

## Conditional Assignment Agreements

(PERMANENT WORK RESTRICTIONS)

### PURPOSE AND DEFINITION

The purpose of a Conditional Assignment Agreement (CAA) is to allow an employee with permanent work restrictions (IA and Non-IA) to return to work while the department identifies a compatible permanent position through a Department or Countywide job search process. This is a temporary assignment to accommodate employees who can no longer perform their U&C due to permanent work restrictions. For more information about a Countywide Job Search, please see Policies, Procedures, and Guidelines (PPG) 621 ([Attachment O](#)) of this manual.

### TRIGGERS

- Industrial Injury/Illness & Non-Industrial Injury/Illness – An employee has reached P&S or MMI and is permanently precluded from performing their Usual and Customary (U&C) position.

### WHAT SHOULD OCCUR

Offer the employee the opportunity to share and discuss any concerns they may have regarding their work restrictions during the IPM. Upon receipt of medical certification or Work Restriction Letter, do the following:

1. Compare the current work restrictions with the information on file to ensure you are addressing all limitations;
2. Create a list of tasks compatible with the employee's work restrictions;
3. Complete the CAA ([Attachment I](#)) and obtain signatures;
4. Provide copies to the employee, RTW Unit, and TPA; and
5. Develop and maintain a standard process to monitor CAA.

## Return-To-Work Modified/Alternative Position

(P&S/MMI WITH PERMANENT WORK RESTRICTIONS)

### PURPOSE AND DEFINITION

The purpose of a modified or alternative position is to accommodate on a permanent basis an employee who has permanent work restrictions that are not compatible with their U&C position.

### TRIGGERS

The department receives notification from the TPA or from a qualified health care professional indicating that the employee has permanent work restrictions that are not compatible with the employee's U&C position. However, the employee may be suitable for a modified/alternative position.

### WHAT SHOULD OCCUR

- A. Offer employee the opportunity to share and discuss any concerns they may have regarding the job accommodation process during the IPM.
  1. Conduct a department wide search for a comparable position to assess the feasibility of the employee remaining in their own department.
  2. If you cannot identify a permanent position within the department, refer to the Department of Human Resources' PPG 621 (Attachment O).
  3. Once the department identifies a permanent a position with either the employee's home department or another County department, the RTW Coordinator must conduct an IPM to offer the modified or alternative assignment and complete the appropriate DWC form.
  4. Follow up with employee and supervisor to ensure there are no new or reoccurring problems and document all interactions.
- B. If the employee disagrees, but the department believes the assignment is compatible, do the following:
  1. Send the job description of the modified or alternative position to the appropriate health care professional for review and comment; and
  2. Conduct an IPM when the department receives a response from the health care professional.

## Countywide Job Search

(P&S/MMI WITH PERMANENT WORK RESTRICTIONS)

### PURPOSE AND DEFINITION

The purpose of a Countywide Job Search is to identify a permanent position to accommodate employees with permanent work restrictions who can no longer perform their U&C position. Departments initiate this process only when the home department does not have any suitable position to accommodate the employee. Requests based on PPG 621 must include a synopsis of all reasonable efforts made to identify a permanent position within the department, as well as any supporting documentation.

### TRIGGERS

Employee has permanent work restrictions that preclude him from returning to their U&C position and the home department cannot locate a comparable position.

### WHAT SHOULD OCCUR

The department should coordinate efforts with the Department of Human Resources in accordance with PPG 621 (Attachment O) and conduct a Countywide job search before exploring a potential voluntary demotion.

### NOTE:

A reasonable search within the department for a comparable position should be conducted and documented as appropriate before utilizing PPG 621. Thereafter, a reasonable search within the County should be conducted before offering an employee a voluntary demotion.

## Return-To-Work Voluntary Demotion

(P&S/MMI WITH PERMANENT WORK RESTRICTIONS)

### PURPOSE AND DEFINITION

Employee is unable to return to his U&C position and there are no Modified or Alternative positions available within the County.

### TRIGGERS

A departmental and a Countywide job search have been conducted in accordance with the Department of Human Resources' PPG 621 and no position has been identified. The employee may then request a voluntary demotion due to inability to perform their U&C position.

### WHAT SHOULD OCCUR

Conduct an IPM to determine the employee's status. Offer the employee an opportunity to share and discuss any concerns they may have regarding the accommodation process. If there are discrepancies with the employee's medical status, the employee must follow up with the appropriate qualified health care professional for consideration in assessing his/her appropriate placement. During the IPM, the department should discuss the following:

1. Acknowledge that the employee has been released by their health care professional with permanent work restrictions;
2. Compare the EJF's to employee's work restrictions to determine whether employee can perform the essential job functions of any other position with or without an accommodation;
3. Determine if the employee meets minimum requirements of the new position.
4. Discuss Los Angeles County Employees Retirement Association's (LACERA) Supplemental Disability Allowance<sup>1</sup> with employee, if appropriate; and
5. Offer the employee a lower-level position in accordance with Civil Service Rules (CSR) and follow up with employee and supervisor to ensure the new assignment is appropriate.

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### **LACERA SUPPLEMENTAL DISABILITY ALLOWANCE**

If the employee is in a contributory retirement plan (A – D, G), please ensure the employee is aware of the supplemental disability allowance available to employees who desire to continue working even if they are disabled from their usual and customary position. **Note:** A member who is found by the Board of Retirement (BOR) to be permanently incapacitated for the performance of his or her regular job duties, but is capable of performing the duties of another County position may be eligible for a Service Connected Disability Retirement (SCDR) or Non Service Connected Disability Salary Supplement. In such case, should the member opt to accept a lower-paying County position, LACERA will supplement the difference in compensation. LACERA should be contacted for specific information regarding eligibility.