

The Vocational Process While Supporting the Mental Health of the Injured Worker

Presented by:

Mona Davie Elder, MS, CRC, LRC
Vocational Rehabilitation Consultant
Gisclair & Associates
10101 Siegen Lane, Suite 4C
Baton Rouge, LA 70810
(225) 768-7282



The Vocational Process While Supporting the Mental Health of the Injured Worker

Introduction

Hello, my name is Mona Davie Elder, and I am a Vocational Rehabilitation Consultant with the office of Gisclair & Associates. I obtained my Bachelor of Arts Degree in Social Work from Northwestern State University in 1995 and Master of Science in Vocational Rehabilitation from the University of Louisiana at Lafayette in 1999. I was lucky enough to be hired by Bob Gisclair shortly after completing graduate school. I went through the required training and supervision. In that time, he showed me that I can have compassion for the injured worker while still doing my job.

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Introduction

As you can imagine, after being in this role for over 26 years, I have worked with numerous injured workers, their families, physicians, occupational/physical therapists, mental health counselors/therapists, psychologists, nurse case managers, employers, and attorneys. This also includes a wide range of injuries (from spinal cord injuries to amputations to robberies, which resulted in physical and psychological damage), which can result in some mental health challenges. As we all know, some physical injuries can lead to mental health stressors.

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Introduction

Stressors associated with injured workers include psychological and emotional, physical and biological, workplace and environmental, financial and social, systemic and process-related, and traumatic incidents. The Vocational Rehabilitation Consultant/Counselor (VRC) provides vocational services to the injured worker while keeping all these factors in mind. My goal is to show how each stage of the vocational process can present its own set of challenges to the injured worker. This is what I would like to talk to you about today.

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Overview

Let's start with the purpose of the involvement of this profession. A VRC is a professional who helps individuals with disabilities, injuries, or chronic conditions plan, achieve, and maintain meaningful employment. They work to restore or create career opportunities by assessing clients' abilities, interests, and needs, and then providing tailored support to overcome barriers to work.

The Vocational Process While Supporting the Mental Health of the Injured Worker

Overview

The Vocational process can consist of many parts:

- Assessment and planning
- Counseling and guidance
- Job training and education
- Assistance and accommodation services
- Job placement and development services
- Transition services
- Job analysis

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Overview

Should an injured worker be released to return to work, and they are unable to return to their job of injury, vocational services are warranted. In Louisiana, the injured worker is entitled to vocational rehabilitation services to return to suitable employment.

Under Louisiana law (La. R.S. 23:1226), if an employee suffers a work-related injury that prevents them from earning wages equal to their pre-injury earnings, they are entitled to prompt vocational rehabilitation services. The goal is to return the worker to employment with minimal retraining, prioritizing a return to the same or a modified position, or, if necessary, to a related occupation suited to their skills and education.

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In summary, Louisiana's vocational rehabilitation rules are designed to support injured workers in returning to gainful employment, while ensuring that services are reasonable, tailored to the worker's abilities, and overseen by licensed professionals."

Vocational Rehabilitation Counselors are governed by the Louisiana Licensed Professional Vocational Rehabilitation Counselors (LLPVRC) Board of Examiners and the Code of Professional Ethics for Licensed Rehabilitation Counselors. I also maintain my state and national licenses.

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Overview

Louisiana Workers' Compensation Law establishes a hierarchy for returning injured workers to employment:

1. Return to the same position.
2. Return to a modified position.
3. Return to a related occupation suited to the injured worker's education and skills.
4. On-the-job training.
5. Short-term retraining (less than 26 weeks).
6. Long-term retraining (26 weeks to 1 year).
7. Self-employment

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Overview

The physical demand level to which the injured worker has been released to by their physician and/or physicians may prevent them from returning to work to their pre-injury profession. If a modified position is available with the employer of injury, then the VRC will work with all parties to aid in the return to work of the injured worker. This will include conducting a job analysis, which will be discussed in more detail a little later.

If returning to work with the employer of injury is not possible, then the job placement process is implemented. This will include a review of medical records, vocational assessment, vocational testing, job skills training, rehabilitation plan, and the job search process. The job leads found are sent to the physician for review and their opinion.

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One aspect very important to the vocational process and the VRC – the Injured Worker is the client. Not the insurance company, the doctor, nor the attorney. It should also be noted that we work with injured workers in the same way, should they be represented. Contact will then be maintained with the injured worker via the attorney, unless direct contact is given. But otherwise, the process is the same. I can see the relief on the injured worker's face when I tell them that they are my client and not any other party.

