

**CONFIDENTIAL  
ATTORNEY-CLIENT PRIVILEGE**

**FAIR EMPLOYMENT HOUSING ACT/AMERICANS WITH DISABILITIES AMENDMENT ACT  
RETURN-TO-WORK ASSESSMENT TOOL  
RETURN-TO-WORK FILE EVALUATION  
PHASE III**

**DEPARTMENT NAME:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**EMPLOYEE NAME:** \_\_\_\_\_

**EMPLOYEE #:** \_\_\_\_\_

**EVALUATOR NAME:** \_\_\_\_\_

	<b>COMMUNICATION</b>	<b>YES</b>	<b>NO</b>	<b>N/A</b>	<b>COMMENTS/RECOMMENDATIONS</b>
1	Does the return-to-work (RTW) file reflect communication was made with the employee within the first week from the date of injury/illness and the employee was provided the return-to-work packet?				
2	Does the return-to-work file reflect (at approximately the 30 <sup>th</sup> day of disability) contact was made with the employee?				
3	Does the return-to-work file reflect (at approximately the 30 <sup>th</sup> day of disability) work restriction status was gathered from appropriate sources (physician, nurse case manager, workers' compensation third party administrator, etc.)?				
4	If a work restriction was provided, was a light duty transitional assignment explored?				

FEHA/ADAA Return-to-Work Assessment  
Phase III  
Page 2

5	Does the return-to-work file reflect (at approximately the 70 <sup>th</sup> day of disability) steps were taken to prepare for the interactive process meeting? Those steps include verifying the status of employee's disability status (P&S, TD, TPD, work restrictions, etc.), medical certification, employee's skills inventory, available work options, and communicating with the employee to determine reasonable accommodation needs.				
6	Does the return-to-work file reflect (at approximately the 84 <sup>th</sup> day of disability) a good faith interactive process meeting has taken place or been scheduled?				
7	Does the return-to-work file reflect (at approximately the 180 <sup>th</sup> day of disability) continued contact with the employee and supervisor to address obstacles preventing the employee from returning to work?				
8	Does the return-to-work file reflect ongoing communication, intended to explore reasonable accommodations, is maintained with the employee and a long term action plan is developed?				
9	This reviewed return-to-work file relates to an employee having been on disability leave since _____ (date).				
10	This reviewed return-to-work file reflects the department documented _____ communications (or attempted communications) with the employee.				

FEHA/ADAA Return-to-Work Assessment  
Phase III  
Page 3

	<b>DOCUMENTATION</b>	<b>YES</b>	<b>NO</b>	<b>N/A</b>	<b>COMMENTS/RECOMMENDATIONS</b>
1	Does the return-to-work file contain documentation demonstrating the Department's attempt to obtain useful temporary work restrictions?				
2	Does the return-to-work file contain documentation such as letters, memos, etc. to the employee <u>requesting</u> the exploration of a transitional work assignment?				
3	Does the return-to-work file contain documentation demonstrating the department's attempt to obtain useful permanent work restrictions?				
4	Does the return-to-work file contain ongoing documentation demonstrating the department's attempt to <u>explore</u> reasonable accommodations?				
5	Does the return-to-work file contain documentation demonstrating the department's request to hold an interactive process meeting?				
6	Does the return-to-work file contain documentation of interactive process meetings and their outcomes?				

	<b>TIMELINESS</b>	<b>YES</b>	<b>NO</b>	<b>N/A</b>	<b>COMMENTS/RECOMMENDATIONS</b>
1	Does the return-to-work file reflect attempts to find temporary modified or alternative work positions (transitional work assignment)?				
2	Does the return-to-work file reflect timely communication with the treating physician or workers' compensation third party administrator to establish meaningful work restrictions?				
3	Does the return-to-work file reflect reasonable accommodation problems are addressed in a timely manner?				
4	Does the return-to-work file reflect <u>preparation</u> for the interactive process meeting is timely?				
5	Does the return-to-work file reflect timely communication offering or scheduling an interactive process meeting?				
6	Does the return-to-work file demonstrate good faith efforts to address reasonable accommodations are ongoing and timely?				

**OBSERVATIONS**

--