



**Berry Bros. General Contractors, Inc.
Corporate Policy Procedure**

Section # 65

Issue Date: 10-29-2008

**(HSE) Health, Safety & Environmental
Policies and Procedures Manual**

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RETURN TO WORK PROGRAM

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SUBPART A - PURPOSE

This program is designed to provide procedures for managing the return to work of injured company employees with minimum time lost.

SUBPART B - POLICY

It is the policy of Berry Bros. General Contractors, Inc. to provide a place of employment that is free from recognized hazards that cause or are likely to cause death or serious physical harm to employees or the public. However, when serious physical harm does occur to employees, Berry Bros. General Contractors, Inc. is committed to providing quality medical care and managing the costs associated with that medical care. Berry Bros. is committed to the effective return to work of an injured employee while enhancing their recovery whenever practicable.

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For that reason, local health care providers are provided a list of job descriptions and told that light duty or modified duty is available if necessary. Local physicians are encouraged to tour work sites to evaluate the type of work available to help them set up the light or modified work for the employee.

SUBPART C - BACKGROUND

Returning employees to work who have been injured in the performance of their jobs is an important component of Berry Bros.' loss control program. Benefits of a return to work program include:

- Faster, more effective healing.
- Safer work environment.
- Direct and indirect savings in lost wages, medical costs and productivity.
- Improved morale by providing support to employees with alternate assignments during recuperation.

Statistics have shown that without a return to work program, employees have little incentive to return to work. In addition, they are less likely to return to work the longer they stay off.

For that reason, Berry Bros.' intentions to provide an effective return to work program to help facilitate the return of the injured employee while enhancing their recovery. This safety policy and procedure includes provisions for supervisory training, a discussion of the return to work process, presents details on Berry Bros.' preferred medical provider network and presents information on transitional work assignments, permanent job modifications and new position assignment requirements.

SUBPART D - RESPONSIBILITIES

Management

- Provide resources and support to supervisors in the return to work program.
- Assist in employee placement decisions.
- Encourage proper and ethical practices.

Supervisors

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- Complete accident and other report forms in the event of an injury.
- Pre-determine alternate duty options for the positions under their control.
- Provide job descriptions and alternate duty options to the Workers' Compensation Administrator, and Human Resources Manager.

Employees

Employees are responsible for promptly reporting any injuries to their supervisor and going to the preferred provider as directed by their supervisor. They must also cooperate with the Workers' Compensation Administrator's, Safety and Human Resources Departments.

Workers' Compensation Administrator

- Administer Berry Bros.' Return to Work Program.
- Coordinate with preferred providers, Human Resources Department, and supervisors in the placement of employees into transitional work assignments, permanently modified jobs or new positions.
- Coordinate program communication by ensuring that timely distribution of program materials are performed
- Coordinate vocational rehabilitation training for employees who have received a permanent disability as a result of a job injury.
- Maintain a central list of all Berry Bros.' preferred providers.

HS&E Department

- Provide prompt assistance to managers, supervisors, and others as necessary on any matter concerning this safety policy and procedure.
- Assist in and develop the Return to Work Program training
- Provide consultative and audit assistance to ensure effective implementation of the return-to-work program meets those restrictions set forth by the treating physician are followed.
- Assist supervisors in returning employees back to work.
- Meet with injured employees to explain alternate duty position(s).

Human Resources Manager

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- Assist the Workers' Compensation Administrator in placement decisions that require new position assignments.
- Provide information regarding wage and salary grade equity issues.
- Approve temporary assignments greater than ninety days.

SUBPART E - DEFINITIONS

Alternate Duty - Duties assigned on either a short term or permanent basis, and medically approved by the authorized treating healthcare provider, to an injured employee.

Permanent Job Modification - Jobs that are permanently modified for employees that have permanent restrictions upon return to work following an injury.

Preferred Provider - A healthcare provider that has entered into an agreement with the company to provide prompt healthcare services to an employee injured during the performance of their jobs.

Transitional Work Assignment - Work assignments (duties) that are short term and those employees with temporary restrictions are given upon return to work following an injury.

Workers' Compensation Leave – A period of time that employees are recuperating from job-related injuries and during which the employee receive 66.667 % of their regular pay.

TRAINING

Supervisors must accurately understand their key role in this program. Therefore, supervisors should receive training that includes specific details on the Return to Work process and their responsibilities under this program. This training will be initially conducted as a one-time training with re-training as needed.

SUBPART F - RETURN TO WORK PROCESS

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When an employee who has been injured on the job and placed on workers' compensation leave, has been released to return to work by the treating physician, there are three possible return to work options.

- Option 1:** An employee has reached maximum medical improvement and has been released to return to work by the treating physician. The employee is then returned to the original position he/she held prior to workers' compensation leave.
- Option 2:** An employee has not reached maximum medical improvement and is ready to return to a transitional work assignment (limited or modified work duty) with approval of the treating physician, but retains some disability which prevents successful performance in the original position. The company will provide work reassignment suitable to the employee's capacity which is meaningful, productive and advantageous to the employee and the company.
- Option 3:** An employee has reached maximum medical improvement and has been released to return to work by the treating physician, but has received a disability which prohibits employment in his/her previous position. The company will attempt to place the employee in a permanently modified job or another position suitable to the employee's capacity which is meaningful, productive and advantageous to the employee and the company. This work placement may be a permanent assignment or either a part-time or temporary assignment until a permanent assignment is found. If a position is not available for work placement, Management will appoint the employee to the first suitable vacancy which occurs. In some cases the extent of disability may be that vocational rehabilitations will be necessary. If so, Management will make the necessary arrangements for such training to assist the employee in obtaining suitable employment.

