their attendance at the meeting.
3. Meeting Topics. The following topics shall be discussed at the meeting:
 - Employee's qualification for Alternate Work; and
 - Available options:
 - a. Resignation. The employee may opt to resign from their employment no later than thirty (30) calendar days after the meeting between the employee and the RCHRO or RCHRO's designee. Any such resignation letter shall include the effective date of resignation, which date shall be not more than fifteen (15) calendar days from the date of the resignation letter; or
 - b. Retirement. The employee may opt to retire from service. In this event, the employee shall be notified that a copy of their retirement application must be submitted to the RCHRO or designee not later than thirty (30) calendar days from the date of the meeting; or
 - c. Participation in the Return To Work Priority Program.
4. Steps for Priority Placement process. During the meeting with the employee the RCHRO or designee shall review the steps involved for Priority Placement. The RCHRO or designee shall explain:
 - a. The Eligibility Period for placement;
 - b. The advantages and disadvantages of geographical restrictions for job search efforts;
 - c. The job search efforts, both facility and jurisdiction wide, if employee is willing to consider other regions;
 - d. Placement in alternate work position;
 - e. Discharge if employee cannot be placed in permanent vacant position;
 - f. Vocational rehabilitation benefits, if eligible;

- g. Select Priority List; and
- h. Possible consequences of refusal of placement.

C. Eligibility Period

The Eligibility Period for Priority Placement begins with the meeting between employee's RCHRO or designee and runs concurrently with the initial thirty (30) days to review options set forth in B.4 above. The Eligibility Period ends with a placement of the employee or the completion of the facility (regional) job search (or one jurisdiction wide job search, if requested) within the six (6) month period. For employees with short-term appointments, the Eligibility Period shall not exceed the expiration date of their appointments.

D. Facility (regional) Job Search

Based on the employee's work location, the employee's RCHRO or the designee shall consider all suitable vacancies in an attempt to place the employee. In considering vacancies, the respective employee's RCHRO or the designee may modify, downgrade or reallocate positions.

Searching for an appropriate position includes identifying all:

1. Vacancies that the employee is qualified for that will not constitute a promotion or requires a higher base salary.
2. Position classification to determine whether there are any pending positions.
3. Possibilities of downgrading, modifying or relocating a position that is suitable for the employee; provided that the employee's senior management approves.

E. Considerations if Alternate Work is identified:

All appointments shall be made, except for good cause as determined by the employee's RCHRO. If the employee refuses the offer of Alternate Work, the employee shall be discharged from employment, which may result in the employee's workers' compensation benefits being affected.

An employee who has been placed in an Alternate Work under Priority Placement shall be eligible for additional placement services if the employee is deemed incapable of performing the duties of the new position due to the work related injury or illness. Additional job placement services shall begin at the jurisdiction level.

Employees who are placed in Alternate Work through the Return To Work Priority Program shall not lose any existing benefits as a result of placement in Alternate Work.

F. Conditions for Discharge

Every effort shall be made to offer the employee participation in the Return To Work Priority Program. Discharge from employment at HHSC can occur, however, when one or more of the situations listed below applies. If the employee:

1. Fails to respond to the notification letter scheduling the meeting with the employee's RCHRO or designee;
2. Refuses or fails to attend the meeting with their RCHRO or designee after being properly notified;
3. Fails to notify their RCHRO or designee with their decision to participate in Priority Placement within the thirty (30) calendar days of notice to review options;

4. Refuses an offer of employment, refuses or fails to attend a scheduled job placement meeting, job interview or fails to report to work for the Alternate Work they were appointed to under Priority Placement;
5. Cannot be placed within the HHSC in Priority Placement;
6. Fails to accept an appointment during the Eligibility Period

III. ATTACHMENT(S):

None