

**2024
Pennsylvania
Workers'
Compensation
Conference**

Accommodating Return to Work at Modified Duty

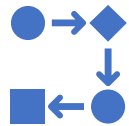
Panelists:

- Melissa Leininger, Esq., Law Offices of Nathaniel M. Holmes
- Patrick Cusick, Esq., Post & Schell
- Timothy Schwalm, Mack Trucks
- John Madaus, RN, BA, CCM, Clemens Food Group

Specific Program Highlights



How to develop programs?



Steps to the process?



How to communicate the program?



Potential Issues:

Union vs. Nonunion

-

Structure vs. Nonstructured

-

ADA

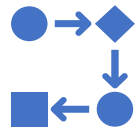
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Progressive discipline with RTW
(not retaliatory)

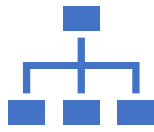
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Overtime hours allowed?

Legal Standpoint



Process



Starting a program: rules & expectations



Acting in good faith (not punitive)



Tips

Communication between employer and employee

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Get notice of suspension timely filed

-

Send correspondence certified

Pros & Cons

Pros

- Get employee off comp
- Avoid mental aspects of long comp

Cons

- Other employees' morale
- Adjusts to light duty, doesn't want to return to full duty

Lessons Learned



True stories of success and failure



Changes made along the way