SUBPART G - RETURN TO WORK PROGRAM GUIDE



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Every employee should be entered into the Return to Work Program upon medical certification that the employee may return to some type of work duty. Written return to work authorization must be obtained from the preferred medical provider. Every attempt should be made to modify the employee's current job to meet restrictions provided by the health care provider.

Injured employees should usually be under the direct supervision of the supervisor in the area in which he/she is working. However, supervisors should understand their responsibility and be willing to work with employees not normally under their control.

The Workers' Compensation Administrator and the treating physician shall make the final decision, with input from the injured employee's supervisor and Human Resources Manager, as to when an employee returns to work in either his/her original position, a transitional work assignment, a permanently modified job or a re-assigned position.

SUBPART H - PREFERRED MEDICAL PROVIDER

The preferred provider network is a list of physicians who have agreed to treat injured company employees when such injuries arise out of the performance of their job duties. This preferred provider shall include urgent care or emergency room physicians and shall take into account Louisiana, Colorado, North Dakota, and any other state we are currently working in. This list shall be maintained by the HS&E Department and updated as needed.

SUBPART I - TRANSITIONAL WORK ASSIGNMENTS

Employees may be provided with transitional work assignments during their recuperation in order to maintain desirable productivity levels. These assignments should be short term in nature (no greater than 90 days) until the employee is able to return to his/her original job assignment.

SUBPART J - PERMANENT JOB MODIFICATIONS / NEW POSITION ASSIGNMENTS

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Permanent job modifications and new position assignments are used for employees who receive a permanent disability as a result of an injury. Permanent job modifications may be the same as transitional work assignments except the transitional work assignments are temporary in nature. If an employee cannot be placed in a permanently modified job, then that employee may be assigned to another position that meets the restrictions imposed upon the employee by the treating physician.

SUBPART K - PROGRAM COMMUNICATION

The Return to Work Program must be effectively communicated to injured employees, affected supervisors, and preferred providers. Program communication will be achieved by the training of supervisors, safety orientation training for employees and the distribution of program literature.

SUBPART L - MATCHING EMPLOYEES TO ALTERNATE DUTY

- Step 1** The Workers' Compensation Administrator will list all restrictions provided by the physician.
- Step 2** The Human Resource Manager will list all alternate duty jobs and their wages, including regular jobs with modifications available.
- Step 3** The doctor's restrictions are then matched to the best possible alternate duty. In the case where there may be a unique restriction from the physician, a check of the alternate duty job chosen will be made to ensure it meets with the restrictions or can be modified to meet the restriction.
- Step 4** For all identified and available job description(s) that meets restrictions; examine the wage section to ensure that none of the alternate duty jobs pays more than the original job.
- Step 5** Forward the job description(s) to the physician's office and to the Safety and HR Manager. The physician will sign off on all jobs that are appropriate and make comments, as necessary, for each case. The physician then returns the information to the HR Manager.

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- Step 6** If the physician has identified more than one job as appropriate, the best alternate duty position should be chosen to best meet company needs.
- Step 7** The HR Manager meets with the injured employee and physicians as needed to explain the alternate duty position.

SUBPART M - RECORDS

Treatment records are permanent records and will be filled out for any of the following:

- All visits to the first-aid station with exception of visits for **minor cuts or** comfort care such as headaches and colds.
 - Wraps
 - Balms
 - Hot-wax
 - Non-invasive or non-medicating procedures
- All accidents that result in injury must be reported immediately to the employee's supervisor or superintendent.
- All occupational illnesses.
- Prior to referral to any medical provider.
- All documentation related to an incident will be maintained by BBGCI.

SUBPART N - CONFIDENTIALITY

Records of all first-aid and medical events shall be kept in individual files which will be maintained separate and apart from the employee's personnel file. All medical record information is confidential and shall not be released to any third-party without written authorization from the employee or as authorized by law.

SUBPART O - POST ACCIDENT SUBSTANCE ABUSE EVALUATIONS

For all accidents that result in injuries or property damage or that requires off-site medical attention and / or evaluation, a Post Injury Drug and Alcohol screen will be conducted. Depending upon the employee's job function or the screen could

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either be a Non-DOT or DOT screen. This screening is part of Berry Bros. General Contractors, Inc. Drug Free Workplace Program.

SUBPART P - NON-WORK RELATED INJURIES and ILLNESSES

Non-work related injuries and illnesses are in a category where the employee is responsible for the cost of all medical care for procedures, operations, medications, re-hab, and miscellaneous expenses associated with the non-work related injury or illness. Berry Bros. General Contractors, Inc. will not be responsible for these payments.

Berry Bros. General Contractors, Inc. reserves the right to mandate that a return-to-work / release be provided to us at your cost from your medical provider before returning to normal duties. In addition; at Berry Bros. General Contractors, Inc.'s discretion, we may also require the individual to be examined by a medical provider of our choice at our expense before returning to work.

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