


<p style="text-align: center;">MISSOURI DEPARTMENT OF TRANSPORTATION</p>  <p style="text-align: center;">PERSONNEL POLICY MANUAL</p>	Chapter Title Employment		
	Policy Title Temporary Modified Duty Assignments		
	Policy Number 0509	Page 1 of 3	Effective Date November 15, 2024
Approved By Ashley Halford, Human Resources Director, Signature on File	Supersedes Policy Number 0509	Page 1 of 3	Prior Effective Date September 1, 2016

POLICY STATEMENT

The department will assist employees who have a temporary work-related or non-work-related injury, illness, or condition by authorizing temporary modified duty (TMD) assignments, if there is TMD work available in a location near the employee's work location and the employee has the skills to perform the TMD. The nature, location, and length of TMD assignments will be determined by the appropriate district engineer or division leader/state engineer following consultation with Human Resources personnel, based upon each employee's individual circumstances and the needs of the department.

DEFINITION

Temporary Modified Duty Assignment: A full-time or part-time work assignment that meets an employee's temporary health restriction as certified by the employee's personal health provider on the Sick Leave/Return to Work Form during their period of recuperation from a work-related or non-work-related injury, illness, or condition.

PROVISIONS / REQUIREMENTS

1. TMD assignments will be allowed only when there is productive work to be

accomplished and generally may not exceed six months. It is not the intent of this policy to require an employee to commute an unusual distance or to change their place of residence to work in a TMD assignment.

- A. Employees injured on the job with workers' compensation injuries and work restrictions will be reviewed on a case-by-case basis to determine the necessary duration of the TMD assignment. All other TMD assignments are limited to a maximum duration of six months.
 - B. When there is limited productive work available for TMD assignments, placement preference will be given to employees who are injured on the job with workers' compensation injuries and work restrictions.
2. While on TMD assignments, employees will be paid their regular salary if working full-time, or the wage equivalent of their regular salary if working part-time.
 3. If an employee refuses to accept a TMD assignment for reasons other than the written advice from the treating physician, the employee may be dismissed from employment unless mitigating circumstances require other action.
 4. The TMD assignment will end at the conclusion of the duration approved by the appropriate district engineer/division leader/state engineer or when the employee returns to work fully with no restrictions, whichever comes first. If the employee is unable to return to work fully with no restrictions at the conclusion of the TMD assignment or if the condition is deemed no longer temporary (as certified by the treating physician), the employee will be referred for a Fit for Duty Review. Refer to Personnel Policy 0602, "Fit for Duty Review Program."
 5. If the district engineer or division leader/state engineer believes any employee's physical or mental limitation and/or medical restriction would prohibit a safe work environment while on TMD assignment for the employee, their coworkers, or the general public, the TMD assignment should not be authorized or should be withdrawn. Refer to Personnel Policy 0602, "Fit for Duty Review Program."
 6. While an employee is on a TMD assignment the employees' condition should be closely monitored. Any employee's injury, illness, or condition that is not temporary (as certified by the treating physician) and/or files a claim for long-term disability benefits should not be authorized to begin or continue TMD assignment. The Missouri Department of Transportation and Highway Patrol Employees' Retirement System sets a 180-day waiting period extending from the date of disability to the effective date of long-term disability payments. During this waiting period, if an employee is capable of returning to work on a full workday schedule, their waiting period might be impacted. If an employee returns to work

before the 181st day and works for 30 or more full workdays, they must begin a new waiting period and thereby defer the effective date of long-term disability benefits. Partial workdays do not count toward this 30-day period and the 30-day period is not limited to consecutive workdays.

CROSS REFERENCES

[Personnel Policy 0507, "Workers' Compensation"](#)

[Personnel Policy 0602, "Fit for Duty Review Program"](#)

[Temporary Modified Duty Handbook](#)

PROCEDURE

[Procedure 0509, "Temporary Modified Duty Assignments"](#)