

The Employer-at-Injury Program, 1996-1997



**Research & Analysis Section
Oregon Department of Consumer
& Business Services**



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The Employer-at-Injury Program, 1996-1997

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Introduction

The director of the Department of Consumer and Business Services (DCBS) created the Employer-at-Injury Program (EAIP) by authority of ORS 656.622. The program was implemented on March 1, 1993, through OAR 436-110, by the Reemployment Assistance Unit (RAU) of the Workers' Compensation Division. The intent of the program is to encourage early return to work of Oregon injured workers with their employers at injury and employers at aggravation, by provision of incentives to employers. The theory behind the program is that earlier return to work, such as to "light duty" jobs within the limitations of the injury, yields a quicker return to full-duty work and is an effective strategy to reduce overall workers' compensation claim costs.

Changes under Senate Bill 369, effective January 1, 1996, include eligibility for workers with nondisabling (medical only) claims and reimbursement to insurers of administrative costs. Administrative rule revisions effective September 12, 1997, ended the requirement that employers maintain written early-return-to-work policies.

Benefits under the Employer-at-Injury Program are available for a worker who has an open claim, has not been released to full-duty regular work, and who can return to a restricted-duty job. Use of the EAIP is at the option of the employer. Costs are paid by the employer, who is reimbursed by the insurer. The insurer assists the employer with identifying an early-return-to-work

position, obtaining a temporary release for work, making purchases, and monitoring the program. The insurer requests reimbursement from DCBS for benefits under the EAIP: wage subsidies (50 percent of wages for up to three months), worksite modification (altering the worksite through construction or new equipment or process), and early-return-to-work purchases (services and items required as a condition of employment). Benefits are paid from the Workers' Benefit Fund, which is funded by employer assessments and employee contributions, rather than through premiums. Insurers do not use reimbursements from DCBS for ratemaking, individual employer rating, dividend calculation, or in any other manner that would affect premiums or premium assessments. However, reductions in time loss paid due to the use of the Employment-at-Injury Program may lead to reductions in premium paid.

This report covers the Employer-at-Injury Program through 1997. Included are characteristics and outcomes of early-return-to-work programs reimbursed under the EAIP. Starting with the 1998 edition of this report, accounting for early-return-to-work programs was changed from "programs started" to "program reimbursements approved." This change, made possible by production of a new EAIP data system, yields complete counts in a timely manner conducive to forecasting. Direct comparisons of counts in this report to counts from the January 1997 edition are not valid.

Highlights

A growing percentage of workers' compensation claims include participation in the Employer-at-Injury Program—16 percent for disabling claims and 6 percent for nondisabling. An estimated 4 percent of programs have been directed at claims on aggravation.

The department approved reimbursements for 8,349 early-return-to-work programs under the Employer-at-Injury Program in 1997, compared to 6,056 in 1996. The latest year's totals by claim type are 4,421 disabling programs and 3,928 nondisabling, which illustrates the rapid growth, in two years, of nondisabling programs. The number of employers using the Employer-at-Injury Program, 1,512 in 1997, has also grown steadily.

The average time from injury to program start declined to 104 days for 1997's disabling programs. For nondisabling programs, the average time to program start increased to 14 days in 1997. Significantly, around 50 percent of nondisabling programs are started within three days of the injury. Because a claim is disabling if it involves more than three days away from work, early-return-to-work programs may be preventing thousands of nondisabling claims from becoming disabling by assuring that injured workers are back on the job, even if light duty, within three days of injury.

The total cost of program reimbursements approved in 1997 came to \$9.86 million, an increase of 31 percent over the previous year. Disabling programs accounted for \$6.56 million in 1997, and their average cost was \$1,485, on average program length of 76 days. Nondisabling programs averaged \$843 in 1997, on an average length of 29 days. Total reimbursements for insurers' administrative expense came to almost \$0.5 million for the latest year of activity.

Self-insurers, accounting for about 20 percent of accepted disabling claims, rank first among insurer types in the number of disabling and nondisabling programs started.

The distribution of disabling programs by industry shows some variation from all disabling claims. Some noteworthy differences are higher proportions of programs for manufacturing and public-sector employers, and lower for construction. Employers in industries such as construction may be at a disadvantage in creating suitable light-duty jobs, because of the nature of the work.

The nature, part, event, and source of injury affecting disabled workers who start early-return-to-work programs shows little difference, at first glance, from those for all disabled workers. There is other evidence, however, that early-return-to-work programs are used for more severe injuries. The most current data show that 38 percent of claim closures following an early-return-to-work program included an award for permanent partial disability, compared to 28 percent for all other disabling claim closures. Closures for 1996 also resulted in an estimated 15 percent of the Employer-at-Injury Program users subsequently receiving a Preferred Worker Identification card, compared to 11 percent of other closures.

Wage subsidies account for most assistance used in early-return-to-work programs, at \$8.87 million out of \$9.37 million spent on programs approved in 1997. Only 2 percent of programs include a purchase, and 4 percent, a worksite modification.

Although about half of disabling claims occur at employers of 100 or fewer workers, less than one-third of early-return-to-work programs are started by small employers. Undoubtedly, many smaller employers have difficulty identifying suitable light duty jobs.

