

2.16.23

## MODIFIED WORK & EARLY RETURN TO WORK PROGRAM

**WE WANT TO SEE YOU BACK IN BUSINESS.**

When employee-owners are released to modified work, by law they have an obligation to seek employment within their physicians' limitations. ESS would like to work with our employee-owners to meet this obligation as well as to provide on-the-job rehabilitation for a speedy recovery.

This policy is not intended to supersede or modify the procedures applicable to employee-owners who are eligible for reasonable accommodation under the Americans with Disabilities Act (ADA) or leave benefits under the Family and Medical Leave Act (FMLA). Inquiries about the ADA or FMLA should be directed to the Human Resource Department (HR). To contact HR with inquiries, please email [HR@emerysapp.com](mailto:HR@emerysapp.com).

To encourage the prompt and safe return of our injured employee-owners to some form of employment, ESS will provide temporary early return to work opportunities, based on the physicians' limitations, on a case-by-case basis. This may be for less than forty (40) hours per week, require a change in duties to less strenuous tasks, or a combination of both resulting in some kind of change of the employee-owner's normal work duties.

### EMPLOYEE-OWNER PROCEDURES

- Work-related injuries must be reported immediately to your supervisor.
- ESS will direct care through our agreements with occupational doctors/clinics.
- If you are unable to return to your regular job but can perform transitional duty, you must return to transitional duty. Failure to do so will result in your not being eligible for full benefits under the Workers' Compensation Program and may result in disqualification for certain employee-owner benefits.
- Employee-owners who are unable to work, and whose absences are approved, must keep the Company informed on a bi-weekly basis of their status.
- Employee-owners must provide a return-to-work evaluation indicating they are capable of returning to full duty. Permanent restrictions will be evaluated by Safety and Human Resources, but ESS does not create positions of permanent restrictions.
- ESS does not create positions of permanent light duty. Employee-owners must work with HR to see if they qualify for another position if they cannot be released back to full duty.

This policy regarding early return to work opportunities is part of our employment package. Our provider of choice is aware of this program and will cooperate fully within our guidelines on early return to work placement. Our workers compensation insurance carrier is also aware of this program and will work with us in a team effort to efficiently expedite this program. When you are offered temporary modified work, you will receive notice in writing. This letter will include:

- 01** Description of the type of work available, in detail.
- 02** State the wages to be paid.
- 03** The date and time the employee is to report to work.
- 04** The number of hours he/she is to work per day/days per week.
- 05** Who the supervisor/foreman is that you are to report to.

A copy of this letter will be kept in your personnel file and sent to the insurance carrier. **ESS realizes that not all injured employee-owners will be candidates for this program.** It is our goal to help bring all injured employee-owners back to pre-injury status as soon as possible and will work with all to achieve this.