
Transitional Duty Employment Program

Purpose

The purpose of this Finance and Administration Standard Operating Procedure (FASOP) is to establish a uniform process for administering the transitional duty employment (TDE) program for LSU A&M employees who sustain a compensable work-related injury and are temporarily unable to perform some or all assigned duties. TDE is intended to support a safe and timely return to work, maintain productive employment when medically appropriate, and reduce the operational and financial impact of lost work time.

LSU A&M will make reasonable efforts to identify temporary work assignments that align with an employee's medical restrictions and operational needs. Department representatives are expected to assist in identifying appropriate assignments and to communicate any hardship or limitation that would prevent accommodation through TDE.

Scope

This FASOP applies to LSU A&M employees who receive Workers' Compensation benefits and have temporary work restrictions issued by an authorized Workers' Compensation physician. The following conditions should be met:

- The LSU A&M employee is injured during the course and scope of work;
- The employee is expected to remain on restricted duty for seven days or more as a result of the compensable Workers' Compensation injury; and
- The restrictions are temporary and limited to six months.

TDE assignments are coordinated by the LSU Office of Risk Management (ORM) and the department responsible for supervising such assignments. For the scope of this FASOP, ORM shall include direct employees of the Office of Risk Management as well as the assigned claims adjuster who serves as a representative of ORM. The TDE program is administered separately from the Americans with Disabilities Act (ADA) and the Family and Medical Leave Act (FMLA). Participation in TDE program does not affect an employee's eligibility for ADA accommodation or FMLA leave. ORM will coordinate with representatives of ADA and HRM office when an employee's circumstances may warrant multiple employment programs or legal protections.

Employees Covered by Transitional Duty Employment

This FASOP applies to LSU A&M employees when TDE is necessitated under this policy. Such employees shall include part-time, full-time, faculty, staff, and student employees. Unpaid volunteers and third-party contractors working on behalf of LSU A&M campus are generally excluded from coverage.

Program Administration

The TDE program is administered by ORM; however, final placement decisions are subject to review by the assigned supervisor and Human Resource Management (HRM). When appropriate work is identified, ORM will notify the employee of the assignment, including the designated department, duties, and work schedule. If no appropriate assignment is available, ORM will notify the employee accordingly.

TDE assignments are based on restrictions established by the authorized treating physician and on work availability as determined by the supervising department. Assignments may include usual work with modification, alternate work, or temporarily created tasks within the employee's regular department or otherwise.

Transitional Duty Employment Assignment Criteria

Each transitional duty assignment must meet the following minimum requirements:

- The employee must be qualified to perform the work;
- The work must be meaningful and productive for departmental or University operations;
- The work must conform to the employee's medical restrictions; and
- The assignment or modified schedule should not exceed six months.

Transitional Duty Employment Program Standards

The objective of TDE is to return injured employees to their regular duties as safely and promptly as possible. TDE ends when the employee is released to the pre-injury position by the authorized treating physician, the six-month program limit is reached, or the assignment is otherwise concluded. Continued participation in the transitional duty program is subject to the continued availability of the temporary assignment, the physician's treatment plan and the injured employee's compliance with Workers' Compensation procedures.

Employees are expected to comply with the authorized physician's treatment plan, including but not limited to work restrictions, diagnostic imaging, physical therapy and medical appointments. The employee should also maintain regular contact with ORM and the designated supervisor. The employee's supervisor is expected to support their compliance with ORM throughout the Workers' Compensation process, including but not limited to timely injury reporting, adherence to work restrictions and submission of work status documentation. An employee's failure to comply may result in delayed or suspended Workers' Compensation benefits. Additionally, ORM shall consult with HRM regarding any corrective or disciplinary action in accordance with University policies.

Employees participating in a TDE assignment will generally remain in their current position and pay rate unless otherwise approved by HRM in accordance with applicable University compensation procedures. If LSU is unable to accommodate an employee's work restrictions, benefits in lieu of TDE may be arranged through ORM.

The University reserves the right to modify or discontinue a TDE assignment at any time. If an employee refuses an assignment that is consistent with the employee's documented work restrictions, ORM shall

consult with HRM prior to determining next steps regarding continued employment, leave administration, or corrective action. Employees who remain under medical restrictions at the conclusion of a TDE assignment may be referred to HRM and/or the ADA Coordinator for evaluation of other applicable employment protections, leave benefits, or accommodation processes.

Absences During Transitional Duty Employment

Employees participating in the TDE program must report any absences related to the work-related injury to the transitional duty supervisor and ORM. Employees must also comply with department and HRM procedures for reporting absences.

Requests for time off unrelated to the Workers' Compensation injury should be arranged in accordance with the supervising department and HRM policies. Workers' Compensation benefits shall not apply to absences unrelated to work-related injury or illness, including absences unsubstantiated by the authorized Workers' Compensation physician.

