

MISSOURI DEPARTMENT OF TRANSPORTATION

**PROCEDURES MANUAL
FOR PERSONNEL POLICIES**



Procedures for Policy Number and Title 0509 "Temporary Modified Duty Assignments"	Effective Date of Procedures July 1, 2010
Approved By Micki Knudsen, Human Resources Director, Signature on File	Supersedes Procedures Dated July 1, 2007

PROCEDURES

1. When determining whether or not an employee is eligible for a temporary modified duty (TMD) assignment, the medical restrictions and the treating physician's indication of expected date of return to work will be taken into consideration.
2. Information regarding the nature, location, and length of a TMD assignment shall be provided in writing to the employee.
3. TMD assignments shall only be authorized upon receipt of, and in accordance with, written work restrictions from the treating physician. The treating physician may be provided with the essential functions of the job and/or the details of the proposed TMD assignment.
4. An employee who is assigned TMD may be required to regularly provide written information from the treating physician describing the employee's functional abilities, physical or mental limitations, and medical restrictions.
5. If an employee reaches maximum medical improvement (MMI) before the TMD assignment expires, and is able to resume his/her previous job duties, the employee will be returned to full duty in that capacity.
6. If an employee reaches MMI before the TMD assignment expires but is unable to perform the essential functions of his/her previous position, the TMD assignment will end. The circumstances will then be reviewed by the Fit for Duty Review Team. Refer to Personnel Policy 0602, "Fit for Duty

- Review Program.” Upon completing the TMD assignment, the employee will be permitted to use any accrued sick leave until it is exhausted. The employee may then choose to use any unused annual leave and compensatory time; however, it must be taken consecutively. The employee may be eligible for Family and Medical Leave Act (FMLA) leave and/or extended sick leave. Refer to Personnel Policy 3501, “Extended Sick Leave,” and Personnel Policy 3512, “Family and Medical Leave.” The employee may also be considered for any other vacancies for which he/she is qualified, applies, and competes for during this time.
7. If an employee does not reach MMI following a personal illness/injury/condition before the TMD assignment expires, and the employee is unable to resume his/her previous position, the employee will be removed from the assignment. The circumstances will then be reviewed by the Fit for Duty Review Team. Refer to Personnel Policy 0602, “Fit for Duty Review Program.” During this time, the employee will be permitted to use any accrued sick leave until it is exhausted. The employee may then choose to use any unused annual leave and compensatory time; however, it must be taken consecutively. The employee may be eligible for FMLA leave and/or extended sick leave. Refer to Personnel Policy 3501, “Extended Sick Leave,” and Personnel Policy 3512, “Family and Medical Leave.” In the case of a workers’ compensation injury, illness, or condition, the employee will be re-evaluated to determine if workers’ compensation benefits may continue. The employee may also be considered for any other vacancies for which he/she is qualified, applies, and competes for during this time.
 8. An employee who reaches MMI and wishes to have his/her medical restriction re-evaluated may do so at his/her own expense. The employee must release any and all new medical documentation to a human resources representative for review. If this is a work-related injury, illness, or condition, the documentation will go to a risk and benefits management representative. The department reserves the right to send the employee for a second medical evaluation at the expense of the department.

CROSS REFERENCES

[Personnel Policy 0602, “Fit for Duty Review Program”](#)
[Personnel Policy 3501, “Extended Sick Leave”](#)
[Personnel Policy 3512, “Family and Medical Leave”](#)
[Temporary Modified Duty Handbook](#)