



Ohio Administrative Code

Rule 123:1-33-07 Transitional or partial return to work.

Effective: July 30, 2020

(A) With the approval of the employee's appointing authority, an employee who serves a fourteen consecutive day waiting period may return on a part-time basis or may participate in a rehabilitation work training program and may receive disability benefits. The employee may be reinstated on a part-time basis to the employee's position for up to ninety days. The employee's participation may be extended if the employee is undergoing a rehabilitation treatment plan prescribed by the employee's attending physician. An employee who returns to work part-time, including but not limited to a return to work program, rehabilitation work training program, or pursuant to a physician's statement during a disability leave benefit period shall receive any pay increases, for any hours in active work status, to which the employee would have otherwise been entitled if he or she were not receiving disability leave benefits. Before a return to work on a part-time basis, the employee shall provide to the appointing authority a physician's statement indicating the number of hours the employee could work and any restrictions placed on the employee's activities. The employee will continue to receive disability leave benefits for the hours that the employee is unable to work.

(B) Transitional work program. A transitional work program may be provided by the appointing authority for thirty days. Participation in the program shall be based upon the recommendation of the employee's attending physician. The program may be extended beyond thirty days to a maximum of ninety days based upon the recommendation of the employee's attending physician. An employee will continue to receive disability leave benefits for the hours the employee is unable to work while in an authorized transitional work program.

During the time an employee is in a transitional work program, the employee will be assigned duties which the employee is capable of performing based upon the recommendation of the employee's attending physician. An employee must participate in a transitional work program unless precluded from participation by the employee's attending physician. The employee will be paid at the same regular rate of pay as prior to receiving disability leave benefits except that the employee will receive any pay increases to which the employee is entitled for any hours in active work status.



AUTHENTICATED,
OHIO LEGISLATIVE SERVICE
COMMISSION
DOCUMENT #267550

The appointing authority shall reinstate the employee on a full-time basis to the employee's position, provided the director or designee has determined that the employee is no longer disabled and the employee's physician has released the employee to perform the duties of the position.