

RETURN TO WORK FAQ



WHY SHOULD I OFFER MODIFIED DUTY WORK?

Modified duty benefits injured workers and your business. It can help accelerate an injured worker's recovery and decrease claim costs, which may positively impact your workers' compensation premium.

CAN'T THE INJURED WORKER FIND ANOTHER JOB WITHIN THEIR PHYSICAL RESTRICTIONS?

While injured workers can seek alternative employment, there's no legal requirement for them to do so. They'll continue to receive workers' compensation benefits until one of the following occurs:

- A formal modified duty job offer is made according to Colorado's Rules of Procedure.
- The employee finds another job at their pre-injury wage or above.
- The employee receives a full-duty release from their medical provider or reaches maximum medical improvement (MMI).
- The employee receives a permanent impairment rating or is released from medical treatment without a permanent impairment rating.

WHEN A DOCTOR RELEASES AN INJURED WORKER FOR MODIFIED DUTY, DOES THAT MEAN THEIR BENEFITS STOP?

Either the worker must return to work voluntarily or the employer must extend a formal modified duty job offer that meets the requirements of Colorado's Rules of Procedure.

WHAT IF THE DOCTOR DOESN'T PROVIDE WORK RESTRICTIONS?

You don't need to wait for work restrictions from the medical provider. A Pinnacol Return to Work consultant can help you outline modified duty tasks and send them to the medical provider for approval. If the provider approves the tasks, you can bring the employee back to work voluntarily or with a formal offer.

HOW LONG DOES MODIFIED DUTY LAST?

There's no mandatory time limit. It's recommended that modified duty tasks be reviewed every 30 days and new tasks be added as the injured worker's restrictions improve. Modified duty typically ends when the worker receives a full-duty release or reaches MMI.

CAN AN INJURED WORKER BE FIRED?

Yes, but if the termination is related to the injury, the injured worker may continue to receive benefits. It's best to contact your Pinnacol claims representative to discuss specific circumstances.

WHAT IF AN INJURED WORKER MOVES OUT OF THE AREA?

In Colorado, employers can create a modified duty offer in the same geographic area where the injury happened. If the injured worker relocates and refuses a modified duty job offer that meets the requirements of Colorado's Rules of Procedure, their workers' compensation benefits may be affected.

WHAT IF AN INJURED WORKER ON MODIFIED DUTY ISN'T PRODUCTIVE?

Injured workers are expected to be productive within their capacity. Employers should follow their normal disciplinary procedures if this is not the case.

WHAT ARE WAYS TO MINIMIZE DISRUPTIONS FROM MEDICAL APPOINTMENTS DURING WORK?

It's important to balance the injured worker's need for medical treatment with the needs of your business. Encourage the injured worker to schedule appointments outside work hours.

WHAT IF I CAN'T OFFER FULL-TIME MODIFIED DUTY THAT FITS THE INJURED WORKER'S RESTRICTIONS?

If you can't provide full-time work that meets the injured worker's restrictions, you can offer part-time modified duty with reduced hours and wages. Pinnacol pays two-thirds of the difference between their modified duty wage and their regular wage at the time of injury, up to Colorado's maximum weekly amount.

WHAT IF THE INJURED WORKER REFUSES TO WORK DUE TO PAIN?

The employer should encourage the injured worker to seek an immediate evaluation from their medical provider. If the provider determines new work restrictions, the modified duty may need to be adjusted. If restrictions remain the same and the worker refuses a formal modified duty job offer within Colorado's Rules of Procedure, their benefits may be affected.

WHAT IF THE INJURED WORKER FAILS TO REPORT TO WORK?

If a formal modified duty job offer is made according to Colorado's Rules of Procedure and the worker fails to report, their benefits may be affected.

HOW WILL THE MEDICAL PROVIDER KNOW WHAT TYPE OF WORK MY BUSINESS DOES?

We recommend you meet with the medical provider and offer information about your organization, including your industry, the type of work and the modified duty tasks available. You can also invite the provider to visit the worksite and provide a copy of your modified duty policy.

CAN INJURED WORKERS ACCESS THEIR CLAIM INFORMATION ONLINE?

Yes! Pinnacol's online [Injured Worker Portal](#) provides injured workers 24/7 access to:

- Contact information for their claims representative and other key Pinnacol staff
- Helpful resources and guides to understand the workers' compensation process
- Details about benefit payments, including payment dates and amounts
- Medical information, such as bills, records and provider correspondence
- Claim-related correspondence from Pinnacol

While the online portal offers convenient access to claim information, injured workers can also contact Pinnacol by phone at 303.361.4000.

HAVE MORE QUESTIONS?

If you have questions about Pinnacol's return to work resources and services, call our Return to Work team at 303.361.4000.