DEPARTMENT OF THE NAVY
NAVAL AIR SYSTEMS COMMAND
RADM WILLIAM A. MOFFETT BUILDING
47123 BUSE ROAD, BLDG 2272
PATUXENT RIVER, MARYLAND 20670-1547

IN REPLY REFER TO

NAVAIRINST 12810.1
AIR-7.3
9 May 03

NAVAIR INSTRUCTION 12810.1

From: Commander, Naval Air Systems Command

Subj: LIGHT DUTY AND RETURN TO WORK PROGRAM

Ref: (a) 5 U.S.C. §8101-8193, Federal Employees Compensation Act
(b) 20 C.F.R. Chapter I, Department of Labor Office of Worker's Compensation Programs
(c) Publication CA-810, Injury Compensation for Federal Employees
(d) OPNAVINST 12810.1
(e) DoD 1400.25-M, Subchapter 810, Injury Compensation

1. Purpose. To establish national procedures and define responsibilities for the implementation of a Light Duty and Return to Work Program. This instruction provides guidance to be followed when, through proper evaluation, it has been determined that an employee is unable to perform the full range of his/her assigned duties as a result of an on-the-job injury or illness. This instruction must be used in conjunction with references (a) through (e).

2. Scope. This instruction applies to all Naval Air Systems Command (NAVAIR) and Program Executive Office (PEO) civilian employees. In the event of a conflict between a negotiated agreement and this instruction, the provision(s) of the negotiated agreement will prevail until such time as changes can be negotiated to align local bargaining unit agreement(s) with this NAVAIR-wide policy.

3. Policy. NAVAIR is committed to ensuring each individual is provided a safe working environment and to eliminating, or significantly reducing, the possibilities of injuries on the job. Each NAVAIR site will have a proactive light duty and return to work program. Every reasonable effort will be made to retain the skills and services of an employee who has been injured on the job.

4. Discussion

a. The Federal Employees Compensation Act (FECA) provides compensation and medical benefits to civilian employees for disability due to injury or disease sustained while in the performance of duty but not caused by willful misconduct, intent to injure self or another, or intoxication. Compensation and medical costs are charged back to each individual NAVAIR site.

b. The Light Duty Program is an integral component of the FECA. Costs of employees on Continuation of Pay (COP) or on compensation through the Office of Worker's Compensation Programs (OWCP) are charged back to the activity. Therefore, it is both practical and

economical for each site to make all reasonable efforts to place an employee in such alternative work for which the employee is qualified and which is within the bounds of appropriate medical limitations as soon as the employee is medically able.

5. Responsibilities. Where there has been an on-the-job injury, the following responsibilities are assigned:

a. Employees

(1) Provide acceptable medical documentation to the local Injury Compensation Program Administrator (ICPA). The medical documentation must include a completed CA-17 form or a statement from the treating physician or other care provider indicating work limitations and the date the employee may return to work.

(2) If requested, provide information to the treating physician or care provider such as a description of any specific alternative positions offered to the employee and promptly return the physician's or care provider's written response to the supervisor/ICPA.

(3) Return to work when partially or fully recovered. Failure to do so may result in termination of COP/Compensation benefits.

(4) Upon return to work, report to the branch medical clinic at the employee's work site, if there is one and if it is available, with any current medical documentation.

b. Supervisors/Managers

(1) Consult with the ICPA or light duty program coordinator as needed to evaluate the medical limitations to determine potential light duty assignments, which may include job restructuring/modification or telework, and to ensure the proposed assigned tasks fall within the documented medical limitations.

(2) In keeping with medical limitations imposed by the treating physician, care provider, or industrial medical officer, supervisors/managers must first try to assign the employee within their work area and then within the competency, prior to referring the employee to the ICPA or light duty program coordinator.

(3) If a manager/supervisor believes an employee currently on light duty is not capable of performing the light duty assignment(s) or if the light duty work is no longer available, the manager or supervisor must contact the ICPA or light duty program coordinator prior to releasing the employee from the worksite

(4) Refer employees to the ICPA or light duty program coordinator for counseling regarding the light duty process and procedures as appropriate.

(5) Continue timekeeping responsibilities when an employee is in a light duty position even if the employee is assigned duties outside that work area.

c. ICPA

(1) Manage all injury compensation cases including:

(a) Monitor injured workers' medical documentation for return to work.

(b) Ensure that the treating physician or care provider is provided with appropriate information concerning available light duty work that falls within the recommended medical limitations for the employee. This may include contacting the treating physician or care provider in writing or coordinating with the employee when additional or more detailed medical documentation is required.

(c) Coordinate with employee's supervisors/managers concerning the placement of an employee requiring a light duty position, including the possibility of restructuring or modifying the employee's permanent position or of taking other appropriate actions to accommodate the employee. This may require coordination with others such as the servicing Human Resources Office, the Human Resources Service Center (HRSC), and Safety and Occupational Health.

(d) Maintain centralized files for the site concerning injury compensation cases, including written descriptions of light duty assignments made through the ICPA's office.

(2) Counsel the employee concerning the light duty program as needed and answer questions or concerns.

(3) Ensure that managers, supervisors, and other personnel are trained on injury compensation and light duty programs as appropriate.

6. Review. The Director, Human Resources Programs (AIR-7.3), will review this instruction annually.

SUSAN L. KEEN
By direction

Directives: All NAVAIR directives can be found on https://wingspan.navair.navy.mil or http://directives.navair.navy.mil