

SAW/RTW PROGRAM

OCTOBER 2019 LMAC



Montana Department of
LABOR & INDUSTRY

RTW PROGRAMS IN OTHER STATES

WA SAW Program

Stay at Work Program - Pays employers to help injured workers stay on the job -

<http://www.lni.wa.gov/main/stayatwork/>

- **Eligibility:**

- Employers must be paying WC to L&I- not available for self-insured employers
- Be the TOI employer
- Written physical restrictions from healthcare provider that prevents employee from doing their usual job
- Available light-duty or transitional job duties approved by healthcare provider
- Apply within one year of incurring eligible expenses

- **What It Pays:**

- **Wage Reimbursement:**

- 50% of the IW's base wages for light-duty or transitional work
- Up to 66 days in which work was actually performed per claim
- Within a consecutive 24-month period
- Up to \$10,000/claim

- **Expense Reimbursement:**

- Training fees or materials – up to \$1,000/claim EX: tuition, books or supplies
- Tools - up to \$2,500/claim EX: Special wrench or keyboard tray
- Clothing – up to \$400/claim EX: Steel-toed boots
- **NOTE:** Cannot be a cost the employer incurs when hiring other workers to do the same job

TX RTW Program

RTW Reimbursement Program for Employers – Reimbursement for small employers -

<https://www.tdi.texas.gov/wc/rtw/index.html>

- **Eligibility:**
 - Your company employed at least 2 and not more than 50 employees each business day during the preceding calendar year
 - Your company has WC insurance and policy was in effect on DOI
 - Employer is not an agency of State of Texas or political subdivision of the state
- **What It Pays:**
 - **Expense Reimbursement Or Advance**
 - Physical modifications to the workplace or employees workstation
 - Equipment, tools, furniture or devices
 - Other costs necessary to reasonably accommodate the employee's capabilities
 - Up to \$5,000 annually per employer
 - **Note:** Approved reimbursements are subject to availability of funds

OR RTW Program

Employer-at-Injury Program (EAIP) – Encourages early RTW by helping reduce employer’s costs -

<https://wcd.oregon.gov/rtw/Pages/eaip.aspx>

- **Employer Eligibility:**
 - Must be the TOI employer OR employer at the time of an aggravation or own-motion opening
 - Must have WC coverage and follow all WC laws
- **Worker Eligibility:**
 - Worker must have an WC claim or OD
 - Must be released for work w/ restrictions that prevent the IW from doing full-duty regular work
- **Who Initiates:**
 - Optional program and employer requests help from it’s WC insurer
 - Insurer receives medical reports from IW’s healthcare provider
 - Insurer helps the employer identify transitional work within IW’s restrictions
 - IW may or may not know employer is using program
- **What It Pays:** Initial request must be a minimum of \$100, not including \$120 one-time admin cost
 - **Wage Reimbursements**
 - 45% of the early RTW gross wages
 - Up to 66 work days within a 24-consecutive month period
 - **Expense Reimbursements**
 - Worksite modification and purchases of tools and equipment - combined max of \$5,000
 - Tuition, books and fess for a class or course of instruction to update existing skills or develop new skills that meet requirements of transitional work – max benefit of \$1,000
 - Clothing required for transitional work, except clothing the worker already possesses or the employer normally provides and clothing becomes property of IW – max benefit of \$400

CA RTW Program

Return-to-Work Supplement Program (RTWSP) – Approved applicants will receive a \$5,000 check to be used to supplement earnings lost from being injured - <https://www.dir.ca.gov/RTWSP/RTWSP.html>

- Eligibility:

- IW must have rec'd a Supplemental Job Displacement Benefit (SJDB) voucher
 - Supplemental Job Displacement Benefits may be available to IW who:
 - Was injured on or after 1/1/03
 - Has a permanent partial disability as a result of that injury, and
 - Has not been offered other work by their employer
 - One-time payment issued to IW
 - SJDB is a non-transferable voucher that can be used to pay for education retraining or skill enhancement at state-approved or accredited schools
- DOI on or after January 1, 2013
- Deadline: Application must be rec'd within 1 year from date voucher was mailed

