



125 Tower Drive  
Burr Ridge, IL 60527  
630.734.5000  
630.734.5050  
railslibraries.org

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February 15, 2024

**TO: RAILS Board**  
**FROM: Monica Harris, Executive Director**  
**SUBJECT: 8.1 RAILS Transitional Duty Policy**

The RAILS Board Policy Committee met on January 24, 2024, and reviewed a new Transitional Duty Policy. The addition of a Transitional Duty policy was recommended as a best practice through our Workers Compensation program in the Libraries of Illinois Risk Agency (LIRA), a unified insurance cooperative for Illinois libraries that RAILS participates in. Both RAILS staff and attorneys at Ancel Glink have reviewed, modified, and agreed to the suggested changes. The Committee approved the draft policy as presented and voted unanimously at their January 24 meeting to approve them for recommendation to the RAILS Board.

The addition of a transitional duty program is for employees who have sustained a work-related injury as an effort to provide them with an avenue to safely return to work and maintain employment status and benefits while they recover from their injury. In addition to being an employer best practice, we believe that instituting this program directly supports RAILS employees and aids in their recovery.

I look forward to answering any questions at our February 23 meeting.

## **DRAFT TRANSITIONAL DUTY PROGRAM**

The Reaching Across Illinois Library System (RAILS) is committed to providing employees with available, reasonable opportunities to maintain career and employment status and benefits. To that end, we have developed a Transitional Duty Program for employees who have sustained injuries arising out of and in the course of their employment with their respective work-related injury. We feel that a Transitional Duty Program is mutually beneficial and may aid in the employee's recovery.

### **PURPOSE**

The purpose of the Transitional Duty Program is to provide a temporary modified work assignment to the employees with injuries arising in the course of their employment with RAILS when feasible, available, and applicable. The feasibility of Transitional Duty will be determined in the sole discretion of RAILS.

### **OBJECTIVES**

1. To return occupationally injured employees to work as soon as possible provided there is not a probability of re-injury or aggravation of an injury to themselves, and the return to work does not directly or indirectly adversely jeopardize the safety of others or is otherwise potentially detrimental to RAILS.
2. To minimize financial hardship and emotional stress to the employee who has sustained an occupational injury.
3. To assist employees in returning to work at a level close to their pre-injury earnings and productivity.

### **BASIC PROGRAM REQUIREMENTS**

#### **1. Information Gathering**

An employee with an occupational injury must promptly notify Human Resources of any and all changes or modifications to the employee's work restrictions. Human Resources will, with the employee's cooperation, obtain a list of duties the employee is capable of performing and any of the employee's physical limitations. Human Resources may ask an employee entitled to receive disability payments under the Act or currently on Transitional Duty to undergo a medical examination for the purpose of determining the nature, extent and probable duration of the injury. This examination by a duly qualified medical practitioner or surgeon as referred to in the Illinois Workers' Compensation Act and selected by RAILS or by RAILS's Third-Party Administrators will be coordinated at a time and place reasonably convenient to the employee.

## **2. Creation of Assignment**

RAILS Human Resources will provide the employee's immediate supervisor with a Physical Evaluation Form. The immediate supervisor will work with the department director or manager in assigning Transitional Duty to the employee, if possible or applicable. In some cases, departments may not have any available Modified Duty tasks.

## **3. Time Limits and Compensation:**

Transitional Duty assignments will not create a new job, but instead will incorporate or modify an existing position on a temporary basis.

A time limit will be established on a case-by-case basis for the length of time that Transitional Duty will be made available. This time limit shall be subject to review and revision at the sole discretion of the Executive Director.

RAILS will compensate an employee on Transitional Duty at the employee's regular pay rate.

## **4. Notification:**

RAILS Human Resources will provide the employee with written notification of the Transitional Duty assignment which includes a description of the position, its physical requirements and the date the employee is expected to report to the assignment.

## **5. Compliance:**

An employee who declines a Transitional Duty position, which is within the limitations, as determined by the treating physician or qualified independent physician, may be subject to disciplinary action and possible dismissal. The employee may also lose eligibility for workers compensation temporary total disability benefits.

## **6. Review and Modification of Assignment:**

All Transitional Duty assignments are subject to continuing review of the existing medical restrictions of the employee. RAILS departments will continue to develop and coordinate appropriate duty assignments with Human Resources and immediate supervisor.