

Return to Work Incentives



Stay at Work Program & Preferred Worker Program

Christopher Ver Eecke M.Ed, CRC, CCM, CDMS

Return to Work Partnerships: Outreach (*Vocational*) Specialist

Stay at Work Program

Stay At Work



Stay at Work Program



What is Stay at Work?

A legislatively mandated (EHB 2123) program providing financial incentives for ***State Fund Employers*** providing light duty or transitional work to employees recovering from on-the-job injuries.

RCW: 51.32.090

WAC: 296-16A

Stay at Work Program

RCW 51.32.090 (4) (b)



- The worker is certified by the provider as able to work at a job other than their usual work
- The employer furnishes a statement describing the work available
- The provider determines whether the worker is physically able to perform the work described
- The worker begins the work with the employer.

L&I will use the date the employer submits the job description to the provider as the first date considered for Stay at Work reimbursements. The medical provider must still approve the job for reimbursements to be paid.

Stay at Work Program

Employer's Job Description



- The job description must be in writing.
- The light duty or transitional work must be approved by the attending health care provider to qualify for reimbursement.
- The attending health care provider can indicate on the completed activity prescription form that they approve or deny the written light duty job description sent to them by the employer.
- The employer will need to provide a copy to the injured worker.

Stay at Work Program

Reimbursement – Per Claim



- Wages
- Training
- Tools/Equipment
- Clothing



Stay at Work Program



Wage Reimbursement 50% up to \$10,000 / 66 days

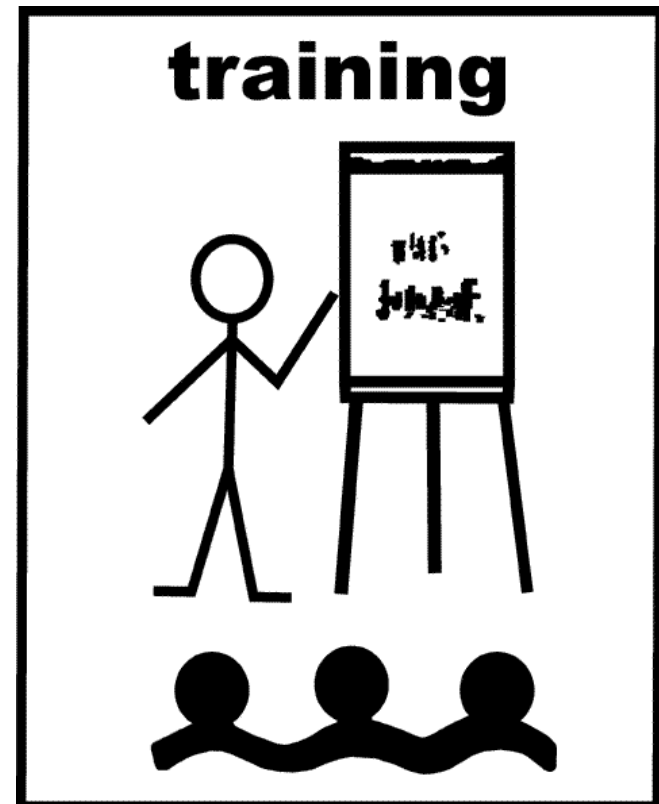
- Pays
 - 50% of base wage
 - Excluding tips, commissions, bonuses, board, housing, fuel, health care, dental care, vision care, per diem, reimbursement for work-related expenses or any other payments.
- For
 - Up to *66 days actually worked* (not necessarily consecutive)
 - Up to \$10,000 (whichever comes first.)
 - 24-month period per claim
- And
 - Employer has 1 year to apply from first day of light duty or transitional work

Stay at Work Program

Training Reimbursement - \$1,000



- **For training necessary for the light duty or transitional work**
 - Tuition
 - Books
 - Fees
 - Other necessary materials