ND RTW Program

Preferred Worker Program – Designed to encourage re-employment of ND injured workers through cost saving incentives - <https://www.workforcesafety.com/return-work>

- **IW Eligibility:**
 - Must have sustained a compensable work injury, resulting in an inability to return to TOI position
 - Completed the voc rehab process
 - Not released to pre-injury occupation
 - Not refused an offer of appropriate employment with TOI employer
 - Registered to participate in the program
- **IW Benefits:**
 - Work search allowance: **EX:** Appropriate clothing for interviews, uniforms, travel expenses or other needed items if IW is actively searching for employment
 - Max of \$250
 - Certification, licensure, related testing costs, physical exams or membership fees required for job
 - Max of \$500
 - Moving expenses: Relocation costs if IW has actually located for work and distance is > than 35 miles from primary residence
 - Reimbursement at state rate for lodging, meals and travel expenses related to OTJ training
 - Tools & equipment: Mandatory for employment
 - Max of \$2,500

ND RTW Program – con't

- **Employer Eligibility:**
 - Must be in good standing with Workforce Safety & Insurance (WSI)
 - Have and maintain an account providing WSI coverage
 - **NOTE:** Employer of injury is eligible for program participation if the IW has returned to work in a permanent, alternate position. Alternate employment is a new position with a pre-injury employer
- **Employer Benefits:**
 - Wage Reimbursement: **(Not available to TOI employer)**
 - Up to 50% of gross wages (not to exceed ND AWW) at employment start date
 - Up to 26 consecutive weeks
 - Worksite Modifications Reimbursement
 - Modifications necessary for employment or retraining
 - Job Analysis / Ergonomic Assessment
 - An on-site job analysis and/or ergonomic assessment at no cost to the employer
 - Other Benefits:
 - If preferred worker has a catastrophic injury as defined in North Dakota Century Code § 65-05.1-06.1(2)(1), reimbursement is 75% of gross wages for 52 consecutive weeks.
 - If preferred worker sustains a new compensable injury during the 3-year premium exemption period, WSI may not charge claim costs to the employer
 - Employers may not be assessed premiums on a preferred worker's salary for up to 3 years

OH RTW Program

Transitional Work Bonus Program – Employers may receive a back-end bonus for using the plan to return IW back to work - <https://info.bwc.ohio.gov/wps/portal/bwc/site/employer/discount-programs-and-grants/transitional-work-bonus-program/>

- **Eligibility:**
 - Current on all payments to Bureau of Workers' Compensation (BWC)
 - Not have cumulative lapses in coverage in excess of 40 days within the preceding 12 months
 - Be in active policy status – does not include an employer with no coverage or lapsed
 - Must have reported actual payroll for the proceeding policy year and paid any premium due upon reconciliation of estimated premium with actual premium no later than the due date
- **What It Pays:**
 - Max bonus of 10% on pure premium for using an established transitional work program
 - Applicable to claims with DOI within current bonus period

Transitional Work Grants Program – Designed to help develop a transitional work program to help lower claim costs

- **Program Details:**
 - 3-to-1 matching grants for companies ranging from 11 - 200+ employees
 - Max grant amounts are:
 - 11-49 employees up to \$2,900
 - 50-199 employees up to \$5,200
 - 200+ employees up to \$6,300
 - Grant monies can only be used for plans & services provided by BWC-accredited transitional developer
- **Eligibility:**
 - Employers with 11 or more employees
 - Not rec'd a transitional work grant in the past
 - Be current with all payments and in active policy status
 - Not have cumulative lapses in coverage in excess of 40 days with in the preceding 12 months

MONTANA RTW PROGRAM

MT SAW/RTW Program

SAW/RTW Program – Minimize avoidable disruptions caused by work-related injuries and assist the IW return to work as soon as possible - <http://erd.dli.mt.gov/work-comp-claims/claims-assistance/saw-rtw>