Following each medical visit related to the Workers' Compensation claim, the employee must provide a work status document to the transitional duty supervisor and ORM. Failure to do so may result in delayed benefits, suspended benefits or other corrective actions in accordance with established University, HRM and Workers Compensation procedures.

Benefits in Lieu of Transitional Duty Assignment

If LSU A&M is unable to accommodate an employee's work restrictions through a TDE assignment, the employee may qualify for use of personal leave, indemnity payments, and/or leave buyback credits. ORM will assist the employee in identifying available benefits.

Leave usage associated with Workers' Compensation claims shall be administered in accordance with PS-12 and other applicable University leave policies. If an employee is qualified to use sick or annual leave and also receives indemnity payments due to a Workers' Compensation injury, leave buyback credits shall be coordinated through ORM and calculated using the Office of Workers Compensation Administration (OWCA) guidelines and documented in the university system of record.

If an employee is ineligible for TDE, temporarily totally disabled for more than seven days because of a work-related injury, and/or has no applicable personal leave, indemnity benefits shall be arranged in lieu of their regular salary by ORM. Indemnity benefits are generally reimbursed at no more than two-thirds of the employee's pre-injury salary and subject to OWCA guidelines.

Transitional Duty Employment Team & Committee

ORM shall rely on a core group to examine TDE on behalf of the injured employee. The core group may be referred to as the TDE team. The team shall include ORM, the designated supervisor and designated timekeeper. The TDE team should review TDE matters every thirty days or in accordance with the treatment plan and work status provided by the employee's authorized physician. The TDE team is also responsible for escalating reviews to the central HRM office as needed.

ORM will also convene a TDE committee to assist with high-risk claim reviews, program evaluation, and assessment of operational risks. Committee participants will be determined by ORM and may include staff or faculty who represent safety, occupational, facility management, human resource management and other University offices.

Benefit Suspension, Termination and Disciplinary Matters

ORM will make reasonable efforts to identify temporary work assignments that align with an employee's medical restrictions and the University's operational needs. To fulfill this standard, employees are expected to cooperate with ORM and the designated TDE supervisor to ensure their successful recovery and return to work. Employees are also expected to act with integrity throughout the Workers Compensation process, including factual reporting of the nature of their injury, work excuses, etc. An employee's failure to comply may result in delayed or suspended Workers' Compensation benefits and/or disciplinary action.

Serious and adverse offenses including but not limited to on-the-job horse play or fighting, illicit drug use, fraudulent claim reporting or the intentional injury of oneself or another employee can be considered grounds for an immediate denial of Workers Compensation benefits and disciplinary action, up to and including termination in accordance with University policies and OWCA statutes.

Definitions

Transitional Duty Employment. Temporary alternative work assigned to an employee whose compensable work-related injury prevents the employee from performing some or all regularly assigned duties for seven days or more.

Authorized Treating Physician. The Workers' Compensation medical provider(s) responsible for determining the employee's work status and medical restrictions based on the employee's Choice of Physician selection.

Claims Adjuster. An individual who is licensed to investigate or adjust insurance losses by the State of Louisiana. The Workers Compensation adjuster acts on behalf of LSU A&M as a representative not a direct employee.

Transitional Duty Employment Assignment. A temporary assignment that includes modified duties, alternate duties or temporarily created tasks in the employee's regular department or otherwise that comply with medical restrictions and operational needs.

Indemnity Benefits. Payment of a percentage of an employee's wages that are lost or reduced because the employee is unable to work due to the employee's work-related injury. Indemnity benefits are generally limited to sixty-six and two-thirds of an employee's normal salary.

Exemptions

This FASOP does not replace, supersede, or exempt procedures applicable to employees who may be eligible for reasonable accommodation under the Americans with Disabilities Act (ADA) or leave protections under the Family and Medical Leave Act (FMLA). Questions regarding ADA or FMLA eligibility should be directed to the appropriate HRM or Title IX contacts.

Any adjustments to the requirements of this FASOP must be approved in advance by the LSU Office of Risk Management.

Resources

- [Permanent Memorandum 70, Return to Work Policy](#)
- [Permanent Memorandum 70, Attachment: Job Analysis Form](#)
- [Permanent Memorandum 20, Employee Leave](#)
- [Policy Statement 90, Workers' Compensation and Work-Related Accidents](#)
- [Policy Statement 105, Return to Work Policy](#)
- [Policy Statement 12, Employee Leave](#)
- [OWCA Rights & Responsibilities in Workers' Compensation](#)

Contact

Questions regarding this FASOP should be directed to the LSU Office of Risk Management at riskmanagement@lsu.edu or by phone at (225) 578-3283.