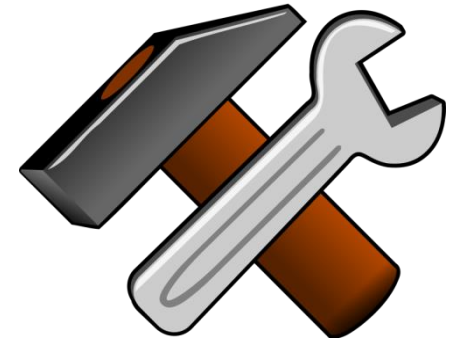


Stay at Work Program

Tools & Equipment - @2,500



- Tools and equipment become the property of the employer

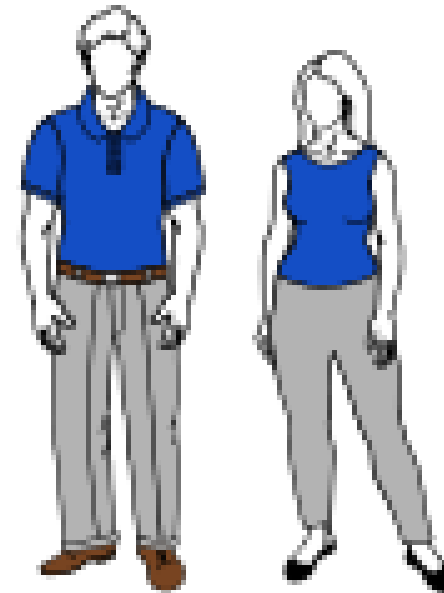


Stay at Work Program

Clothing - \$400



- Becomes property of the worker



Preferred Worker Program



Preferred Worker Program



- The Preferred Worker Program is one of L&I's return-to-work incentive programs.
- A worker with a permanent medical restriction may be certified as a “preferred worker”
- This certification enables an employer to receive financial incentives when they hire the worker for a medically-approved, long-term job



Preferred Worker Program

Who can be certified as a Preferred Worker?

To be considered eligible, a worker:

- Must have an open STATE FUND INSURED CLAIM that results in a permanent disability which may be a substantial obstacle to employment.

- Must have a physical or mental condition caused by an industrial injury or occupational disease in which
 - *No further curative treatment is planned OR*
 - *The worker is at or near maximum medical improvement*

Preferred Worker Program

Substantial Obstacle to Employment



■ The Worker may be:

- Unable to perform at least one (1) essential function of the job of injury *or*
- Eligible for vocational retraining *or*
- Permanently restricted to a lighter category of physical work demands
 - Job of injury = heavy work, now restricted to sedentary work

Preferred Worker Program



How long does the Preferred Worker Certification last?

- A preferred worker's certification will last
 - Thirty six (36) consecutive month
 - The benefit start date begins the first day after the department has received the Preferred Worker Request form with all the documentation.
 - Ends no later than five (5) years after claim closure
 - If Thirty six (36) months has ended, worker may be eligible for “preferred worker” certification under a subsequent claim.

Preferred Worker Program



How long does the Preferred Worker Certification last?



Preferred Worker Program

Employer Benefits – Premium Relief



- If you are a State Fund Employer:
 - No charges for Accident Fund or Medical Aid Fund Premiums.
 - Only Supplemental Pension Fund premiums need to be paid.
 - The hours worked by the preferred worker must be reported in the risk class 7204.

Preferred Worker Program

Employer Benefits – Premium Relief



- If you are a self-insured employer:
 - No charges for the self-insurance administrative assessment
 - Only supplemental pension and asbestos assessments need to be paid.

Preferred Worker Program

Employer Benefits – certification date



- The expanded preferred worker incentives are available to an eligible employer who hires a worker who was certified on or after **January 1, 2016**.

Preferred Worker Program

Employer Benefits - enhanced



Eligible Employers may be reimbursed (*for*)

- 50% of basic gross wages for worker performed in a new or modified medically-approved job.
- Reimbursements are paid on wages up to 66 days within 24 month period, not to exceed \$10,000
- Basic gross wages *do not* include:
 - Tips, commissions, or bonuses
 - Board or housing
 - Fuel, per diem, and/or other work related expenses
 - Health, dental or vision care
 - Any other payments to the injured worker

Preferred Worker Program

Employer Benefits - enhanced



Eligible Employers may be reimbursed *(for)*

- Up to \$2,500 for equipment & tools
 - Examples: special wrench, one-handed keyboard, rolling cart or bag, anti-vibration tool wrap, light-weight ladders, or text magnifiers
- The Department will not reimburse for equipment & tools that the employer would normally supply its workforce.
- To be reimbursed, you need to purchase the equipment & tools:
 - After you offer the worker the job **and**
 - No earlier than 60 days before the first date of the preferred worker's employment.
- Equipment & tools become the property of the employer

Preferred Worker Program

Employer Benefits - enhanced



Eligible Employers may be reimbursed *(for)*

- Clothing – up to \$400 per claim
 - Examples: steel-toes boots, anti-vibration gloves, heated coat, or office-appropriate attire.
- The Department will not reimburse for uniforms or clothing provided to the worker that the employer would normally supply its workforce.
- The clothing becomes the property of the preferred worker.