Early-return-to-work programs

The Employer-at-Injury Program is a package of financial incentives to Oregon employers to develop early-return-to-work programs for workers injured on the job. An early-return-to-work program, contingent on approval from the injured worker's attending physician, returns the worker to other-than-full duties that are within the limitations of the injury. A program generally begins before the worker's condition becomes medically stationary (reaches maximum medical improvement), the point at which the physician typically decides whether the worker may permanently return to regular work. A return to temporary, modified work at the earliest feasible date saves on workers' compensation premium by lowering, at a minimum, indemnity paid to the worker for time lost from work. An important benefit for the injured worker is less uncertainty over when and where he or she will return to work, and at what kind of wage. The wage subsidy, the incentive most often used by Oregon employers, probably results in a higher wage paid to the injured worker returning to other-than-full duties (see Workers' Compensation Research Institute: *What are the Most Important Factors Shaping Return to Work?*, 1996). Ideally, early return to work with the employer at injury will be followed by a return to full duty with that employer.

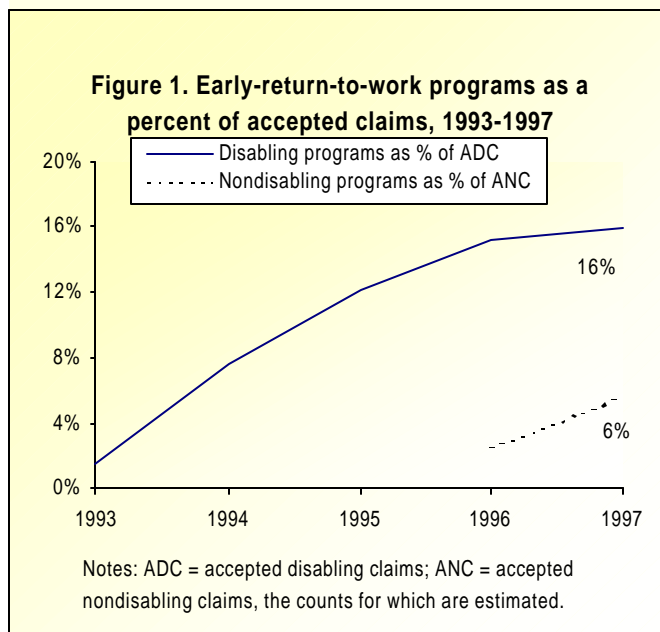
Program characteristics. Figure 1 compares counts of early-return-to-work programs to accepted claims. Note that the accounting for early-return-to-work programs has been changed from "programs started" to "program reimbursements approved." See Appendix A for a

detailed explanation. One inference from the graph is that a growing percentage of claims include participation in an early-return-to-work program. These data indicate a 16 percent rate of participation for disabling claims and 6 percent for nondisabling in 1997.

Program counts used in Figure 1 include programs for employers at aggravation. An aggravation is a worsened condition resulting from the original injury and occurring within the course and scope of employment following claim closure. An estimated 4 percent of disabling programs have been directed at claims on aggravation. In other words, perhaps 15 percent of 1997 aggravations featured an early-return-to-work program—despite perceptions that employer-at-aggravation programs are difficult to use. Aggravations may have an effect on the overall picture of programs and participants, especially measurements of elapsed time from injury to program start and participation rates. Departmental data on aggravations need more study before any conclusions may be drawn.

Text Table 1 shows that the department approved reimbursements for 8,349 early-return-to-work programs under the Employer-at-Injury Program in 1997, compared to 6,056 in 1996 and 3,739 in 1995. Although approvals for disabled workers continued to grow in the last two years, the majority of the increase in total programs is due to the authorization in 1996 of programs for nondisabling claims. The latest year's totals are 4,421 disabling programs and 3,928 nondisabling, which illustrates the rapid growth, in two years, of nondisabling programs. The number of employers using the Employer-at-Injury Program, 1,512 in 1997, has also grown steadily. Several larger employers have started hundreds of early-return-to-work programs over the last five years. Twice as many employers use programs for disabling claims as for nondisabling.

The average time from injury to program start declined to 104 days for 1997's disabling programs. Despite that drop, the data apparently support the contention that employers are using programs for the more severe injuries, considering that the average for time loss payments for all disabling claims is around 60 days. The current figure for median time from injury to program start is 19 days (half of the programs are higher, half lower). The median may be useful in discounting the effects of long-lived claims and aggravations upon the time elapsing until program start.



Text Table 1. Characteristics of early-return-to-work programs, 1993-1997

	Approval year				
	1993	1994	1995	1996	1997
Programs	447	2,399	3,739	6,056	8,349
Employers using programs	141	726	1,189	1,346	1,512
Total cost of programs	\$371,195	\$3,040,100	\$4,957,942	\$7,527,831	\$9,861,844
**Wage subsidies	\$357,690	\$2,869,965	\$4,660,807	\$6,931,430	\$8,870,718
**Purchases	\$2,486	\$24,202	\$60,254	\$85,205	\$119,141
****Equipment & tools					\$67,326
****Work clothing					\$2,457
****Tuition & books				\$500	\$33,893
**Worksite modifications	\$11,019	\$145,933	\$236,881	\$293,396	\$380,105
**Carrier admin expense	\$0	\$0	\$0	\$218,220	\$493,560
Disabling programs	447	2,399	3,739	4,303	4,421
Employers using programs	141	726	1,189	1,275	1,315
Average days, injury to program	113	124	114	121	104
Average program length (days)	59	79	84	84	76
Average wage subsidy days	41	52	52	52	47
Average program cost	\$830	\$1,268	\$1,332	\$1,465	\$1,485
Total cost of programs	\$371,195	\$3,040,100	\$4,957,942	\$6,267,534	\$6,556,485
Nondisabling programs				1,753	3,928
Employers using programs				303	619
Average days, injury to program				12	14
Average program length (days)				23	29
Average wage subsidy days				21	24
Average program cost				\$719	\$843
Total cost of programs				\$1,260,297	\$3,305,358

Note: Purchase detail on equipment and tools etc. is available only for data entry from 3/97.

