

**RESOLUTION NO. 2020-74**  
(8/20/2020)

**RESOLUTION AUTHORIZING THE TEMPORARY TRANSITIONAL OR MODIFIED  
DUTY ASSIGNMENTS POLICY**

**WHEREAS**, the Village of Caledonia is reviewing Personnel Manual policies to ensure consistency and legal compliance; and

**WHEREAS**, the current Temporary Assignment of Alternative Productive Work Policy needs to be updated to ensure legal compliance and consistency for all employees within the Village as this language matches the Police and Fire collective bargaining agreement language; and

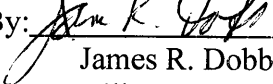
**WHEREAS**, the Village has drafted a Temporary Transitional or Modified Duty Assignments Policy to replace the current Temporary Assignment of Alternative Productive Work Policy in the Personnel Manual and is attached hereto as **Exhibit A**; and

**WHEREAS**, the Personnel Committee of the Caledonia Village Board has reviewed the new Temporary Transitional or Modified Duty Assignments Policy, recommends adopting the new Policy; and

**NOW, THEREFORE, BE IT RESOLVED** by the Caledonia Village Board the new Temporary Transitional or Modified Duty Assignments Policy as of August 25, 2020 replaces the current Temporary Assignment of Alternative Productive Work Policy.

Adopted by the Village Board of the Village of Caledonia, Racine County, Wisconsin, this 20th day of August, 2020.

**VILLAGE OF CALEDONIA**

By:   
James R. Dobbs  
Village President

Attest:   
Karie Pope  
Village Clerk

## **28. Temporary Transitional or Modified-Duty Assignments**

### **PURPOSE AND SCOPE**

The purpose of this policy is to describe the procedure for assigning employees to temporary transitional or modified duty when an employee suffers from a work related illness or injury that results in physical limitations as diagnosed by a qualified health care professional. The goal is to have the employee return to productive, regular work as quickly as possible.

### **POLICY**

It is the policy of the Village of Caledonia to assist injured employees in returning to work as soon as they are medically able to perform meaningful work for the Village. In some instances, the return to work may result in a temporary transitional or modified-duty assignment. Return to work is governed by medical restrictions, expected length of recovery, continued medical improvement while on modified duty, and the availability of limited or modified duty assignments.

### **PROCEDURE**

Temporary transitional or modified-duty assignments are intended to provide employees who have sustained a work related illness or injury that temporarily limits their ability to perform their regularly assigned duties with an opportunity to return to work. The ability of the Village to offer an employee a temporary modified-duty assignment will be based on the limitations of the employee and the needs of the Village, and will generally not exceed two months. The process for evaluating an employee for a temporary transitional or modified-duty assignment after being medically cleared with restrictions from an injury occurring on-duty, or an illness as a result of an exposure, shall be as follows:

- (a) The employee's treating health care professional must have provided the employee with written clearance stating that the employee is able to work temporary transitional or modified duty with identified work restrictions.
- (b) The employee must provide the clearance document to the Human Resources Director as soon as practicable.
- (c) The Human Resources Director should contact the respective Department Head or the authorized designee to determine the availability of a temporary modified-duty assignment that is commensurate with the employee's work restrictions. There may be instances when a temporary modified-duty position within the employee's work restrictions is not available.
- (d) If a temporary modified-duty assignment is available, the employee may be required to schedule an appointment with the Village's occupational medical provider for final medical clearance before reporting for duty.
- (e) Temporary modified-duty assignments shall not exceed two months without approval from the Department Head or the authorized designee. Extensions will be based on the employee's need for continued temporary modified duty and the Village's need for continued work in the task assigned. Extensions are not guaranteed. Extensions in a temporary modified-duty assignment will be granted on a case-by-case basis and at the sole discretion of management. An authorized extension will not expand any temporary modified duty into a permanent assignment and will not be considered as precedent for any other extensions.
- (f) With the exception of employees who are disabled, as defined by the Americans with Disabilities Act (ADA), temporary transitional or modified-duty assignments normally will end at the point when the injured employee's condition is declared permanent and stationary.

### **COMMUNICATION EXPECTATIONS**

It is the expectation that the employee shall remain in constant communication with the Human Resources Director and the Department Head. They shall provide an update of the employee's medical status on a weekly basis and after any medical evaluations pertaining to the employee's condition.

**ASSIGNMENT**

Temporary transitional or modified duty will be available to all members on a fair and equitable basis. The employee requesting modified duty shall provide permission from their physician stating light duty activities that may be performed and the anticipated duration of the modified duty assignment. The employee is to work with their supervising officer to ensure that work beyond the employee's limitation is not performed.

**SCHEDULE**

Employees will work the number of hours - up to eight (8) hours per day, forty (40) hours per week as authorized by their physician.

Modified duty shall normally be scheduled Monday through Friday, from 8:00am until 5:00pm hours, if appropriate as dictated by the Department Head and Human Resources based on restrictions and assignment. However, light duty may occur on the Employees regularly assigned shift.

**SICK LEAVE**

Any employee, that while on temporary transitional or modified duty, is unable to report to work due to illness or injury will be charged sick time hours.

**MEDICAL APPOINTMENTS**

While assigned to temporary transitional or modified duty, employees shall make every effort to schedule medical and other appointments outside of scheduled work hours. If necessary, an employee may take sick time off to attend those appointments.

**BREAKS**

When reasonable, employees assigned to a modified duty schedule, may take breaks with the on-duty shift. Additional breaks, as warranted and required by medical restrictions, will be permitted with the advance authorization of the supervisor. The extent of required breaks and other necessary accommodations shall be considered in determining an employee's eligibility for temporary transitional or modified duty.

**VACATION**

If an employee's previously scheduled vacation falls while on temporary transitional or modified duty, employee will be allowed vacation time off from the light duty assignment.

**UNIFORM**

An employee on temporary transitional or modified duty shall report for duty in appropriate work attire, considering the employee's physical limitations, approved by the Department Head.

**REFUSAL TO PARTICIPATE**

Employees that have sustained a work related illness or injury that temporarily prohibits return to their regular position but are deemed capable of performing temporary transitional or modified duty by a qualified health care professional, must return to transitional or modified duty. Employees who choose not to participate in the Return to Work Program or follow all regulations in this Return to Work Policy may become ineligible for state workers' compensation benefits, accrual of paid time off benefits, and, in some cases, refusal to participate may be a basis for termination. Use of family medical leave may apply upon refusal and disability benefits will cease.

**FAMILY MEDICAL LEAVE AND OTHER BENEFITS**

State or federal leave laws may provide additional rights and protections during times of illness or injury. Lost wages may be reimbursed if disability benefits are available. Contact the Human Resources department for further details.