- **Who Can Request Assistance:**
 - **Worker:** Claiming an injury of OD
 - **Employer:** Working to keep or bring an IW back to work
 - **Healthcare provider:** Working with an IW to stay or return to work
- **Possible Assistance Available:**
 - **Auxiliary Benefits (39-71-1025):**
 - Insurers may pay up to \$4,000 for:
 - Specialized job modification
 - Reasonable travel
 - Relocation expenses used for any of following:
 - Search for new employment
 - Return to work, but in a new location
 - Implement a rehab plan filed w/ the Dept
 - Attend an OJT training program
 - **Dept Provided SAW/RTW Assistance (24.29.1815):**
 - Dept may pay up to \$2,000 to assist employers in providing transitional employment to:
 - Modify the workplace
 - Purchase equipment

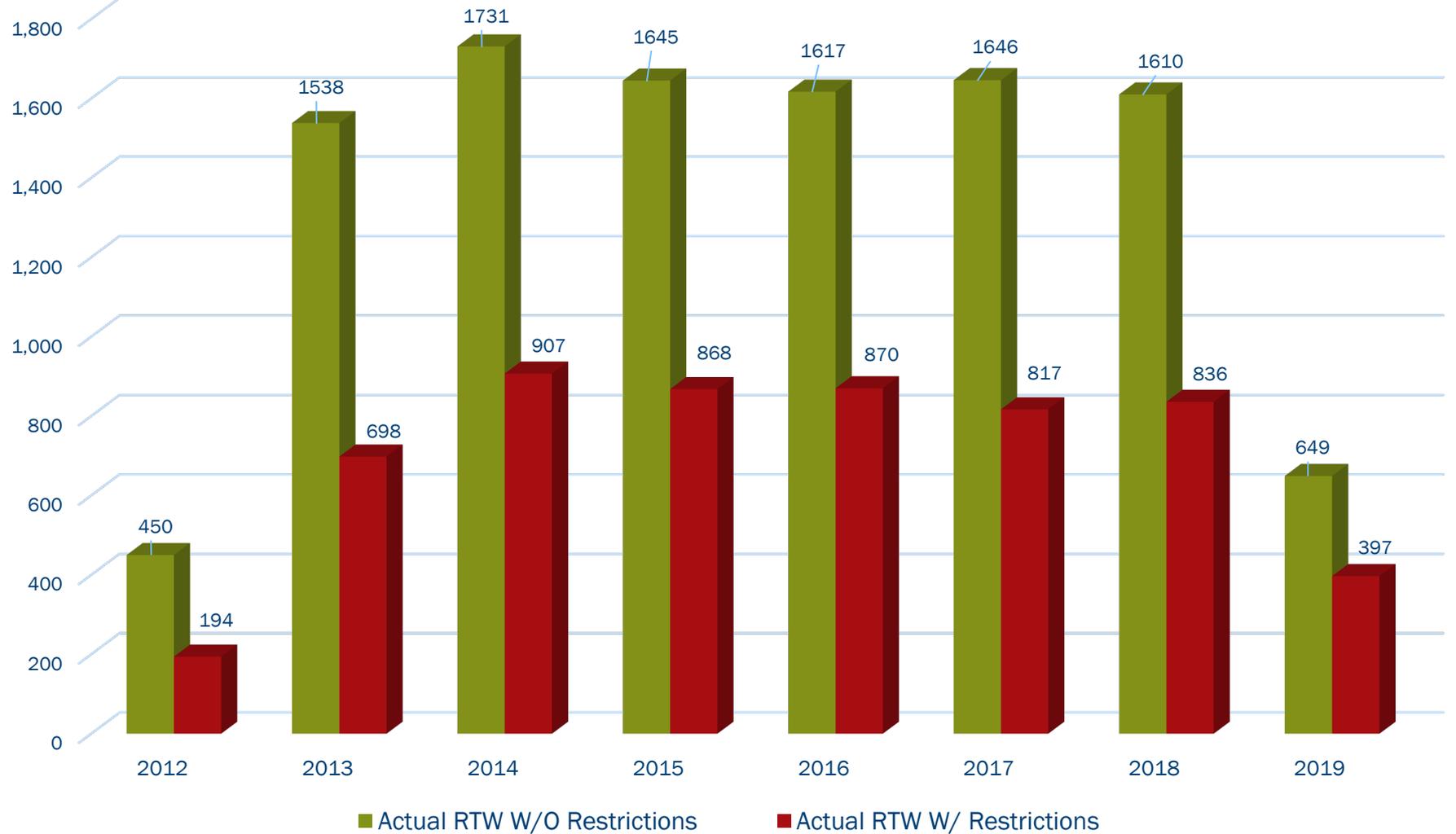
SROI RTW Qualifiers

<input type="checkbox"/> WITH CAPABILITY		
(9) RTW QUALIFIER DN71 (CHOOSE ONE)		(10) DATE OF RETURN OR RELEASE TO WORK DN72
1 <input type="checkbox"/> ACTUAL RTW WITHOUT PHYSICAL RESTRICTIONS	5 <input type="checkbox"/> RELEASED RTW WITHOUT PHYSICAL RESTRICTIONS	
2 <input type="checkbox"/> ACTUAL RTW WITH PHYSICAL RESTRICTIONS	6 <input type="checkbox"/> RELEASED RTW WITH PHYSICAL RESTRICTIONS	

Actual - Actually returned to work

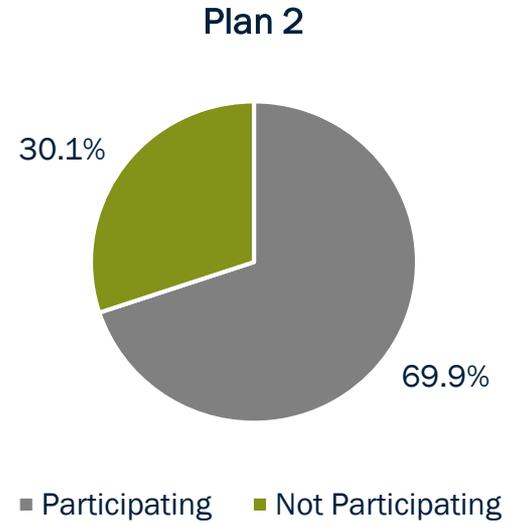
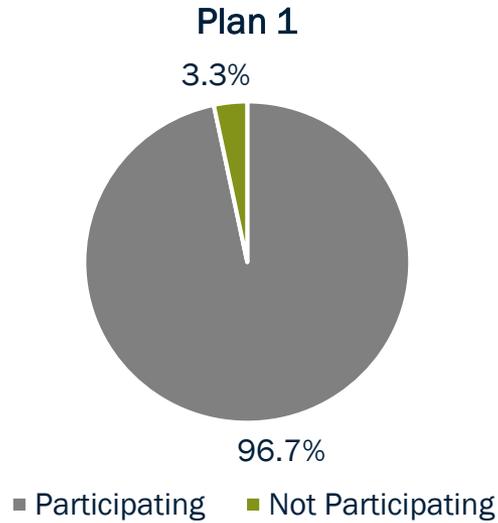
Released – Released by healthcare provider to return to work