For nondisabling programs, the average time to program start increased to 14 days in 1997. Nondisabling programs are available for nondisabling claims that carry restrictions on job duties, an estimated 25 to 30 percent; these are likely the more severe nondisabling injuries. Significantly, around 50 percent of nondisabling programs are started within three days of the injury. Because a claim is disabling if it involves more than three days away from work, early-return-to-work programs may be preventing thousands of nondisabling claims from becoming disabling by assuring that injured workers are back on the job, even if light duty, within three days of injury.

The total cost of programs approved in 1997 came to \$9.86 million, an increase of 31 percent over the previous year. Disabling programs accounted for \$6.56 million in 1997, and their average cost was \$1,485—a slight increase over 1996, even though average program length declined to 76 days. Nondisabling programs averaged \$843 in 1997, on an average length of 29 days. Beginning with 1996 programs, the department has been reimbursing carriers for administrative expenses, at a flat rate of \$60 per pro-

gram. Reimbursements for administrative expense came to almost \$0.5 million for the latest year of activity, about 5 percent of total reimbursements.

Insurers and outcomes. Workers' compensation insurers play a vital role in the Employer-at-Injury Program: assisting the employer with developing policies and procedures, making purchases, and monitoring programs. Table 1, following the text of this report, provides information on early-return-to-work programs by insurer and claim type. First is disabling programs, with comparisons made to all disabling claims where appropriate. Self-insurers, accounting for about 20 percent of accepted disabling claims, have started about one-third of disabling programs. SAIF Corporation's near 30-percent share of programs is consistent with its share of disabling claims. SAIF insureds spend the most on programs, on average and in total. The average time from disabling injury to program start is lowest, by a wide margin, for other private insurers (excludes the Liberty Group). The longest programs for disabling injuries come, on average, from employers insured by Liberty.

Because the department does not normally collect detailed data on nondisabling claims, few comparisons can be made between nondisabling programs and all nondisabling claims. Self-insurers rank first in the number of approved nondisabling programs and total dollars spent on them, and self-insurers currently are just ahead of SAIF for highest average program cost. Other private insurers start programs soonest after the nondisabling injury, on average. Little difference exists among the insurer types for average program length, which increased for all four insurer types in the second year of nondisabling programs.

An early-return-to-work program centers on return to a restricted-duty job within the limitations of the injury. In terms of at least a temporary return to work, then, every early-return-to-work program is successful. Another measure of success is job retention at the end of a program. The department has been collecting data on program outcomes, but a review of these data and the form used to collect it has led to the conclusion that the data are flawed. Efforts are underway to revise the data-collection form, and accurate data should be available for 1999 programs. In the meantime, no data are available for job-retention rates following a program.

Another method for evaluating the Employer-at-Injury Program would be to determine job-retention rates following claim closure, which does not necessarily occur at the same time as the end of an early-return-to-work program. However, the department routinely collects only limited data on employment following disabling claim closure. A 1995 study, *Return to Work Experience, 1991-1993, for Oregon Workers' Compensation Claims Closed in 1991*, estimated the number of workers returning to a job with the employer at injury following claim closure—in the period just prior to the introduction of the Employer-at-Injury Program. Almost 79 percent of claims closed without an award for permanent disability (time loss only) featured return to the employer at injury. For permanent partial disability claims where the worker

was released to regular work, the figure was just over 70 percent. The study did not establish a baseline for work experience during the open period of a claim; most such work presumably would be light duty. Further study or a change in routine data collection is necessary to determine the impact of the Employer-at-Injury Program on overall rates of return to work, including return to the employer at injury.

Claimant characteristics. Demographics for disabling programs are presented in Text Table 2. While figures for age are similar to those for all workers with an accepted disabling claim, the percentage of females and the average weekly wage at injury have been somewhat higher among program participants, and the average tenure with the employer at the time of injury has been around 25 percent higher for the early-return-to-work group.

Possibly, these disparities are an indication of employer selectivity over which workers are the best candidates for early return to work. Be that as it may, the distribution of early-return-to-work claimants by occupation group is similar to the distribution for all workers with an accepted disabling claim: for instance, more than 40 percent from both groups of claimant fall into the operator, fabricator, and laborer occupations (see Table 2). On the other hand, the distribution of disabling programs by industry shows some variation from all disabling claims. Some noteworthy differences are higher proportions of programs for manufacturing and public-sector employers, and lower for construction. Employers in industries such as construction may be at a disadvantage in creating suitable light-duty jobs, because of the nature of the work. For nondisabling programs, manufacturing accounts for nearly one-third of total activity (see Table 3), but comparisons cannot be made to all nondisabling claims since the department does not collect those data, in general. Nor are other demographic data available for nondisabling programs or claims.

