

Office of Human Resources

1703 Modified Duty Assignment Due to Non-Work-Related Injury/Illness

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**Georgia Department of Human Services
Human Resources Policy #1703**

Modified Duty Assignment Due to Non-Work-Related Injury/Illness

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Employees who are absent from work due to a non-work-related injury/illness should return to work on a temporary, modified duty assignment as soon as possible. Modified duty assignments may be modifications in employees' usual duties and/or responsibilities or may be temporary assignments of different duties within the organization.

Section A: Eligible Employees

1. All full-time and part-time employees in classified and unclassified positions, except for temporary employees [time-limited duties not expected to exceed nine (9) months] and hourly employees, are eligible for modified duty assignments.

Section B: Time Frames

1. Modified duty assignments may be made for the length of time that is determined necessary by the attending health care provider, not to exceed sixty (60) calendar days within a 12-month period.
2. Management has the option of extending modified duty assignments for up to ten (10) calendar days beyond the 60-calendar day limit, if the additional time is needed to make work-related arrangements for employees.

Section C: Procedures

1. Guidelines should be developed in each organization to implement a modified duty assignment program.
2. Eligible employees who are medically released by the attending health care provider to return to work with temporary restrictions should be considered for modified duty.
 - a. Modified duty assignments may be requested by employees or managers.
3. Each employee should be evaluated individually for a modified duty assignment based on the following:
 - a. Limitations established by the attending health care provider.

- b. Skills of the employee; and,
 - c. Needs of the organization.
4. Modified duty assignments require a signed medical statement from the attending health care provider, which identifies any work-related limitations and the expected length of time for the limitations.
- a. If additional information is needed, employees will be given the Attending Physician's Statement of Functional Capability Form Attachment #1 to be completed by the attending health care provider.
 - b. A completed Detailed Job Analysis form or other relevant job description information will be attached to assist the attending health care provider in completing a medical evaluation in relation to essential functions of the position. Please see DHS Human Resources Policy #1701 — Worker's Compensation and Special Injury Return to Work Program Attachment #5 to access this form.

Section D: Non-Compliance

1. If employees refuse to report for (or otherwise through their actions decline) modified duty assignments when properly released by the attending health care provider, supervisors should notify OHR. Employees may be subject to disciplinary action, up to an including separation from employment.

Section E: Expiration of Modified Duty Assignment

1. At the expiration of a modified duty assignment, employees will be returned to regular duties and responsibilities with or without reasonable accommodation if approved by the attending health care provider.
2. If the attending health care provider does not release an employee for unrestricted duty at the expiration of the modified duty assignment, the employee must request the appropriate leave or leave of absence without pay to cover the absence from work. An employee who does not appropriately request approval or absence from work may be subject to disciplinary action, up to an including separation from employment.

Section F: Family and Medical Leave

1. Employees are to be placed on available family and medical leave (FML) when absent from work due to a non-work-related injury/illness also qualifies as a serious health condition under FML. This includes absences from work while employees work on intermittent or reduced schedule as part of a modified duty assignment.

For additional information or assistance, please contact your local Human Resource Officer, or email DHS-Policies@dhs.ga.gov.

1703 A1 Attending Physician's Functional Capability Statement