STATE OF MARYLAND
MILITARY DEPARTMENT
FIFTH REGIMENT ARMORY
BALTIMORE, MARYLAND 21201-2288

MDNG-AG-SPMO

21 August 1989

SPMO POLICY/GUIDANCE LETTER #31

SUBJECT: Maryland National Guard Technician Light Duty Program

SEE DISTRIBUTION

1. A light duty* program accommodates injured employees who are temporarily unable to perform their regular functions.

2. A light duty program has several advantages for the organization and injured employees:

a. They normally recuperate more rapidly if they are as active as possible, rather than lying around at home. Light duty often accelerates recuperation.

b. They retain the discipline of going to work every day. A long layoff makes the return more difficult.

c. While on light duty, they still contribute to the organization and earn their pay. The alternative would be to pay employees and get no work accomplished.

d. Since they are at work anyway, the employees often prefer to return as soon as possible to their regular job rather than continue doing lesser skilled light duty. The early return to the regular job is the ultimate objective.

3. The Maryland National Guard's choice of an INFORMAL Light Duty Program is based on agency size and non-abusive past practices. The program has the full commitment of the Adjutant General of the State of Maryland.

*For the purpose of this program, light duty will refer to a program for job-related illness/injury.

4. The program stresses a standing procedure that all injured employees who are not bedridden will report to their regular supervisor. The supervisor is then responsible for finding some appropriate duty for the claimant. The only important constraint is to make sure that the duties assigned are well within any work limitations given by the attending physician.

5. It is critical that you the supervisor do not assign any duties to the claimant that are not clearly within the work constraints imposed by the treating physician. The claimant is recuperating from an injury and anything that would slow down the recuperation period or run the risk of a re-injury would defeat the purpose of the light duty program.

6. If you are reluctant or feel that there is nothing the injured employee can effectively do, contact the SPMO for guidance.

HINTS

7. Light duty may not necessarily be restricted to your immediate area. You may, with SPMO's approval go to the next level of organization to seek a temporary set of job duties.

8. If you have any doubts about whether a light duty assignment is within an employee's work restrictions, have the treating physician review the job's maximum physical requirements to ensure that they fall within the employee's limitations.

9. Do not make the light duty job more desirable than the person's regular job; he/she will want to keep it. This is best avoided by matching the light duty job as closely as possible to the regular job.

10. The job should have the same work schedule (same days and same hours) as the regular job.

11. The light duty work environment should be similar to that of the regular job. If light duty environment is more attractive, it may seem like a reward and become permanent. If the environment is less attractive, it may seem like a punishment.

12. The job should be similar in terms of pay. To put an injured employee in a job that pays more than his/her regular job creates a problem, especially if he/she performs well. A job considerably beneath the employee's capability makes poor use of resources.

13. The job should be a "sunset" job that automatically comes to an end at a specific time. This will force the decision to seriously re-appraise the individual's medical status. Based on the results of this re-appraisal, you must then decide to:

- Return the employee to their regular duty, or

- Permanently assign the employee to another job if one can be found which matches the employee's limitations or process for disability retirement.

SPMO RESPONSIBILITIES

14. If you anticipate that the limited duty assignment will last for a considerable amount of time, seek guidance from the SPMO. The SPMO will examine the claimant's employment history to see what other type of work he or she is qualified for. It may be necessary, in some cases, to have the employee update his/her SF 171 (Application for Federal Employment).

15. Upon reviewing the employee's history the SPMO will also review carefully:

a. Education and Special Training. A claimant may have some special training which qualifies him/her to perform jobs other than the regular job. Usually this will be a higher skilled job and the employee will be more productive while on limited duty. An injured employee who has had college courses in accounting, for example, may qualify for a temporary job in a financial office where he/she would be more useful than in a very low skilled job.

b. Previous Employment. Previous employment is as important as education and training in determining employee's qualifications. To be useful, however, the SF 171 (Application for Federal Employment) or resume must detail the functions performed and the length of time performed.

c. Once the SPMO has identified the claimant's qualifications, they will examine jobs available in the organization that the employee might be qualified for. The job description should describe the functions performed in sufficient detail to determine if this is a reasonable match with the employee's background.

d. The SPMO will then coordinate with the supervisor as to the job possibilities.

HOW TO SET UP THE PROGRAM

16. Whether the individual is on Continuation of Pay or Compensation (beyond the 45-day period) it is necessary to determine if his or her recuperative period can be used in a light duty confine. The supervisor should be in periodic contact with the individual and constantly be apprised of the condition. Under certain circumstances it may be necessary to contact the individual's physician for assessment. Letting the individual know you are concerned and interested in getting him/her back to work is a necessary part of the program.

a. The CA-17 (Duty Status Report) should accompany all injury cases to the physician when treatment is sought. It is the basis on which the program may begin. Attach a note advising the physician to send the CA-17 to you, the supervisor. Make a copy of the returned form and send the original to the SPMO.

b. If you cannot determine exactly from the CA-17 whether or not the employee can return to work (light duty), get a copy of his/her Position Description and send another CA-17 to the physician along with a letter advising the physician of what you wish to do and ask if he/she would review the position description to make a determination of what tasks the employee could accomplish safely.

c. Upon receipt of the CA-17 make the determination based on the physician's statements as to whether or not to bring the employee back on light duty using the guidelines spelled out previously.

d. Follow-up. Make sure you know when the employee is to return to his/her physician for checkups. Issue a CA-17 each time and have the employee return it to you immediately after the evaluation or treatment. The CA-17 may then be used as a determination as to when to bring the injured employee back to his/her full-time position.

e. In all cases advise the SPMO of the action you plan to take. In some instances it may be necessary to contact the Office of Workmen's Compensation for approval, so ask first.

17. Read each CA-17 as it is returned from the physician and base the tasks you give the employee on the contents of the form. Remember do not ask the employee to do more than what the physician allows.

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NOTE: It is not always necessary to make your decisions based on the CA-17. A letter or physician's form can also be used as long as the physician attests to the fact that the employee is eligible for complete or light duty. In any event pass this information on to the SPMO.

FOR THE ADJUTANT GENERAL:

Enclosures

LAWRENCE F. McBEE
COL, GS, MDARNG
Personnel Officer

DISTRIBUTION:

All Full-Time Support Managers/
Supervisors (Army and Air)