MISSOURI DEPARTMENT OF TRANSPORTATION
PERSONNEL POLICY PROCEDURES

PROCEDURES FOR PERSONNEL POLICY: 0507, "Workers' Compensation"

EFFECTIVE DATE: August 28, 2026
PRIOR EFFECTIVE DATE: January 1, 2011

PROCEDURES

1. It is the department's intent to provide injured employees with the best medical assistance available to achieve a complete recovery and return to work. If injuries are serious enough to cause an employee to be off work, the following issues will be addressed:
   a. The physician will be asked if the employee can perform the essential functions of their position with or without restrictions. If the employee can return without restrictions, they should return to work immediately. If the physician suggests an employee has restrictions, districts/divisions/offices should work with their local Human Resources (HR) representative to determine whether a job modification can be provided.
   b. If the employee cannot return to work and perform the essential functions of their position, the physician will be asked to address any restrictions the employee has and specify whether these restrictions are temporary or permanent. If the physician releases the employee to return to work with temporary restrictions, districts/divisions/offices should work with their local HR and/or health and safety representative to explore the feasibility of a temporary modified duty (TMD) assignment. If suitable work is available, the employee will be expected to return to work in the TMD assignment. Refer to Personnel Policy 0509, "Temporary Modified Duty Assignments."
   c. The physician will also determine when the employee has reached maximum medical improvement (MMI). Upon reaching MMI, workers' compensation benefits will be terminated. If, after termination of benefits, the employee cannot return to work, they will be placed on workers' compensation suspense status, which is an unofficial leave status temporary in nature, during which time the employee may choose to use accrued sick leave, annual leave, and compensatory time. Any paid leave time used must be taken consecutively from the day the suspense status starts. During this payout period, the employee will be eligible to earn annual leave, sick leave, and creditable retirement service. The employee may also be eligible for ShareLeave, Family and Medical Leave Act (FMLA) leave, and/or extended sick leave. Refer to Personnel Policies 3511, "ShareLeave Program," 3512, "Family and Medical Leave," and 3501, "Extended Sick Leave." The local HR representative should be contacted regarding the various programs that might be available to an employee who is still unable to return to work after MMI is reached. The circumstances may need to be reviewed further under Personnel Policy 0602, "Fit for Duty Review Program."
   d. If the physician releases the employee to return to work under the guidelines of paragraph 1A or 1B, but the employee refuses to do so, workers' compensation benefits will be terminated. Until the appropriate personnel action is taken, the employee will be placed on workers' compensation suspense status leave no pay (LNP) with the exceptions that the employee cannot use sick leave, annual leave or compensatory time, and the employee will not be eligible for extended sick leave. In this situation, the

employee is subject to immediate termination of employment.

e. The Employee Health and Wellness, Workers' Compensation Unit is responsible for determination of workers' compensation suspense status and advising the district/division/office in writing of the effective date of this action. The district/division/office is to contact the employee to advise them of the action and explain choices available to the employee. After the workers' compensation case is adjudicated, if any additional weekly benefits are awarded, proper benefits will be credited back to the employee.

2. It is not necessary for an employee to hire an attorney to receive full workers' compensation benefits, since these are defined in the law. However, an employee has the right to retain personal counsel, if desired, with all expenses paid by the employee.

3. For further detailed information on provisions of the workers' compensation law or department procedures, the supervisor or employee should contact their district/division/office or the Employee Health and Wellness, Workers' Compensation Unit.

Ashley Halford
Human Resources Director,
Signature on File

CROSS REFERENCES

Personnel Policy 0509, “Temporary Modified Duty Assignments”
Personnel Policy 0602, “Fit for Duty Review Program”
Personnel Policy 3511, “ShareLeave Program”
Personnel Policy 3512, “Family and Medical Leave”
Financial Policies and Procedures: Payroll, “Workers’ Compensation”