Preferred Worker Program

Employer Benefits – enhanced



“Continuous Employment” incentive

- Employer continuously employs worker for 12 consecutive months without a reduction in base wages
- Maintains same work pattern as medically approved job
- 12months begin the date the worker is certified as a preferred worker or the first date of employment, whichever is later

Preferred Worker Program

Employer Benefits – enhanced



“One Time Payment”: The LESSER amount

- 10% of workers wages (OR)

- \$10,000

All documentation must be submitted within one (1) year of the date the 12 months ended.

Preferred Worker Program



When do the benefits start and end?

- Benefits can start the worker's first workday after **ALL** the required completed paperwork is received by L&I, and can last:
 - Throughout the preferred worker's certification period **or**
 - Until the preferred worker leaves your employment, whichever comes first.

Comparison of Job Modification/Stay at Work/Preferred Worker

Question	Job Modification Per Job/Work Site	Stay at Work Per Claim	Preferred Worker Per Certification Period
Benefit Overview	\$5,000 for tools, equipment, training, alterations to worksite	<ul style="list-style-type: none"> \$2,500 for tools and equipment \$1,000 for tuition, books, training materials \$400 for special clothing Up to \$10,000 for up to 66 days within one consecutive 24-month period 	<ul style="list-style-type: none"> \$2,500 for tools and equipment \$400 for special clothing Up to \$10,000 for up to 66 days within one consecutive 24-month period Lesser of 10% of wages or \$10,000 after 12 months continuous employment 3 year premium waiver for worker
What types of jobs qualify?	Job of Injury, Light Duty/Transitional Job, New Job, Employer of Injury, New Employer, Self-Employment	Transitional or light duty job and only with the Employer of Injury	Job with lasting employment that is significantly different than the job of injury. Self-employment not eligible.
Is Pre-Approval required?	Yes	No – Equipment must be purchased after the approved job is offered to the worker.	Yes – For the job No – Equipment must be purchased after the approved job is offered to worker.
Is the cost of a private consultation covered?	Yes, for State Fund claims	No	No
How are the eligibility criteria similar?	<ul style="list-style-type: none"> Request is related to the accepted condition(s) on the claim Items needed are specific to the worker's restrictions 		
Is the worker required to be off work to qualify?	Yes, The worker is off work with time loss and/or loss of earning power paid or eligible to be off work at some point in the claim and was kept on salary by employer.	No. Worker must be medically certified as unable to do the job of injury even if they have not actually missed any work.	No. Worker must be medically certified as unable to do the job of injury even if they have not actually missed any work.
Funding Source?	Second Injury Fund	Stay at Work Fund	Second Injury Fund
Available to self-insured claims?	Yes, as a reimbursement	No	No
Are competitive bids required?	Yes. One bid is needed. If the cost of a single item is over \$2,500, 2 bids are necessary.	No	No
How are tools and equipment purchased?	Purchased from a company with an L&I provider number. Worker or employer may seek reimbursement.	Purchased by the employer. Employer seeks reimbursement.	Purchased by the employer. Employer seeks reimbursement.
Is an ownership agreement form required?	Yes. The worker and employer agree who will be the owner of the equipment upon successful return to work.	No. The employer will own the equipment, tools, and training material. The worker owns the clothing.	No. The employer will own the equipment and tools. The worker owns the clothing.
Can all three benefits be accessed?	Yes		



Return to Work Partnerships Outreach Staff

Call or E-mail:

Amanda Fisher

Return to Work Partnerships Operations Manager

fiam235@lni.wa.gov 360.902.6153

Christopher Ver Eecke, M.Ed, CRC, CCM, CDMS

SW Wash / Eastern

verc235@lni.wa.gov 360.902.4419

Joyce Allen

Seattle

alls235@lni.wa.gov 360.902.4978

Robbie Rotz

Bellingham / Northern

rotz235@lni.wa.gov 360.647.7319

Leslie Stickel

Spokane / Eastern

stim235@lni.wa.gov 509.324.2567

Christina Summers

Seattle

sumcc235@lni.wa.gov 360.902.5875



in Washington Chapter



WASHINGTON ASSOCIATION OF SCHOOL BUSINESS OFFICIALS



GREATER SPOKANE VALLEY CHAMBER OF COMMERCE