

How Can States Help Workers Keep Their Jobs After Injury, Illness, or Disability?

States can take a number of steps to help workers keep their jobs and to garner the support of private-sector organizations and services in this effort. Policymakers, program directors, and other stakeholders should consider the merits of each step within the context of their state.

Each year, over 2 million workers leave the labor force after the onset or worsening of a medical condition that challenges their ability to work. Too often, these workers are left to navigate, on their own, a variety of services and programs from an uncoordinated group of providers. The services that are available may not be right for their needs, or they may get beneficial services only after it's too late for those services to help them keep their job.

There is much that states can do—and that some states are already doing—to fill the gaps in this fragmented system, enhance these individuals' well-being, and attend to state governments' own bottom line. States regularly interact with employers and workers through their workforce, vocational rehabilitation (VR), workers' compensation, and health agencies. These agencies also have the tools to promote better outcomes. The most appropriate tools will vary from one state to another, however, depending on the capabilities and structure of the agencies and the specific features of programs in that state.

HOW CAN STATES INTERVENE EARLY?

States interested in providing—or facilitating the provision of—timely job-retention services to workers who could benefit from them first need to be able to identify and engage

with those workers. There are four primary opportunities for states to intervene early to improve job retention—when workers engage with state-regulated workers' compensation systems, state programs providing short-term disability insurance (STDI), state VR agencies, and state employee benefit programs (Table 1).

Table 1.
Points of worker identification and engagement for job-retention services

State system	Target population
State-regulated workers' compensation systems	Workers with job-related injury/illness
State programs providing STDI	Workers with off-the-job injury/illness
State VR agencies	Employed workers meeting VR eligibility criteria
State employee benefit programs	Covered state employees

RECOMMENDATIONS FOR STATES

- **Introduce employment and accommodation subsidies in workers' compensation.** Employment and accommodation subsidies, such as those provided in the workers' compensation systems of Washington State and Oregon, reduce employers' costs, whether by compensating them for reduced productivity or for the costs of providing accommodations that can enhance productivity.
- **Enhance states' STDI programs.** Five states have mandatory STDI programs, which make it possible to identify and engage with affected workers early on because workers must file a claim to receive cash benefits. These states could offer claims-based tools such as partial return-to-work and proactive case management to promote job retention. Rhode Island, for example, launched a Partial Return-to-Work Program in 2006. Other states could launch an STDI program financed by workers, employers, or both.
- **Enhance disability insurance programs for state employees.** States and localities can intervene early on when a disability affects one of their own employees through their administration of health insurance, disability insurance, and other benefits. Such coverage can be funded through employee or employer contributions or some combination of the two. States that obtain disability insurance coverage for their employees can consider options for claims-based interventions in coordination with their insurance carrier—similar to what Delaware has done.
- **Bolster state VR agencies' job-retention services.** Under Title I of the Rehabilitation Act, as amended by the Workforce Innovation and Opportunity Act (WIOA), VR agencies may now serve employed workers “who require specific services or equipment to maintain employment”—regardless of whether they used to be VR clients and regardless of any order of selection the state has established. States with VR agencies that already provide

job-retention services can consider ways to increase the number of referrals for their services (for example, by increasing referrals from physicians and other health care providers) and for ensuring that they are able to provide services to more workers. Other states should consider the merits of having their VR agency take the lead in identifying and engaging with workers who need job-retention services.

- **Pilot-test the Centers of Occupational Health and Education (COHE) model for non-occupational cases.** Washington's COHE program is a promising job-retention initiative for workers who have job-related conditions (and are thus covered by workers' compensation). The COHEs work with medical providers, employers, and injured workers in the first three to six months after an injury. Activities include care coordination, training and incentives for physicians, and access to consultants who specialize in occupational medicine. States could launch a COHE-like intervention for off-the-job injuries and illnesses in their health care system. Any outreach would first target physicians to recruit them for the COHE network; the physicians would in turn refer their patients who need help to other COHE service providers, who would work with the physicians, employers, and workers to maximize the chances of job retention for the workers.
- **Improve employee assistance program (EAP) benefits for state employees.** States that already provide EAP benefits should consider talking to their EAP provider about how the program can specifically help them retain workers who have an injury, illness, or disability, including a mental illness. These states may also want to hold the EAP provider accountable by setting clear expectations for results in productivity and job retention. Other states can consider offering EAP benefits to their employees and think about how to best provide job-retention services through those benefits.

Reference

Ben-Shalom, Yonatan. “Steps States Can Take to Help Workers Keep Their Jobs after Injury, Illness, or Disability.” Final report submitted to the U.S. Department of Labor, Office of Disability Employment Policy. Washington, DC: Mathematica Policy Research, September 2016.

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