Text Table 2. Claimant characteristics, early-return-to-work programs for disabling claims, 1993-1997

	1993	1994	Approval year 1995	1996	1997
Programs	447	2,399	3,739	4,303	4,421
Percent males	65	64	66	64	66
Mean wage at injury	\$401	\$441	\$444	\$456	\$479
Mean month on job at injury	59	66	63	61	63
Mean age at injury	36	38	38	38	38

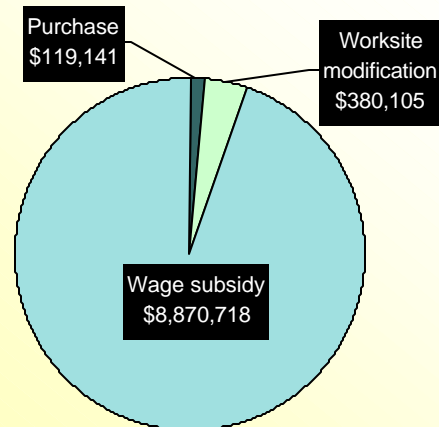
The kinds of injury affecting disabled workers who start early-return-to-work programs show little difference, at first glance, from those for all disabled workers (see Tables 4 through 7). Sprains and strains is the dominant nature of injury, while the back and upper extremities are the body parts most often injured. Overexertion is the most frequent event leading to injury.

There is other evidence, however, that early-return-to-work programs are used for more severe injuries. For 1995 and 1996 disabling claim closures, about 38 percent of closures following an early-return-to-work program included an award for permanent partial disability, while the figure for all other closures was 28 percent. A similar, though smaller, disparity exists for closures during 1994, the first year in which the Employer-at-Injury Program could be expected to have a discernible impact on claim closures. Medical costs were about 33 percent higher for the early-return-to-work group in 1996, as well, and 14 percent higher than other closures in the previous year. Finally, disability as measured by Preferred Worker identification may be more severe for claimants who enter early-return-to-work programs. Preferred Workers have a permanent disability of a severity that prevents return to regular employment, and substantial financial incentives are available to employers who wish to hire Preferred Workers. For 1996 closures, an estimated 15 percent of the Employer-at-Injury Program users subsequently received a Preferred Worker Identification Card, compared to 11 percent of other closures.

Return-to-work assistance

The incentives, or return-to-work assistance, available under the Employer-at-Injury Program include wage subsidies, worksite modifications, and early-return-to-work purchases. Figure 2 reveals that wage subsidies account for most assistance used in early-return-to-work programs, at \$8.87 million spent on 1997 programs. Almost every program features a wage subsidy, at 50 percent of the wage paid for the less-than-full-duty job for as long as three months. Only 2 percent of programs include a purchase, and 4 percent, a worksite modification. Programs started in previous years show similar distributions of assistance. Purchases and worksite modifications may become more important, however, as employers and insurers learn more about benefits available under the relatively new Employer-at-Injury Program.

Figure 2. Distribution of Employer-at-Injury Program assistance, 1997



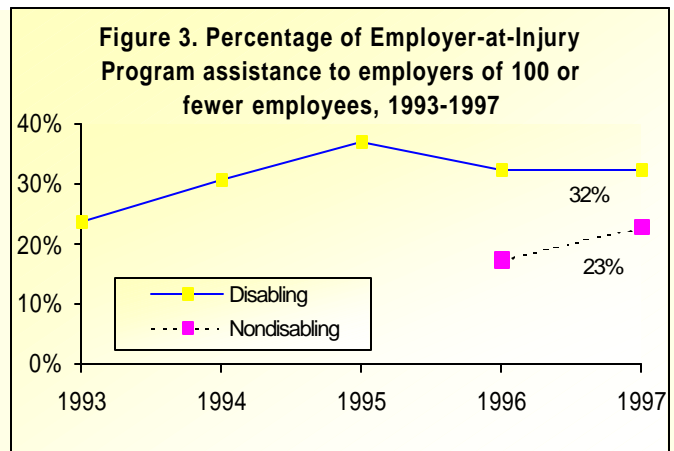
Note: Excludes reimbursements to insurers for administrative expenses.

Purchases of tools and equipment, clothing, or tuition, fees, and books—items required of the worker as a condition of employment—have occurred most frequently in programs started in the construction industry and the public sector. Worksite modifications of up to \$2,500, allowing the injured worker to perform duties within the limitation of the injury, have been most prominent in the service industry and the public sector. Manufacturing has led in the use of wage subsidies (see Table 8).

As might be expected, about one-third of programs with wage subsidies are started by self-insurers. Though programs with purchases or worksite modifications are relatively few, SAIF has been the leader by far in working with employers and claimants to access these benefits (see Table 9).

The department estimates that almost half of disabling claims occur at employers of 100 or fewer workers, the small to mid-range firms that make up most of Oregon's employer base. Figure 3 shows that less than one-third of programs are started by smaller employers. Table 10 provides information on assistance to smaller employers by insurer type. High use of wage subsidies by self-insurers, who are generally large employers, obviously accounts for much of the low overall rate of assistance

to smaller employers. Undoubtedly, many smaller employers have difficulty identifying suitable light duty jobs. On the other hand, SAIF's proportion of wage subsidies for smaller employers has been at least 50 percent. SAIF and Liberty lead in purchases for smaller employers, while other private insurers lead in worksite modifications.



