

# *To Retain or Not To Retain*

## **Tips for Managing Endless Workers' Compensation Leaves**

Presented By:



Elizabeth Connellan  
Smith, Esq.  
esmith@verrilldana.com



Elizabeth T.  
Johnston  
ejohnston@verrilldana.com

# *Most Important Thing(s)*

- Develop a Policy
  - Rational
  - Business-necessity-based
  - Clear and Concise
- Stick to the Policy

# *Be Mindful of Statutory Obligations*

- 39-A M.R.S.A. §217 Employment Rehabilitation
- 39-A M.R.S.A. §218 Worker Reinstatement Rights

# *Tools for Managing Limited Work Capacity*

- Three possibilities for accommodation
  - Same job, limited duties
  - Temporary job
  - Leave
- Team Meeting/Interactive Discussions

# *Think Outside the Box*

- Voluntary Job Search Support
- Temporary Volunteer Work
- Constant Communication

## *Take Aways*

- Educate your Employees
- Document
- Communicate
- Be Flexible and Creative