

Oregon Workers' Compensation

Topic of Interest

Employer-at-Injury Program _____

The Program

The Employer-at-Injury Program encourages the early return to work of injured workers. It provides incentives to employers who return their injured workers with open disabling or non-disabling claims to transitional work. Employer use of the Employer-at-Injury Program is voluntary. The insurer responsible for the worker's claim administers the program and requests reimbursement for program costs from the Workers' Compensation Division. Employer-at-Injury Program incentives may be used only once for each opening of the worker's claim.

Program reimbursements

- ◆ **Wage Subsidy:** Fifty percent of a worker's gross wages for a maximum of 66 work days in a 24 consecutive month period.
Reimbursement is based on the return-to-work wage.
- ◆ **Worksite Modification:** The rental, purchase, or modification of equipment up to a maximum of \$2,500 to allow the worker to perform early-return-to-work job duties within the injury-related temporary limitations.
- ◆ **Employer-at-Injury Program Purchases:** Items a worker needs to do the job. Purchases may include:
 - ◆ Tuition, books, and fees for a class or course of instruction (by an accredited or licensed entity) to update existing skills or to meet the requirements of the job – Maximum \$1000
 - ◆ Tools and equipment mandatory for the job, not normally provided by the employer and not already owned by the worker – Maximum \$1,000
 - ◆ Clothing required for the job, not normally provided by the employer and not already owned by the worker – Maximum \$400

Eligibility

To be eligible the worker must:

- ◆ have an accepted, compensable Oregon on-the-job injury or occupational disease
- ◆ not be released for full regular job duties

To be eligible the employer must:

- ◆ maintain Oregon workers' compensation insurance coverage and comply with Oregon workers' compensation law
- ◆ be the employer at the time of the worker's injury (initial claim or claim reopening)
- ◆ reemploy an eligible worker in transitional work while the claim is open.

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Employer-at-Injury Program _____ Continued

The Process

The employer contacts the insurer responsible for the worker's claim to ask for help to meet program eligibility requirements and to obtain program assistance. The insurer will help the employer:

- ◆ identify an early-return-to-work position;
- ◆ obtain a temporary release for work from the worker's medical service provider; and
- ◆ make necessary wage reimbursements and purchases.

Within one year and 30 days after the Employer-at-Injury Program ends, the insurer requests a one-time reimbursement for program costs from the Workers' Compensation Division. To qualify for reimbursement, the insurer must have the following on file:

- ◆ dated copies of the worker's work release(s) for transitional work;
- ◆ documentation of the worker's transitional work;
- ◆ a copy of the worker's payroll records for the wage-subsidy period;
- ◆ a copy of receipts for Employer-at-Injury Program and Worksite Modification purchases, if applicable; and
- ◆ if modifications were purchased, documentation of the worker's injury-caused obstacles to.

Rule reference: OAR 436-105: Employer-at-Injury Program

Bulletin reference: Bulletin No. 260: Employer-at-Injury Program

For more information contact: **Preferred Worker Program:** (503) 947-7588
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