Tables

Table 1. Characteristics of early-return-to-work programs by insurer type, 1993-1997

Liberty Group	Approval year				
	1993	1994	1995	1996	1997
Disabling programs	31	377	630	760	703
Employers using programs	18	146	250	290	285
Average days, injury to program	179	139	122	161	125
Average program length (days)	100	97	110	113	105
Average program cost	\$1,055	\$1,294	\$1,342	\$1,408	\$1,568
Total cost of programs	\$32,698	\$487,861	\$841,162	\$1,068,406	\$1,102,489
Nondisabling programs	.	.	.	347	826
Employers using programs	.	.	.	49	125
Average days, injury to program	.	.	.	7	13
Average program length (days)	.	.	.	21	28
Average program cost	.	.	.	\$544	\$658
Total cost of programs	.	.	.	\$188,650	\$543,412

Other private	Approval year				
	1993	1994	1995	1996	1997
Disabling programs	144	646	736	819	870
Employers using programs	68	212	261	297	334
Average days, injury to program	95	79	92	77	68
Average program length (days)	60	67	68	75	62
Average program cost	\$853	\$1,042	\$1,044	\$1,201	\$1,184
Total cost of programs	\$122,835	\$672,022	\$766,026	\$983,751	\$1,028,631
Nondisabling programs	.	.	.	304	820
Employers using programs	.	.	.	95	192
Average days, injury to program	.	.	.	8	9
Average program length (days)	.	.	.	24	28
Average program cost	.	.	.	\$662	\$706
Total cost of programs	.	.	.	\$201,336	\$574,562

SAIF	Approval year				
	1993	1994	1995	1996	1997
Disabling programs	44	623	1,217	1,260	1,296
Employers using programs	35	314	603	600	603
Average days, injury to program	134	118	106	115	109
Average program length (days)	94	95	95	90	85
Average program cost	\$1,415	\$1,628	\$1,642	\$1,784	\$1,861
Total cost of programs	\$62,257	\$1,014,403	\$1,986,905	\$2,247,828	\$2,412,478
Nondisabling programs	.	.	.	348	967
Employers using programs	.	.	.	113	239
Average days, injury to program	.	.	.	17	14
Average program length (days)	.	.	.	26	31
Average program cost	.	.	.	\$919	\$955
Total cost of programs	.	.	.	\$319,697	\$923,714

Self	Approval year				
	1993	1994	1995	1996	1997
Disabling programs	228	753	1,156	1,464	1,552
Employers using programs	20	54	75	88	93
Average days, injury to program	112	160	132	131	109
Average program length (days)	44	66	67	70	62
Average program cost	\$673	\$1,151	\$1,186	\$1,365	\$1,300
Total cost of programs	\$153,405	\$865,814	\$1,363,849	\$1,967,549	\$2,012,887
Nondisabling programs	.	.	.	754	1,315
Employers using programs	.	.	.	46	63
Average days, injury to program	.	.	.	13	17
Average program length (days)	.	.	.	23	30
Average program cost	.	.	.	\$730	\$962
Total cost of programs	.	.	.	\$550,614	\$1,263,670

Source: Department of Consumer & Business Services, Research & Analysis Section

Table 2. Distribution of early-return-to-work programs by occupation at disabling injury, 1993-1997

Occupation group (%)	Approval year				
	1993	1994	1995	1996	1997
Clerical & sales	19.5	11.1	10.1	11.5	10.8
Farm, forest, logging, fishing	3.4	3.6	3.9	3.3	4.4
Operator, fabricator, laborer	53.0	45.7	49.0	46.6	46.2
Production, craft, repair	7.6	15.4	16.2	16.7	16.1
Professional, technical, managerial	4.5	8.1	6.6	6.6	6.7
Service	11.6	15.3	13.7	14.1	14.5
Undefined	0.4	0.8	0.6	1.2	1.2
Total programs (N)	447	2,399	3,739	4,303	4,421

Table 3. Distribution of early-return-to-work programs by industry, 1993-1997

Disabling

Early-return-to-work industry (%)	Approval year				
	1993	1994	1995	1996	1997
Agriculture, forestry, fishing	0.7	1.5	1.7	1.8	1.9
Mining	.	.	0.1	0.3	0.2
Construction	2.0	5.8	6.9	6.8	7.1
Manufacturing	16.3	27.4	29.2	28.6	24.4
Transportation, utilities	6.0	8.1	6.4	6.9	7.6
Wholesale trade	6.7	6.8	6.4	5.5	5.9
Retail trade	43.6	18.4	20.2	18.0	20.7
Finance, insurance, real estate	0.4	1.1	0.8	0.8	1.0
Services	19.2	21.6	18.6	17.1	16.9
Public sector	4.9	9.4	9.8	14.3	14.2
Unknown	.	0.0	.	0.0	.
Total (N)	447	2,399	3,739	4,303	4,421

Nondisabling

Early-return-to-work industry (%)	Approval year	
	1996	1997
Agriculture, forestry, fishing	1.8	1.3
Mining	0.1	0.1
Construction	5.1	5.7
Manufacturing	34.3	31.8
Transportation, utilities	13.0	12.3
Wholesale trade	2.2	3.3
Retail trade	14.4	9.6
Finance, insurance, real estate	1.0	1.7
Services	19.9	22.9
Public sector	8.2	11.2
Total (N)	1,753	3,928

Note: '.' indicates no programs, while '0.0' indicates percentage less than 0.05.

