



WASHINGTON, D.C. | AUGUST 5-8

Employer Input Wanted:

U.S. Department of Labor Return-to-Work (RTW) Initiatives





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Presenters

- Meredith DeDona, Senior Policy Advisor, Office of Disability Employment Policy (ODEP)
- Chris McLaren, Senior Economist, ODEP
- Nadia Mossburg, Senior Policy Advisor, ODEP
- Melissa Turner, Senior Policy Advisor, ODEP



Our Vision for Today's Session:

An interactive dialogue with employers and DMEC member suppliers on your stay-at-work/return-to-work (SAW/RTW) experiences and recommendations



About ODEP

- Only non-regulatory federal agency that promotes policies and coordinates with employers and all levels of government to increase workplace success for people with disabilities
- Our mission: To develop and influence policies that increase the number and quality of employment opportunities for people with disabilities



Working Works



The Problem

- Each year, millions of American workers experience an injury or illness that puts them at risk of leaving the workforce
- These events occur both on the job and off
 - More than 4 million nonfatal work-related injuries and illnesses in 2015 (National Safety Council)
 - Many more occur *off the job*; 15.4 million nonfatal, off-the-job injuries and illnesses requiring medical attention occurred in 2015—more than three times the number of work-related injuries and illnesses (NSC)



The Impact

- **On individuals:** Adverse effects on health, family finances, and quality of life; risk of permanent unemployment and poverty
- **On employers:** Direct and indirect costs that come with the loss of valuable employees
- **On federal, state, and local economies:** Reductions in the tax base, decreased economic activity, costly payouts of disability benefits; NSC estimates that injuries (both work-related and not) cost the United States economy \$501 billion in 2015



The Opportunity

- Many ill and injured workers could remain in their jobs or the workforce if they received timely, coordinated supports and services as part of **stay-at-work/return-to-work (SAW/RTW) programs**
- Involve early action and coordination between ill and injured employees, their employers, and their health care and employment-services professionals



ODEP & Stay-at-Work/Return-to-Work (SAW/RTW)

- State Exchange on Employment and Disability (SEED)
- Retaining Employment and Talent After Injury/Illness Network (RETAIN)



State Exchange on Employment & Disability (SEED)

- Unique state-federal collaboration
- Partners with state intermediary groups to facilitate state-federal engagement
- Assists states in policy adoption that creates economic opportunities, generates income, and promotes upward mobility for people with disabilities



What SEED Provides

- Policy and subject-matter expertise
- Knowledge sharing
- Tools, resources, and sample policy options
- Access to meaningful data
- Connections to other states, as well as federal agencies and other organizations



SEED Featured Resources

- *Work Matters: A Framework for States on Workforce Development for People with Disabilities*
 - Culmination of intensive deliberation and research conducted by the CSG-NCSL joint National Task Force on Workforce Development for People with Disabilities
 - Offers states five themes (including Staying at Work), 13 broad policy options, 48 suggested strategies, as well as 240+ examples of innovative, successfully-implemented, state-level programs and policies.
 - Available at csg.org/NTPWD/documents/SEED_Report_2006_000.pdf
- NCSL's Disability Employment Legislative Database
 - Provides up-to-date information on legislative efforts in the states and territories targeting disability employment issues and related disability issues
 - Available at ncsl.org/research/labor-and-employment/disability-employment-database.aspx



SEED SAW/RTW Policy Tools

- CSG's Stay-at-Work/Return-to-Work (SAW/RTW) State Policy Toolkit
 - Provides states with policy options, best practices, and implementation strategies to increase retention and labor participation of employees who become ill or injured while in the workforce
 - Developed with input from CSG's Leadership Team, a convening of state leaders and subject matter experts, to further identify policy challenges and solutions
 - Available at csg.org/seed_report.pdf
- NCSL's Workers' Compensation: Keeping Injured and Ill Workers in the Workforce Policy Brief
 - Explores how states administer workers' compensation programs that provide medical care, rehabilitation, and cash benefits for workers who are injured on the job or who experience occupation-related illnesses
 - Available at ncsl.org/research/labor-and-employment/workers-compensation-report.aspx
- WIG's Companion Toolkit: State Strategies to Assist Employees with Mental Health and Substance Use Issues Stay-at-Work/Return-to-Work
 - Supplement to WIG's Mental Health and Substance Use Disorders Toolkit
 - Focuses on initiatives to improve employment outcomes for those with mental health and/or substance use disorders
 - Available at womensgovernment.org/sites/default/files/documents/SEED_Stay_At_Work_Return_To_Work_for_Employees_with_Mental_Health_and_Substance_Use_Issues-Companion_Toolkit.pdf



