

Safety Zone: Return to Work for the Food Service Industry

The Benefits of a Return to Work Program

A Return to Work Program (RTW) can be a win-win situation for employees and employers alike. Before injuries even occur, employers can share the benefits the program provides with their employees, such as how RTW helps maintain wages and a connection with their employer and co-workers. Business owners can also promote their Return to Work program as an advantage of employment with the company. At the same time, RTW plays a major role in controlling claim costs and the direct impact on insurance premiums.

RTW Program for Restaurant Workers

A restaurant worker with a lost time claim is off an average of 30 days before returning to work* and about 40% of incurred losses are indemnity benefits.* The longer injured employees remain out of work, the more difficult it is to get them back. Having a proactive, pre-injury plan will make sure everyone knows what to expect when an injury occurs.

An effective Return to Work Program may include:

1. Statements of policies and responsibilities for all levels of the company
2. Selection of designated medical providers that will cooperate with your RTW program
3. A list of tasks that can be used or modified to accommodate the restrictions
4. A review of injured worker capabilities and how they align with their tasks
5. A defined recovery period that could be as short as the number of days until their next exam
6. Documents for internal case management

Policies and Responsibilities

Developing policy statements from executives to the line worker will define the company objectives and responsibilities to the plan.

The executive statement ensures workers will receive prompt medical attention and recovery assistance, and transitional work until they can resume normal work duties.

As an injured worker returns to the job, store managers must identify available tasks and/or modifications within the doctors' physical restrictions. For example, if a worker was previously a server and suffered an ankle injury, perhaps he or she can complete tasks behind the scenes, like helping take phone or online orders to stay off their feet. The employer should also regularly monitor that the worker doesn't exceed restrictions and progress toward recovery.

Employees must be responsible for reporting injuries promptly, be available for transitional job assignments appropriate for their capabilities and cooperate with the employer and treatment providers during the recovery period. Failure of employees to report to work or refusing suitable and available work offered could affect workers' compensation benefits and work eligibility with the company.



Focus on the Injured Workers' Capabilities

Employers and employees alike should focus on injured workers' capabilities and avoid emphasizing limitations that are vague and unworkable. Chances are that 80% of workers' current duties can be performed within prescribed restrictions. Be specific about how job modifications meet an injured worker's restrictions. This will help address potential worker objections when discussing restricted duty assignments.

Ask supervisors and employees for input identifying suitable tasks and modifications. Look at routine work like phone/online ordering, hosting, side work, assembling take-out kits, verifying and expediting orders, delivering car-side pick-up, sanitizing activities, etc. Consider ways to accommodate the increased frequency of breaks and allow for work to be done while seated.

Offering Transitional Duty

A Return to Work program is a lot like offering a new employee a job. An employer should explain employment standards, wages, benefits, work hours and task assignments and go through details again when things change. Explain the position is temporary, flexible and will be reviewed with them regularly. Even if the employer can't fill an entire shift, shortened work schedules minimize the insurance program's wage replacement costs and speed up recovery time.

Internal Case Management

The ultimate goal is to return the injured worker to their regular job but also determine if other employment or claim strategies are needed. Be sure to keep careful records of program activities including RTW offers, task assignments, regular reviews of accommodations to worker restrictions and progress to full duty.

Items to document:

- Important dates and outcomes (employee contacts, exam & therapy visits, etc.)
- Changes in restrictions or capabilities
- Employee efforts and cooperation with temporary assignments and employment standards

Consider a “work hardening” approach, increasing the duties to reflect improvements in capabilities at each review. This way, the employer can acclimate the employee slowly to full duty without risking re-injury.

Communicate With Your Insurance Carrier

Keep your adjuster apprised of your RTW efforts and the outcome of your transitional duty offers.

Send your offer to provide RTW by certified mail if a worker has been released with restrictions but has failed to contact you following the examination.

Work restrictions are prescribed by a physician and should limit activities with your company and elsewhere.



Sources

* AmTrust Financial Restaurant Risk Report 2018, AmTrust Financial Services, Inc. <https://amtrustfinancial.com/restaurant-risk-report>

+ Workers' Compensation Costs, 2020 National Safety Council, Injury Facts, <https://injuryfacts.nsc.org/work/costs/workers-compensation-costs/>

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