Source: Department of Consumer & Business Services, Research & Analysis Section

Table 4. Distribution of early-return-to-work programs by nature of disabling injury, 1993-1997

Nature of injury (%)	Approval year				
	1993	1994	1995	1996	1997
Abrasions, bruises, misc surface wounds	5.1	4.7	5.3	4.7	4.8
Amputations	0.9	0.7	0.6	1.2	1.2
Burns	0.2	0.5	0.9	0.8	0.8
Carpal tunnel syndrome (CTS)	5.1	4.5	4.9	4.7	4.3
Concussions, intracranial injuries	.	0.3	0.3	0.4	0.1
Cuts, lacerations	3.8	4.6	4.4	3.6	3.3
Dislocations	4.9	3.8	4.4	4.4	5.1
Effects of environmental conditions	.	0.0	.	0.0	.
Fractures	8.1	10.3	10.5	10.1	8.9
Hernias	3.6	2.8	2.3	2.1	2.5
Ill-defined conditions	0.4	0.2	0.3	0.3	0.2
Infectious and parasitic diseases	.	.	.	.	0.0
Inflammations	.	.	.	.	0.0
Injuries and disorders, unspecified	.	.	.	1.0	2.7
Misc injuries to bones, nerves	.	.	.	0.1	0.2
Misc injuries to muscles, tendons	.	.	.	0.1	0.5
Misc open wounds	.	.	.	0.6	0.8
Misc systemic disorders	6.7	6.0	5.4	6.4	6.6
Mult diseases, conditions	.	0.3	0.4	0.5	0.8
Mult injuries	2.0	2.7	3.3	4.0	6.9
Mult injuries & diseases	.	0.1	0.1	0.7	1.2
Neoplasms, tumors, cancer	.	0.1	.	.	.
Nonclassifiable	0.4	0.5	0.6	1.1	0.6
Other conditions	0.4	0.1	0.1	0.1	0.2
Other injuries	.	.	0.1	0.7	2.0
Sprains, strains	58.2	57.7	56.0	52.3	46.2
Total programs (N)	447	2,399	3,739	4,303	4,421

Table 5. Distribution of early-return-to-work programs by part of body disabled, 1993-1997

Part affected (%)	Approval year				
	1993	1994	1995	1996	1997
Back	31.5	30.3	29.3	26.2	25.5
Body systems	0.2	0.1	0.2	0.2	0.3
Head	0.2	0.8	1.0	1.2	0.9
Lower extremities	17.9	16.7	18.3	19.1	19.5
Mult. body parts	9.8	9.1	9.8	9.5	11.1
Neck and throat	2.0	2.7	2.2	2.6	2.1
Nonclassifiable	0.2	0.1	0.0	0.8	0.5
Other body parts	.	.	.	.	0.0
Trunk, exc. back	13.2	14.6	14.7	14.7	15.0
Upper extremities	24.8	25.4	24.4	25.6	25.1
Total programs (N)	447	2,399	3,739	4,303	4,421

Note: '.' indicates no programs, while '0.0' indicates percentage less than 0.05.

Source: Department of Consumer & Business Services, Research & Analysis Section

Table 6. Distribution of early-return-to-work programs by event leading to disabling injury, 1993-1997

Event (%)	Approval year				
	1993	1994	1995	1996	1997
Assaults and violent acts	0.4	1.5	0.9	1.3	1.4
Bodily reaction, repet. motion	14.3	15.8	16.8	19.4	21.9
Contact with objects	16.6	17.2	16.8	18.1	18.7
Falls	14.1	14.1	16.2	17.0	16.2
Fires and explosions	.	0.2	0.2	0.2	0.2
Harmful exposure	0.4	0.9	1.2	1.2	1.2
Nonclassifiable	1.1	1.4	2.0	1.9	1.7
Other bodily reaction, exertion	.	.	.	0.1	0.6
Other events	.	.	.	.	0.0
Overexertion	52.3	46.5	42.8	37.3	33.5
Transportation accidents	0.7	2.4	2.9	2.8	3.7
Unknown	.	.	0.1	0.8	0.8
Total programs (N)	447	2,399	3,739	4,303	4,421

Table 7. Distribution of early-return-to-work programs by source of disabling injury, 1993-1997

Source of injury (%)	Approval year				
	1993	1994	1995	1996	1997
Animals, parasites, infectants	0.2	0.0	0.2	0.1	0.2
Bodily conditions, motion	14.5	15.9	16.9	19.8	22.8
Chemicals	0.2	0.3	0.5	0.3	0.3
Containers	32.7	17.9	16.8	14.9	15.3
Food, animals, plants, minerals nec	0.4	0.6	0.5	0.5	0.5
Furniture and fixtures	3.1	3.2	3.2	3.0	3.0
Machinery	6.5	7.6	7.6	7.3	7.0
Minerals exc. fuel	.	0.5	0.3	0.2	0.3
Nonclassifiable	1.8	2.0	3.0	2.5	2.2
Other persons	3.1	8.3	5.5	5.5	5.6
Other sources	0.9	2.3	2.0	2.0	1.6
Parts and materials	7.8	11.6	12.2	11.7	10.0
Plants, trees, vegetation	0.4	1.2	1.1	1.0	1.0
Structures and surfaces	15.2	14.8	16.2	17.2	16.2
Tool, instruments, equipment	5.4	5.4	4.4	4.7	5.0
Unknown	.	.	0.2	1.1	1.0
Vehicles	7.6	8.5	9.4	8.2	7.9
Total programs (N)	447	2,399	3,739	4,303	4,421

Note: '.' indicates no programs, while '0.0' indicates percentage less than 0.05.