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Overview

Barriers may include:

- Not having all parties on the same page – adjuster, injured worker, attorneys, physicians, therapists, nurse case manager, VRC...
- IW does not feel they can return to work
- The return-to-work release was provided by a State IME

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VOCATIONAL PROCESS WITH INJURED WORKER

When working with an injured worker who does not feel they are capable of performing the physical demands outlined by their physician, the vocational process can be stressful. First, the vocational process is mandatory. When an injured worker expresses their concerns and declines vocational services, finding out that the process is mandatory, and they HAVE TO participate, can lead to mistrust from the start. The vocational process is complex and unknown, as each injured worker, their injury, and skills, are different. There is no exact way to handle each case, so the unknown can be challenging.

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VOCATIONAL PROCESS WITH INJURED WORKER

I try to spend time with the injured worker, going over how we came to work together. In order for the VRC to move forward with the job search process, a return-to-work release is needed. This will come from the treating physician or the State Independent Medical Examiner (IME). The physical demand level provided is discussed with the injured worker and outlined. It is important for the injured worker to understand that the physician outlines this information and that this is not our opinion. As the VRC, my job is to take the information obtained from their vocational profile and assist them in locating suitable employment.

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VOCATIONAL PROCESS WITH INJURED WORKER

The vocational profile includes the injured worker's work history/skill level, education, physical demand level per the physician, and their area of residence. Please remember that the job search process is already stressful, but adding an injury or restrictions to that process only increases stress levels.

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VOCATIONAL PROCESS WITH INJURED WORKER

Common concerns from the injured worker include:

- How can I return to work when I am unable to get out of bed each day?
- I am unable to do my basic chores around the house; how can I work?
- How can my doctor say I can work when I tell them that I cannot?
- I have lost trust in my doctor.
- What do I do if I return to work, and I am unable to complete my job duties each day?
- I do not want to waste an employer's time, knowing I cannot work every day.

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VOCATIONAL PROCESS WITH INJURED WORKER

Should a Second Medical Opinion be conducted and there is a difference of opinion on diagnosis, treatment, causation, or return to work abilities, the Office of Workers' Compensation may assign a State IME. This IME's opinion is the final decision. When discussing this information with the injured worker, this can also lead to stress and confusion. I find that this is one of the main factors that injured workers have trouble moving past.

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VOCATIONAL PROCESS WITH INJURED WORKER

Common concerns from the injured worker include:

- How can a doctor whom I see one time determine my abilities for the rest of my life?
- How can this doctor say I can work when my treating doctor says that I cannot?
- Am I able to call this doctor after I return to work and fail?
- This doctor talked to me for 5 minutes; you tell me how he/she knows what I can do.

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VOCATIONAL PROCESS WITH INJURED WORKER

At times, I am unable to answer these questions and certainly do not speak for the doctors. We can all understand their frustration; however, keeping the injured worker moving forward is key. Addressing and confirming their concerns may help the IW to move forward.

Keeping the IW up to date and aware of what the goals are may help keep stress levels down. Walking the injured worker through the steps of the vocational process and explaining that an estimated wage capacity is needed may help them understand the process. Again, we will work the process the same way.

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VOCATIONAL PROCESS WITH INJURED WORKER

Maintaining the injured workers' self-worth and respect during this process is vital. When discussing the injured workers' background, past employment, educational history, marital status, children, medical treatment, and personal opinions of the VRC are not significant. However, developing a working and trusting relationship with the IW is key to successful rehabilitation. So common ground or similarities can be explored appropriately. Showing a human side...

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VOCATIONAL PROCESS WITH INJURED WORKER

Sham rehab also has an effect on the injured worker. Sham Rehab provides vocational services that are intent on reducing long term benefits rather than provide true vocational rehabilitation efforts to the injured worker. However, moving forward without the necessary and complete information will not only cause more mistrust but may also lead to more issues down the road.

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VOCATIONAL PROCESS WITH INJURED WORKER

Common concerns from the injured worker include:

- Injured workers feel like the future is not in their hands
- Vocational process is unknown and uncertain
- Does not want to return to work in alternate work, loves their job
- The alternate work found does not fit in their financial plan

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JOB ANALYSIS

A job analysis is a systematic process used to gather, document, and analyze information about a job's duties, responsibilities, and requirements. Its purpose is to define the essential functions of the position, including the physical demands, aptitude, and temperaments required, and environmental factors involved.

