


<p>MISSOURI DEPARTMENT OF TRANSPORTATION</p>  <p>PERSONNEL POLICY MANUAL</p>	<p>Chapter Title Employment</p>		
	<p>Policy Title Temporary Modified Duty Assignments</p>		
	<p>Policy Number 0509</p>	<p>Page 1 of 3</p>	<p>Effective Date September 1, 2016</p>
<p>Approved By Micki Knudsen, Human Resources Director, Signature on File</p>	<p>Supersedes Policy Number 0509</p>	<p>Page 1 of 2</p>	<p>Prior Effective Date July 1, 2010</p>

POLICY STATEMENT

The department will assist employees who have a temporary work-related or non-work-related injury, illness, or condition by authorizing temporary modified duty (TMD) assignments, if there is TMD work available in a location near the employee's work location and the employee has the skills to perform the TMD. The nature, location, and length of TMD assignments will be determined by the appropriate district engineer or division leader/state engineer following consultation with Human Resources personnel, based upon each employee's individual circumstances and the needs of the department.

DEFINITION

Temporary Modified Duty Assignment: A full-time or part-time work assignment that meets an employee's temporary health restriction as certified by the employee's personal health provider on the Sick Leave/Return to Work Form during his/her period of recuperation from a work-related or non-work-related injury, illness, or condition.

PROVISIONS/REQUIREMENTS

1. TMD assignments will be allowed only when there is productive work to be accomplished and generally may not exceed six months. It is not the intent of this policy to require an employee to commute an unusual distance or to change his/her place of residence to work in a TMD assignment.

- A. Employees injured on the job with workers' compensation injuries and work restrictions will be reviewed on a case-by-case basis to determine the necessary duration of the TMD assignment. All other TMD assignments are limited to a maximum duration of six months.
 - B. When there is limited productive work available for TMD assignments, placement preference will be given to employees who are injured on the job with workers' compensation injuries and work restrictions.
2. While on TMD assignments, employees will be paid their regular salary if working full-time, or the wage equivalent of their regular salary if working part-time.
 3. The Missouri Department of Transportation and Highway Patrol Employees' Retirement System sets a 180-day waiting period extending from the date of disability to the effective date of long-term disability payments. During this waiting period, if an employee is capable of returning to work on a full workday schedule, his/her waiting period might be impacted. If an employee returns to work before the 181st day and works for 30 or more full workdays, he/she must begin a new waiting period and thereby defer the effective date of long-term disability benefits. Partial workdays do not count toward this 30-day period and the 30-day period is not limited to consecutive workdays. The supervisor, the employee, and the treating physician should pay close attention to the employee's condition while the employee is in a TMD assignment. Any employee's injury, illness, or condition that is not temporary (as certified by the treating physician) and/or files a claim for long-term disability benefits should not be authorized to begin or continue TMD assignment.
 4. Personnel Policy 0507, "Workers' Compensation," states, "Workers' Compensation lost time benefits cease the day the employee is released to return to work." If an employee is released to part-time work in a TMD assignment, the employee must complete Form A-450, "Workers' Compensation Disability Preference," indicating whether he/she wishes to supplement Workers' Compensation lost time benefits with sick leave benefits.
 5. If an employee refuses to accept a TMD assignment for reasons other than the written advice from the treating physician, the employee may be dismissed from employment unless mitigating circumstances require other action.
 6. The TMD assignment will end at the conclusion of the duration approved by the appropriate district engineer/division leader/state engineer or when the employee returns to work fully with no restrictions, whichever comes first. If the employee is unable to return to work fully with no restrictions at the conclusion of the TMD assignment or if the condition is deemed no longer temporary (as certified by the treating physician), the employee will be referred for a Fit for Duty Review. Refer to Personnel Policy 0602, "Fit for Duty Review Program."

7. If the district engineer or division leader/state engineer believes any employee's physical or mental limitation and/or medical restriction would prohibit a safe work environment when doing the TMD assignment for the employee, his/her coworkers, or the general public, the TMD assignment should not be authorized or should be withdrawn. Refer to Personnel Policy 0602, "Fit for Duty Review Program."

CROSS REFERENCES

[Personnel Policy 0507, "Workers' Compensation"](#)
[Personnel Policy 0602, "Fit for Duty Review Program"](#)
[Temporary Modified Duty Handbook](#)

PROCEDURE

[Procedure 0509, "Temporary Modified Duty Assignments"](#)

FORM

[Form A-450, "Workers' Compensation Lost Time Preference"](#)