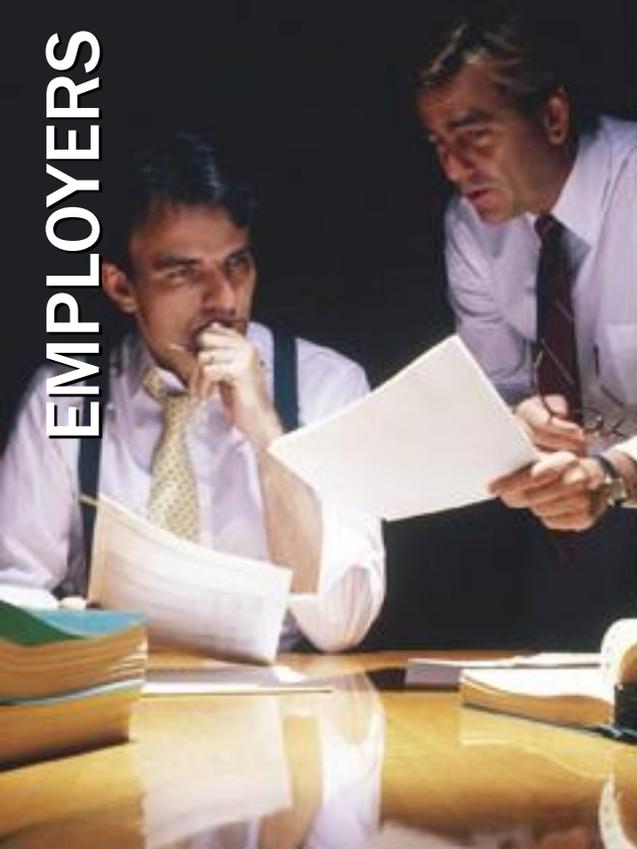




**Workforce Safety
& Insurance**

Putting Safety to Work

EMPLOYERS



WORKERS



PROVIDERS

WORKFORCE SAFETY & INSURANCE

Return-to-Work Presentation

Return-to-Work Services

- **On-Site Case Management Program**
- **WSI Medical Case Management Program**
- **Vocational Rehabilitation Program**
- **Preferred Worker Program**
- **Job Development Program**
- **School Coordination Services**

Vocational Rehabilitation

Chapter 65-05.1-01

It is the goal of vocational rehabilitation to return the disabled employee to **substantial gainful employment** with a minimum of retraining, as soon as possible after an injury occurs.

Substantial gainful employment means bona fide work, for remuneration, which is reasonable attainable in light of the individual's:

- Injury
- Education
- Experience
- Functional capacities
- Previous occupation
- Transferable skills



Vocational Rehabilitation

Chapter 65-05.1-01 (cont'd.)

Substantial gainful employment must offer the opportunity to restore the employee as soon as practicable and as nearly as possible to **ninety (90) percent of the employee's average weekly earnings at the time of injury, or to sixty-six and two-thirds percent of the average weekly wage in this state on the date the rehabilitation consultant's report (VCR) is issued, whichever is less.**



REHABILITATION HIERARCHY OPTIONS

Effective through December 31, 2005

(We Must Identify the Highest Option Possible)

Return to Same
Position, Same Employer I
A

Criteria for Options:

1. Consider transferable skills & education.
2. Physically appropriate.
3. Viable labor market.
4. Must meet income test

Return to Same
Occupation (any employer) B

Return to Modified
Position [same employer] C

Return to Modified or Alternative
Occupation (any employer) D

Assess Employability Local
Labor Market (35 mile radius) E

(A-J)
INCOME TEST:
90% of Pre-Injury Wage Assess Employability
or 66 2/3 of SAWW (\$418); Statewide Labor Market F

Whichever is less.

EFFECTIVE = SAWW
07/01/2007 = \$396
07/01/2006 = \$378
07/01/2005 = \$366
07/01/2004 = \$350
07/01/2003 = \$336
07/01/2002 = \$326
07/01/2001 = \$313
07/01/2000 = \$301
07/01/1999 = \$291
07/01/1998 = \$278
07/01/1997 = \$268

OJT Position Must be
Transferable to Job Market G

Short-Term Training (One Year
Or Less - Must Meet Income Test) H

Long-Term Training (Two Years
Or Less - Must Meet Income Test) I

Self-Employment (Only if
Employee has Viable Plan) J

Consider Job Goals at Wage -
Minimum hourly Paragraph 6

(Paragraph 6)

INCOME TEST: 90% of pre-injury wage or Minimum Wage (\$6.55 X 40 hrs = \$262), whichever is less.

July 29, 2008

REHABILITATION HIERARCHY OPTIONS
(We Must Identify the Highest Option Possible)

Effective after December 31, 2005

Return to Same
Position, Same Employer A

Return to Same
Occupation [any employer] B

Return to Modified
Position [same employer] C

Return to Modified or Alternative
Occupation [any employer] D

Assess Employability Local
Labor Market [35 mile radius] E

Assess Employability
Statewide Labor Market F

Retraining [104 weeks max] G

Retained Earnings Capacity

Criteria for Options:

1. Consider transferable skills & education.
2. Physically appropriate.
3. Viable labor market.
4. Must meet income test

[A-G]

INCOME TEST:

90% of Pre-Injury Wage
or 66 2/3 of SAWW (\$418);
Whichever is less.

EFFECTIVE = SAWW

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07/01/1998 = \$278

07/01/1997 = \$268

Retained Earnings Capacity:

Calculation of earnings based on the greater of the state's hourly minimum wage (\$6.55) times the hours of release based on a valid functional capacities examination or the wages payable within the appropriate labor market. Maximum benefit is five (5) years.

July 29, 2008

Preferred Worker

Program Eligibility for Employers:

To be eligible to participate in the Preferred Worker Program, employers must:

- Be in good standing with WSI.
- Have and maintain an account providing WSI coverage.
- If you are the pre-injury employer, you may also be eligible for selected benefits under the preferred worker program when alternate work for the injured worker has been identified. Alternate work is work identified within the permanent restrictions of the worker that is unrelated to the pre-injury position and requires the employee to perform work duties in another role.

Program Eligibility for Injured Workers:

To be eligible to participate in the Preferred Worker Program, an injured worker must have:

- Sustained a compensable work injury in North Dakota, resulting in an obstacle in his or her ability to return-to-work.
- Not been released for, nor have returned to, “regular” work.
- Not refused an offer of appropriate employment with the employer of injury.

Preferred Worker

Cost Saving Incentives to Employers & Benefits for Those Injured

- **Premium Exemption**
- **Wage Reimbursement**
- **Claims Cost Exemption**
- **Reimbursement for Worksite Modification**
- **On-Site Job Analysis**
- **Experienced Workers**
- **Job Search Allowance**
- **Job Search Assistance**
- **Union Dues**
- **Tools & Equipment**
- **Moving Expenses**
- **Certification, Licensure or testing Costs**
- **Reimbursement for travel, lodging and meal expenses**

Return-to-Work Services

- **Exceptional Circumstances Scholarship Program**
 - Payment of tuition, fees and books not to exceed \$10,000 per year for more than five years



Return-to-Work Services

- **Education Loan Fund**
 - Low interest loans to an injured worker, surviving spouse or dependent child
 - WSI and Bank of North Dakota have established an eligibility requirement
 - Current interest rate 3.5%



EMPLOYERS



WORKERS



PROVIDERS

WORKFORCE SAFETY & INSURANCE

Questions?