

POLICY MANUAL

CHAPTER 6 - HUMAN RESOURCES POLICIES

6.31 RETURN TO WORK POLICY

Purpose

Mississippi Lottery Corporation strives to assist employees to return to work at the earliest possible date following an injury or illness. A return-to-work program has several benefits for both the employer and employees by minimizing time lost from work.

This policy is not intended to supersede or modify the procedures applicable to employees eligible for reasonable accommodation under the Americans with Disabilities Act (ADA) or leave benefits under the Family and Medical Leave Act (FMLA). Inquiries about the ADA or FMLA should be directed to the Human Resources department.

Eligibility

The policy applies to regular full-time and part-time employees who are on leave as a result of injury or illness and who are receiving workers' compensation benefits.

Transitional Work

Mississippi Lottery Corporation defines "transitional work" as temporary, modified work assignments within the worker's physical abilities, knowledge and skills.

When possible, transitional positions will be made available to injured workers to minimize or eliminate time lost from work. Mississippi Lottery Corporation cannot guarantee a transitional position and is under no obligation to offer, create or encumber any specific position for purposes of offering placement to such a position.

In the event an employee refuses transitional work (outside the employee's FMLA benefits period), and the employee satisfies the restrictions and ability to perform the transitional position, Mississippi Lottery Corporation is not obligated to provide an alternative position. In such cases, Mississippi Lottery Corporation will notify the insurance carrier of the employee's refusal of the transitional work.

Procedures

To obtain a transitional assignment the employee must request a return-to-work form and a job description form from Human Resources and provide them to the employee's health care provider for completion.

If the health care provider releases the employee to return to work on modified duty and has completed the return-to-work and job description forms, the employee should return the forms to Human Resources within 24 hours or as soon as practicable. The employee cannot return to work without the release of his or her health care provider.

Human Resources will review the return-to-work form and determine a transitional position for the employee if appropriate and transitional work falls within business needs. A transitional position job

description, including physical requirements, will be prepared for review and approval by the employee's health care provider.

Transitional positions are developed based on the physical capability of the worker, the business needs of the company and the availability of transitional work. Mississippi Lottery Corporation will determine appropriate work hours, shifts, duration and locations of all work assignments. Mississippi Lottery Corporation reserves the right to determine the availability, appropriateness, and continuation of all transitional work assignments.

It is the responsibility of the employee to provide Human Resources with a current telephone number and address, so the employee may be contacted. The employee must notify Human Resources immediately of all changes in medical conditions.

It is the responsibility of the employee and the employee's supervisor to notify Human Resources immediately of any work-related injuries, if the employee misses time from transitional work or of any changes to transitional work assignments. Human resources will communicate with the insurance carrier or health care provider, as necessary.

Job Offer

Upon completion of the return-to-work form and the health care provider's approval of the transitional position, written notice will be prepared by the employer and mailed to the employee's last known address noting the start date, hours, wage, duration and location of the transitional work assignment. The employee will be asked to sign the notice indicating his or her acceptance or refusal of the transitional work job offer and to return the notice to Human Resources. Copies of the job description, work releases and the offer of a transitional position will be forwarded to the insurance carrier.

Any employee returning to a transitional position must not exceed the duties of the position or go beyond the restrictions indicated by the health care provider. If any medical restrictions change, the employee must immediately notify his or her supervisor and provide the supervisor a copy of the new medical release.