Actual Return to Work By Calendar Year

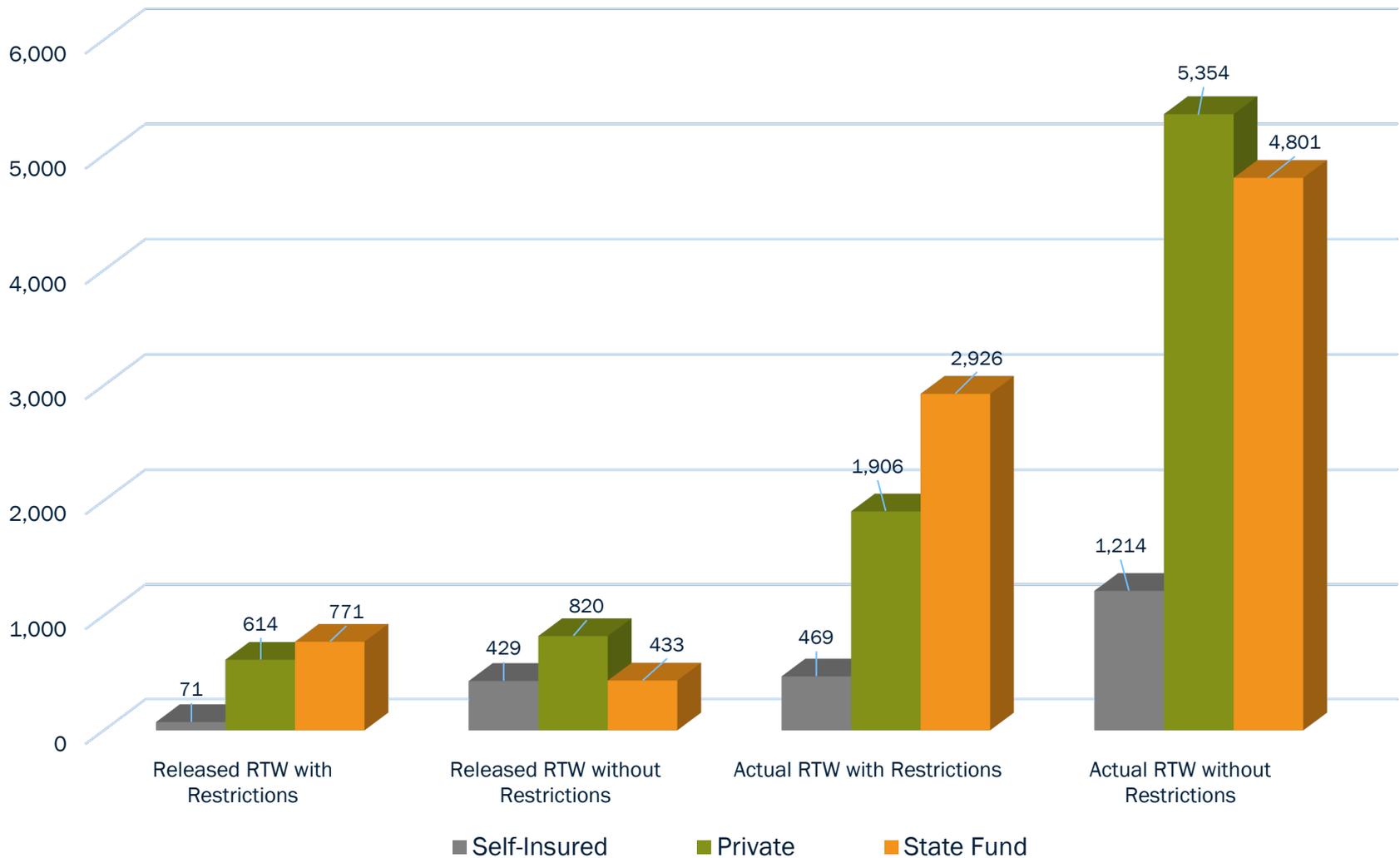




Participation By Plan

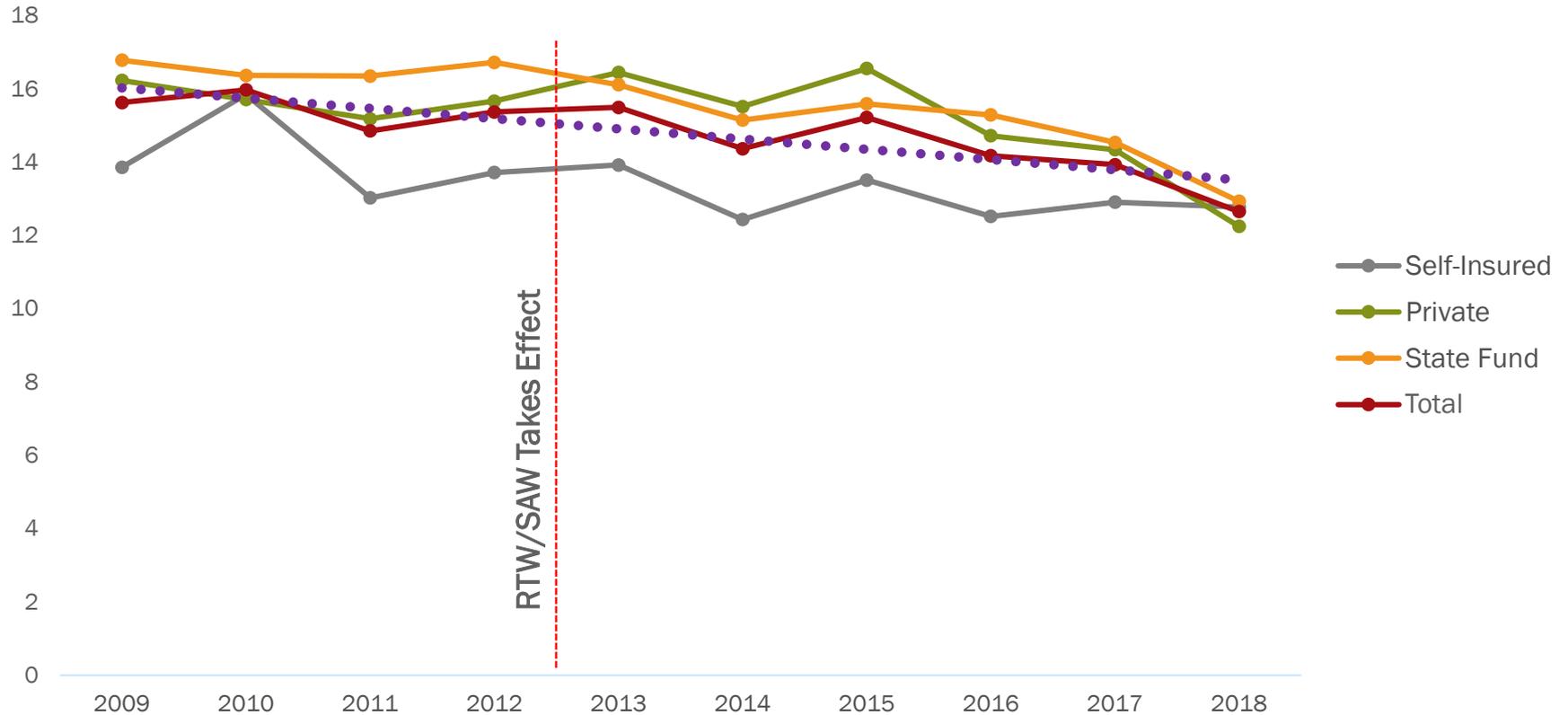


Reported RTW by Plan For CY2012 - CY2019



Temporary Disability Paid Duration (weeks) – 1 Year Maturity

By Plan Type & Calendar Year of Injury



	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Total	15.6	16.0	14.8	15.4	15.5	14.4	15.2	14.2	13.9	12.6

Number of Establishments With Fewer Than 20 Employees

	TOTAL ESTABLISHMENTS			EMPLOYMENT		WAGES	
	Number	Percent	Rank	Percent	Rank	Percent	Rank
FIVE STATES WITH THE HIGHEST SHARE OF SMALL ESTABLISHMENTS							
Wyoming	22,413	91.3%	1	44.2%	1	38.9%	1
Montana	39,337	91.2%	2	41.8%	2	38.5%	2
California	1,280,659	90.9%	3	28.3%	23	20.0%	39
Maine	44,205	90.5%	4	33.9%	4	30.2%	6
Washington	213,553	89.9%	5	28.0%	24	19.0%	45
SELECT STATES							
Idaho	49,030	89.8%	7	33.5%	5	31.0%	3
Oregon	124,948	89.2%	11	32.9%	8	25.5%	17
S. Dakota	26,889	88.7%	18	33.2%	7	30.2%	7
Colorado	165,199	88.4%	21	29.1%	17	25.5%	18
Nevada	70,788	88.0%	28	25.3%	39	25.7%	15
N. Dakota	26,253	87.9%	29	32.4%	9	28.7%	9
Utah	79,385	87.8%	30	27.4%	27	24.0%	24
U.S. TOTAL	8,222,941	88.2%		26.5%		21.0%	

Source: Bureau of Labor Statistics, Quarterly Census of Employment and Wages, 2016.