**MONTANA UNIVERSITY SYSTEM WORKERS COMPENSATION PROGRAM**

Stay at Work/Return to Work (SAW/RTW) Assistance Policy

Policy Number: WC-0003

Adopted: September 12, 2012

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1. **SAW/RTW Assistance Policy**

It is the policy of the MUS Workers’ Compensation Program (MUS Work Comp) to provide Stay-at-Work/Return-to-Work (SAW/RTW) Assistance to help an employee return to meaningful, productive employment as soon as possible following a compensable work-related injury or occupational disease.

The SAW/RTW Assistance Policy intends to facilitate the restoration of health and minimize disruption caused by a work-related injury or occupational disease by reintegrating the worker to the same position or to a temporary modified position within the employee’s current physical capabilities as soon as possible after an injury or an occupational disease occurs.

1. **Stay at Work/Return to Work Process**

Each campus shall develop policies and procedures to assure compliance with the SAW/RTW Assistance requirements listed in MCA Title 39-Chapter 71 Part 10 and ARM 24.29.1801-1821.

Campus Procedures for SAW/RTW assistance services will include, but are not limited to, the following provisions:

1. Evaluate SAW/RTW opportunities with at least the following minimum considerations:
   1. Medical Status Form and workers’ current ability to safely perform work activities;
   2. Workers’ skills and qualifications;
   3. Transitional employment opportunities consistent with MUS business needs;
   4. Potential strategies to address return to work barriers;
   5. Conditions for terminating SAW/RTW Assistance.

B. Facilitate communication between injured worker and employer, and others as needed, regarding transitional employment;

C. Review Transitional Employment assignments periodically to:

1. Verify that duties assigned and as performed by the injured worker conform to the functional capabilities outlined on the Medical Status Form
2. Monitor the injured worker’s release to increasing functional capabilities, progress toward release to time of injury job and/or claim resolution.

D. Timely Notification to the Claim Examiner and the MUS Work Comp Program Director if/when any of the following occur:

1. Temporary transitional work start date;
2. Refusal of a Temporary Transitional Employment offer by an employee;
3. Date released to full duty;
4. Termination of SAW/RTW services and reason for termination.

When MUS Work Comp receives a request for SAW/RTW assistance directly or is notified by Montana Department of Labor and Industry (DLI) that an MUS employee has requested SAW/RTW assistance from DLI, MUS Work Comp will notify the campus-designated workers’ compensation coordinator of the request for assistance. The Campus Coordinator or designee shall initiate campus policies and procedures for providing SAW/RTW assistance to the injured worker.

MUS Work Comp reserves the right, with the concurrence of the Campus, to defer to DLI for the provision of assistive services if liability has not yet been determined.

1. **Limits**

MUS endeavors to provide a safe and healthy working environment for all employees at all times. In the event of a work-related injury or occupational disease, MUS Work Comp will facilitate return to work opportunities with the employing campus to the extent practical. All employment decisions are made by the campus on a case-by-case basis and there is no guarantee that transitional employment will be available, offered or continued.

1. **Reporting**

MUS Work Comp Program designates the MUS Work Comp Program Director to be the single point of contact to DLI for coordination of all DLI requests for SAW/RWT Assistance.

MUS Workers’ Compensation Program will comply with any SAW/RTW reporting required by the Department of Labor and Industry.

History: MUS Workers’ Compensation Policy WC-0003 adopted September 12, 2012. See also BOR Policy 713.2 Revised September 20, 2012