The purpose of the job analysis is to determine work-relatedness, assess return-to-work ability, support rehabilitation planning, provide a baseline for FCEs, and protect all parties with documented job duties and expectations. A job analysis can be conducted pre- and post-injury.

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JOB ANALYSIS

Job analysis conducted prior to injury:

Employers will have job analyses conducted by a VRC to provide information to workers in the hiring process. This provides specific information as to what is required of them on a day-to-day basis. At times, employers have been surprised by the amount of weight being lifted by workers, and this can be eye-opening. Part of my job is to try to reduce the amount of weight being lifted/carried.

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JOB ANALYSIS

Job analysis conducted prior to injury:

Recommendations on how to decrease the physical demands are provided whenever possible. This is also beneficial as the supervisor/leader is aware of what is required of the employees. The physician may also provide some insight into future vocational services when reviewing the job analysis. Depending on the injury, the physician may be able to determine if returning to the job of injury is possible or not. Knowing this information may help the IW accept vocational services and move forward.

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JOB ANALYSIS

Common concerns from the injured worker:

- To get the job done, I had to do this....
- I was told to do this and did not know....
- I did not know there was a limit I am supposed to lift....

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JOB ANALYSIS

Job analysis conducted post-injury:

Should the employer not have a job analysis composed, inviting the injured worker and having them participate, when possible, has beneficial factors. If all parties are involved in the development of the job analysis, then it is less likely that there will be disagreements when finalizing and signing. The injured worker may also feel that their input is of value and feel included. The job analysis is then sent to the doctor for review and comment. This is also providing peace of mind to the IW that the doctor is also involved and that their well-being is important. The injured worker is aware that some effort is being made with the employer of injury.

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JOB ANALYSIS

Job analysis conducted post-injury:

When the job analysis is presented to the doctor, the decision may be made that the IW cannot return to their job of injury. This can be devastating for the injured worker and needs to be addressed. Knowing they are unable to return to the job of injury may leave the IW more open to vocational services and moving forward.

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OTHER CONSIDERATIONS

When there are numerous parties involved, getting all involved on the same page at the same time can be difficult. There may be more than one orthopedist, a neurologist, a pain management specialist, and a psychologist. This can also be frustrating for the injured worker, as this may delay treatment or the vocational process.

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OTHER CONSIDERATIONS

Injured workers may have physical and psychological factors that are not the obvious:

- Incontinence
- Ability to provide for family
- Interact with children in a way they are used to
- Depression/anxiety
- Intimacy/performance problem

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OTHER CONSIDERATIONS

Chronic Pain

Financial stress is a major factor for many of the injured workers I work with. From not knowing if they will be able to return to work at all to whether they will be able to provide for their families. Trying to locate jobs that compare in salary is important. Talking this out with the injured worker can help with stress levels.

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OTHER CONSIDERATIONS

Chronic Pain

The workers' compensation system can be confusing to the injured worker, along with all of the terms, forms to be completed, appointments, etc. Unclear and/or delayed communication from any party can lead to increased stress. Believe it or not, I do come across the occasional client who does not know how to work a computer, text message, email... Helping them find a solution to these problems may decrease stress for several parties. Also, when possible and if appropriate, offering assistance to complete the task can decrease the stress level and lead to increased trust.

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OTHER CONSIDERATIONS

Chronic Pain

Many of the injured workers I work with have trouble accepting that they may never be able to do the things they used to do. Whether that is work duties, hobbies, family activities, or picking up their children. Not addressing these issues may lead to tunnel vision. Not being able to move on and forward.

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KEY TAKEAWAYS

IW is the client – not any other party. The vocational process can have a lifetime effect on the injured worker, and it is the responsibility of the VRC to provide adequate services. Put yourself in the “injured workers' shoes’....

Vocational rehabilitation is more successful when all parties work together and keep the injured workers in the loop and up to date on activities. Allowing the VRC to provide full vocational services when warranted is key.

Effective return-to-work planning should address both physical rehabilitation and mental health support (if needed), provide clear communication and accommodations, and integrate early, coordinated interventions to reduce these stressors. This holistic approach can improve recovery timelines, employee morale,

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KEY TAKEAWAYS

Effective return-to-work planning should address both physical rehabilitation and mental health support (if needed), provide clear communication and accommodations, and integrate early, coordinated interventions to reduce these stressors. This holistic approach can improve recovery timelines, employee morale, and long-term workplace outcomes.