

# **MONTANA UNIVERSITY SYSTEM (MUS) WORKERS' COMPENSATION PROGRAM**

## **Policy: Stay at Work/Return to Work (SAW/RTW) Assistance**

Policy Number: WC-03

Effective Date: June 20, 2018

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### **I. Policy Statement**

It is the policy of the MUS Workers' Compensation Program (Program) to provide Stay-at-Work/Return-to-Work (SAW/RTW) Assistance to facilitate the restoration of health and minimize disruption caused by a work-related injury or occupational disease by reintegrating the worker to the same position or to a temporary transitional position, within the employee's current capabilities, as soon as possible after an injury or an occupational disease occurs.

### **II. Procedures**

- A. Each campus shall develop policies and procedures to assure compliance with current Montana statutes and rules for SAW/RTW Assistance requirements including, but not limited to, the following provisions:
  - 1. Evaluate SAW/RTW opportunities with at least the following minimum considerations:
    - a. Medical Status Form (MSF) and worker's current ability to safely perform work activities;
    - b. Worker's skills and qualifications;
    - c. Temporary Transitional Employment (TTE) opportunities consistent with MUS business needs;
    - d. Potential strategies to address return to work barriers;
    - e. Conditions for terminating SAW/RTW Assistance or TTE position.
  - 2. Facilitate communication between injured worker and employer, and others as needed, regarding TTE;
  - 3. Review TTE assignments periodically to:
    - a. Verify that duties assigned and as performed by the injured worker conform to the functional capabilities outlined on the Medical Status Form;
    - b. Monitor injured worker's release to increasing functional capabilities, progress toward release to time of injury job and/or claim resolution.
  - 4. Track and provide timely notification to the Claim Examiner if/when any of the following occur:
    - a. TTE work start date;
    - b. Employee refusal of a TTE offer;
    - c. Date released to full duty;
    - d. Termination of SAW/RTW services or TTE\_and reason for termination.

### **III. DLI Notification and Reporting**

- A. In the event the Program is notified by Montana Department of Labor and Industry (DLI) that an MUS employee has requested SAW/RTW assistance, or the Program Director receives an

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employee request for SAW/RTW assistance, the Program Director will notify the Campus Claim Coordinator. The Campus Claim Coordinator or designee shall initiate campus policies and procedures for providing SAW/RTW assistance to the injured worker.

- B. The Program reserves the right, with the concurrence of the Campus Claim Coordinator, to defer to DLI for the provision of assistive services if liability has not yet been determined.
- C. The Program Director is designated as the single point of contact to DLI for coordination of SAW/RWT Assistance requests made to DLI by MUS workers.
- D. The Program will comply with any SAW/RTW reporting required by the Department of Labor and Industry.

**IV. Limits**

MUS endeavors to provide a safe and healthy working environment for all employees at all times. In the event of a work-related injury or occupational disease, the Program will facilitate return to work opportunities with the employing campus to the extent practical. SAW/RTW Assistance and TTE opportunities are intended to be temporary. All employment decisions are made by the campus on a case-by-case basis and there is no guarantee that transitional employment will be available, offered or continued.

History: MUS Workers' Compensation Policy WC-0003 adopted by Committee September 12, 2012; Revision WC-03 adopted by Committee June 20, 2018.

Authority: Workers' Compensation—Early Return to Work/Modified Duty BOR Policy 713.2, September 20, 2012; Stay at Work/Return to Work, ARM 24.29.18; Stay-at-Work/Return-to-Work Assistance 39-71-10, MCA; Declaration of Public Policy, 39-71-105(3).