Source: Department of Consumer & Business Services, Research & Analysis Section

Table 8. Distribution of Employer-at-Inquiry Program assistance by industry, 1993-1997

Purchase					
Early-return-to-work industry (%)	Approval year				
	1993	1994	1995	1996	1997
Agriculture, forestry, fishing	.	.	5.9	5.0	3.9
Mining	.	.	.	.	0.5
Construction	50.0	30.0	41.6	23.3	18.5
Manufacturing	25.0	26.7	14.9	15.0	13.2
Transportation, utilities	.	16.7	5.9	5.8	2.4
Wholesale trade	.	3.3	.	5.0	10.7
Retail trade	.	6.7	4.0	8.3	3.9
Finance, insurance, real estate	.	3.3	.	1.7	1.5
Services	.	13.3	19.8	15.8	18.0
Public sector	25.0	.	7.9	20.0	27.3
Total (N)	4	30	101	120	205

Worksite modification					
Early-return-to-work industry (%)	Approval year				
	1993	1994	1995	1996	1997
Agriculture, forestry, fishing	.	6.1	4.4	2.9	2.0
Mining	.	.	1.1	0.4	0.7
Construction	12.5	8.8	7.1	5.4	7.8
Manufacturing	31.3	21.1	14.8	15.1	18.6
Transportation, utilities	12.5	14.0	13.2	5.0	4.4
Wholesale trade	.	3.5	6.0	2.5	6.8
Retail trade	6.3	7.0	11.0	7.5	6.8
Finance, insurance, real estate	.	1.8	.	2.9	0.7
Services	25.0	23.7	24.2	16.7	19.0
Public sector	12.5	14.0	18.1	41.4	33.2
Total (N)	16	114	182	239	295

Wage subsidy					
Early-return-to-work industry (%)	Approval year				
	1993	1994	1995	1996	1997
Agriculture, forestry, fishing	0.7	1.5	1.6	1.8	1.6
Mining	.	.	0.1	0.2	0.1
Construction	1.6	5.8	6.9	6.3	6.4
Manufacturing	16.3	27.3	29.1	30.5	28.0
Transportation, utilities	6.1	8.1	6.4	8.3	9.9
Wholesale trade	6.8	6.8	6.4	4.5	4.7
Retail trade	44.1	18.5	20.3	17.1	15.6
Finance, insurance, real estate	0.5	1.1	0.8	0.9	1.3
Services	19.5	21.6	18.7	18.0	19.8
Public sector	4.5	9.3	9.8	12.4	12.5
Unknown	.	0.0	.	0.0	.
Total (N)	442	2,388	3,707	6,000	8,254

Note: '.' indicates no assistance, while '0.0' indicates percentage less than 0.05.

Source: Department of Consumer & Business Services, Research & Analysis Section

Table 9. Distribution of Employer-at-Injury Program assistance by insurer type, 1993-1997

Purchase					
Early-return-to-work insurer type (%)	1993	1994	Approval year		1997
			1995	1996	
SAIF	25.0	26.7	67.3	58.3	59.0
Other private	25.0	23.3	7.9	15.0	22.0
Liberty Group	25.0	30.0	19.8	16.7	8.8
Self	25.0	20.0	5.0	10.0	10.2
Total (N)	4	30	101	120	205

Worksite modification					
Insurer type (%)	1993	1994	Approval year		1997
			1995	1996	
SAIF	25.0	50.0	64.3	69.5	58.0
Other private	31.3	12.3	11.0	8.4	13.2
Liberty Group	18.8	14.9	11.5	11.3	19.7
Self	25.0	22.8	13.2	10.9	9.2
Total (N)	16	114	182	239	295

Wage subsidy					
Early-return-to-work insurer type (%)	1993	1994	Approval year		1997
			1995	1996	
SAIF	9.7	25.7	32.4	26.4	26.7
Other private	32.4	27.0	19.7	18.7	20.3
Liberty Group	6.6	15.8	16.9	18.4	18.5
Self	51.4	31.5	31.0	36.5	34.6
Total (N)	442	2,388	3,707	6,000	8,254

Table 10. Percentage of Employer-at-Injury Program assistance to employers of 100 or fewer employees, by insurer type, 1993-1997

SAIF					
	1993	1994	Approval year		1997
			1995	1996	
Purchase	0.0	75.0	91.2	61.4	56.2
Worksite modification	50.0	66.7	66.7	44.0	48.5
Wage subsidy	62.8	56.4	67.4	53.7	50.2

Other private					
	1993	1994	Approval year		1997
			1995	1996	
Purchase	100.0	42.9	50.0	72.2	33.3
Worksite modification	80.0	50.0	65.0	55.0	66.7
Wage subsidy	37.8	31.9	35.0	31.3	34.0

Liberty Group					
	1993	1994	Approval year		1997
			1995	1996	
Purchase	100.0	88.9	50.0	65.0	55.6
Worksite modification	100.0	58.8	57.1	55.6	48.3
Wage subsidy	41.4	34.2	39.5	27.3	27.1

Self					
	1993	1994	Approval year		1997
			1995	1996	
Purchase	0.0	83.3	20.0	0.0	0.0
Worksite modification	25.0	23.1	25.0	0.0	7.4
Wage subsidy	4.8	6.4	4.2	7.9	6.9

Note: '.' indicates no assistance, while '0.0' indicates percentage less than 0.05.