SEED State Policy-in-Action Example

- Indiana House Enrolled Act 1001 (2018)
 - "Sec. 12. (a) If an employer complies with the requirements under this chapter, the employer is not liable for a civil action alleging negligent hiring for a negligent action by the employee as a result of the employee's drug addiction in the scope of employment. (b) In a civil action that is against an employer, an employer's agent, or an employer's employee, an employer's participation in a drug education or addiction treatment program is not admissible as evidence."
- Indiana Substance Use Treatment Law, HEA 1007:Employer Guidelines
 - Developed on behalf of the Indiana Division of Mental Health and Addiction by the Indiana Workforce Recovery initiative, a collaboration between the Wellness Council and the Indiana Chamber of Commerce
 - Available at https://www.in.gov/recovery/files/indiana_workforce_recovery_employer_guidelines.pdf



RETAIN Initiative

- Retaining Employment and Talent After Injury/Illness Network (RETAIN)
- Based in part on promising programs in WA State's workers' compensation system
- Joint initiative led by DOL-ODEP in partnership with DOL-Employment and Training Administration & Social Security Administration
- Three components:
 - Demonstration projects
 - Programmatic technical assistance
 - Independent evaluation



RETAIN Goals & Strategies

- Increase employment retention and labor force participation of individuals who acquire and/or are at risk of developing disabilities that inhibit their ability to work
- Reduce long-term work absences among project participants, including the need for SSDI and SSI
- Implement and evaluate early intervention strategies to improve SAW/RTW outcomes



Early Intervention Strategies

- Training in occupational health best practices for participating health providers
- Active involvement of a RTW coordinator throughout the medical recovery period to facilitate continued employment
- Enhanced communication among all stakeholders
- Accommodations and job modifications
- Retraining and rehabilitation services



RETAIN Phase 1 Recipients

- California
- Connecticut
- Kansas
- Kentucky
- Minnesota
- Ohio
- Vermont
- Washington



Visit: <https://www.dol.gov/odep/topics/SAW-RTW/grant-recipients.htm> for more information about each state's proposed project



Implementation Challenges to Date

- Organizational structure development, capacity building, and program readiness
- Communications support and outreach
- Guidance on information technology data systems
- Training information and SAW/RTW strategies
- Identifying the "target" population
- Employer role



Employer Outreach in RETAIN: Goals & Strategies

- Sector strategies
- Employer referrals



SAW/RTW Strategies for Employers

- Leadership
- Proactive communication
- Accommodations and other supports

For more ideas, visit AskEARN.org



Employer Input Wanted!

- Poll about SAW/RTW best practices
- Open discussion



Poll Question #1:

What kind of organization do you represent?

- A. Small business employer (<100 employees)
- B. Mid-size business employer (100 - 499 employees)
- C. Large business employer (500 or more employees)
- D. Supplier (of health care, disability management, insurance, or productivity-related services)



Poll Question #2:

Employers, how often do you use strategies to facilitate an ill or injured worker's return to work?

- A. Always
- B. Very Often
- C. Sometimes
- D. Rarely
- E. Never



Poll Question #3:

Employers, which of the following SAW/RTW practices have you implemented?

- A. Part-time hours
- B. Modified job duties
- C. Telecommuting
- D. Temporary re-assignment to another job
- E. Reasonable accommodations to the workstation
- F. Other



Poll Question #4:

Employers, how often do you collaborate with a worker's health care provider to help shape a SAW/RTW plan?

- A. Always
- B. Very Often
- C. Sometimes
- D. Rarely
- E. Never



Poll Question #5:

Employers, do you have SAW/RTW policies or procedures in place?

- A. Yes, we have formal policies and procedures
- B. Yes, we have informal policies and procedures
- C. No



Poll Question #6:

Suppliers, what percentage of your clients would you estimate have SAW/RTW policies or procedures in place?

- A. Less than 10% (Few)
- B. 10 - 50% (Some)
- C. 50 - 80% (Many)
- D. More than 80% (Most)



Poll Question #7:

Health care suppliers, are your providers trained in SAW/RTW practices?

- A. Yes
- B. No
- C. I don't know



Poll Question #8:

Health care suppliers, are your providers trained in pain management and opioid prevention strategies to treat patients with musculoskeletal injuries?

- A. Yes
- B. No
- C. I don't know



Poll Question #9:

Which of the following, if any, would best improve your ability (or your clients' ability) to improve SAW/RTW outcomes for workers facing illness or injury? (Select all that apply)

- A. Better training/education of employers
- B. Better training/education of health care providers
- C. Better coordination between workers, employers, health care providers, and insurers
- D. More funds and resources available for accommodations
- E. Public policy/regulations focused on SAW/RTW
- F. Other



Key Resources

- ODEP Website
 - dol.gov/ODEP
- Employer Assistance and Resource Network on Disability Inclusion (EARN)
 - AskEARN.org
- Job Accommodation Network (JAN)
 - AskJAN.org
- Return-to-Work Toolkit for Employees and Employers
dol.gov/odep/return-to-work
- "Working Works" Campaign
WhatCanYouDoCampaign.org



Questions?

- Meredith DeDona: Dedona.Meredith@dol.gov
- Chris McLaren: Mclaren.Christopher@dol.gov
- Nadia Mossburg: Mossburg.Nadia.I@dol.gov
- Melissa Turner: Turner.Melissa.H@dol.gov