Source: Department of Consumer & Business Services, Research & Analysis Section

Appendices

Technical notes

The data presented in this report were current as of March 1998, and are based on accepted work injury and illness claim documents received by the Workers' Compensation Division of the Department of Consumer and Business Services from workers' compensation insurers and self-insured employers.

Accounting for programs by start date, as done in the January 1997 edition of this report, is a method that suffers from data volatility. Administrative rules permit insurers to report programs and request reimbursement from the department as much as one year plus one month after the completion of an early-return-to-work program—13 months or more after a program starts. For example, data from October 1996 showed 3,480 programs started in 1995, at a cost of \$4.57 million. Data from March 1998 showed 3,916 program starts for 1995, an increase of almost 13 percent over October 1996 figures, at a cost of \$5.49 million, an increase of 20 percent. On the other hand, counting programs approved for reimbursement by date of departmental receipt—termed “approval date” in this report—yields almost instantly stable figures, though it should be noted that all expenditures are subject to audit and adjustment. Thus, the program-approval method of accounting was adopted for most analyses in the July 1998 edition of this report, and data from this report are not directly comparable to data from the January 1997 report. The analysis that does (and must) retain program-started accounting is the estimate, categorized by use of the Employer-at-Injury Program, of claim closures, their costs, and their association with Preferred Worker identification.

Forms of the word “injury” are used as synonyms for claims resulting from illness, as well as from injury. “Insurer” includes self-insured employers and the SAIF Corporation, which is the state fund, as well as private insurers.

An aggravation is a worsened condition resulting from the original injury and occurring within the course and scope of employment, and is established by medical evidence supported by objective findings. The original insurer is responsible for aggravation claim costs and the administration of an employer-at-aggravation

program. The employer-at-aggravation, if it is not the employer-at-injury or if it has changed insurers, may have difficulty contacting the original insurer. Departmental counts of aggravations must be considered estimates. Estimates in this report are based on (1) more than one use of the Employer-at-Injury Program for a given claim, or (2) employer-at-injury differing from the employer using the program.

Participation rates used in this report are estimates, calculated by dividing the number of approved early-return-to-work programs into the number of accepted claims. A more accurate method would be to compare program use among claimants with injuries during a given year, but that method ignores the long-tailed nature of workers' compensation claims: for example, a worker injured in 1995 might not start an early-return-to-work program until 1997, due to the severity of the injury. A more accurate method would also factor aggravations into the baseline of claims.

Estimates of the size (employees) of firms using the Employer-at-Injury Program were derived from data given to the department by insurers at the initial filing of the guaranty contract. Estimates of the percentage of disabling claims affecting smaller employers have been calculated from the more reliable Employment Department data, when available.

Information about the county of the firm using the Employer-at-Injury Program have been excluded from this report because the data definition was unclear before 1997. Some firms reported all programs under the address of the principal place of business, even though activities may have occurred at any one of several locations throughout the state; others reported addresses reflecting the actual location of the program. Data since September 1997 define the principal place of business as the site of the activity and are available on request.

Wage and cost data are reported in current dollars, unadjusted for inflation. Cost data have been tabulated by the year in which the request for reimbursement was received by the department, not the year of expenditure.

The Workers' Compensation Division has

Two Innovative Programs

to help injured workers get back to work and lower workers' compensation costs



Employer-at-Injury Program

This program offers reimbursements to eligible employers who return their injured workers to light-duty work while their claims are still open. Reimbursements can include up to:

- ❖ Three months 50 percent wage subsidy
- ❖ \$2500 for worksite modification
- ❖ \$1000 for tools and equipment required for the job
- ❖ \$400 for clothing

Preferred Worker Program

This program provides incentives to employers who hire or reemploy workers with permanent disability who can't return to regular work because of on-the-job injuries. The incentives include:

- ❖ Six months 50 percent wage subsidy
- ❖ Up to \$25,000 for worksite modification
- ❖ Exemption from paying workers' compensation premiums for the Preferred Worker for up to three years
- ❖ Protection from claim costs if the Preferred Worker has a new accepted, disabling on-the-job injury during the premium exemption period
- ❖ Payment for certain items needed to obtain or maintain employment, such as clothing and tools

These programs provide win-win return-to-work solutions for Oregon workers and employers.

**For more information call:
1-800-445-3948 or (503) 947-7588 (V/TDD).**

Visit other DCBS web sites with related workers' compensation issues:

<http://www.cbs.state.or.us/external/imd/index.html>

http://www.cbs.state.or.us/external/imd/wc_rtw.html

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