



Washington State Department of
Labor & Industries
Workers' Compensation Services

Plan Development: What Are My Rights and Responsibilities?

Vocational Rehabilitation Services



*Other formats for persons with disabilities are available on request.
Call 1-800-547-8367. TDD users, call 360-902-5797.
L&I is an equal opportunity employer.*

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Plan Development Rights & Responsibilities

You are eligible for training

You have been found likely to benefit from vocational services that will help you return to the workforce. This is an important step in your life following your serious work-related injury or illness.

Planning for wise use of your benefits

This phase of vocational services is devoted to developing a training plan. During plan development you will work closely with your vocational counselor to identify a job goal, the training program or course of study that is the best fit for you, and to work out the details of how to meet your goal.

What training benefits are available?

The vocational benefits available are significant and should allow you and your vocational counselor to develop a training plan that can lead to a high-demand job. It will give you many options in finding a program that is just right for you!

If formal training is not the best approach for you, your vocational counselor may also work with you on other possible options, such as on-the-job training opportunities. Additional resources are available through WorkSource to assist you in job searches, resume development, and job skill classes.

What Labor & Industries (L&I) expects from you

It is your responsibility to work with your vocational counselor to develop a vocational plan listing the services you will need to become employable again. When your plan is complete, your counselor will submit your plan to the Department of Labor & Industries (L&I) for review.

After L&I approves your plan, you will have an opportunity to decide whether you want the vocational benefit. If you choose training, you must follow the plan you have developed and the elements of an accountability agreement you will sign.

What happens if you stop participating?

While you are actively participating in vocational rehabilitation services, you will continue to receive time-loss compensation benefits. If you stop participating, L&I may stop paying your medical and time-loss compensation benefits.

What happens during plan development?

1. L&I will notify all involved parties in writing that you are eligible for plan development.
2. L&I will also notify your employer that they have fifteen (15) days to offer you a job. If your employer makes a valid job offer during that period, time-loss compensation will stop, even if you do not accept the offer.

After the 15 days are over, your employer can continue to offer you jobs, but you are not required to accept. If you decline a job offer made after 15 days, this decision will not affect your time-loss compensation.

A valid job offer is made in writing.

The written offer should include:

- A description of the job duties
- A statement that the employer reasonably expects the job to continue in the future
- A reasonable start date
- Work shift
- Location of the work site
- Who the worker will report to
- Wages

3. You need to meet and work with your counselor to draft a training plan. This plan is due to L&I within 90 days.

What your vocational plan will include:

- Your occupational goals.
- A detailed schedule of services or training that will lead to your goals.
- The responsibilities you, your counselor, and others will have as you work toward this goal.
- An accountability agreement that you must sign. Your signature will show that you understand and agree to your responsibilities if you go ahead with the plan, including expectations regarding your progress, attendance, and other factors that will help you succeed at meeting your goals.

Plan Development Rights & Responsibilities

Next steps after submitting your plan to L&I

L&I has 15 days to approve or reject your plan. We will notify all parties of the decision in writing.

- If L&I does not make a decision within 15 days, your plan will be approved automatically.
- Once L&I approves your vocational plan, you have 15 days to decide whether to select Option 1 or 2.

Your options

Vocational Option 1

You can choose to move ahead with your vocational plan.

Vocational Option 2

You can choose to receive benefits equal to six months of temporary total disability, or time-loss compensation, less any overpayments or Division of Child Support* liens you owe. This benefit is paid bi-weekly, or, on request and at L&I's discretion, in a lump-sum payment. (If approved, L&I will send your payment once 60 days or more have passed from the mailing date on your Vocational Award *Payment Order*.) Your workers' compensation claim will be closed.

Under Option 2, vocational funds remain available to you, with some limits, for up to five years after the claim closes.

Limits on Option 2

1. You must develop a plan with your vocational counselor, which must be approved by L&I before you can select Option 2.
2. You can choose Option 2 only once in your lifetime.
3. If you choose Option 2, then decide to use your vocational funds within the five-year time period, you will not receive time-loss payments during the training.
4. You can spend your vocational funds only on:
 - Licensed or accredited schools, programs or courses
 - L&I-approved programs or courses
 - The following costs related to your school, program, or course:
 - Tuition - Supplies and equipment
 - Books - Tools
 - Fees - Licensed care for your child or dependent

*Washington State Department of Social and Health Services, Division of Child Support

What you can expect from your vocational counselor

Your counselor is required to:

- Meet with you face to face to review your rights and responsibilities.
- Provide vocational counseling, including exploring possible occupations for you.
- Help you identify job goals, training needs, resources, and expenses.
- Provide vocational evaluation or testing, if appropriate, including skills assessments and interest inventories.
- Identify your current transferable skills, and skills acquired through training.
- Help you develop a plan to accomplish your job goal.
- Provide monthly progress reports to L&I.
- Provide you copies of the monthly progress reports if you request them.
- Submit your training plan to L&I within 90 days from the referral.

What you can expect from L&I or your self-insured employer

- Continue to monitor your time-loss and medical benefits.
- Get all medical information from your attending physician.
- Assign you a vocational counselor.
- Review monthly progress reports received from your counselor.
- Assign you another counselor if your counselor does not submit your training plan within 90 days or provide good cause for a delay.
- Approve or reject the vocational plan within 15 days and notify all parties in writing.
- Stop paying your benefits if you stop participating.

Need more information or help?

If your employer is insured by L&I, contact us at the number printed in your correspondence or by calling 1-800-547-8367.

- You can also review your information at L&I's online Claim and Account Center at: www.ClaimInfo.Lni.wa.gov
- By mail: Department of Labor & Industries
Insurance Services
PO Box 44291
Olympia, WA 98504-4291

If your employer is self-insured, contact your employer's claim manager, or L&I's Self-Insurance Section at 360-902-6901.

Accountability during plan development

My signature below indicates that:

- I have met with my assigned vocational counselor in person to review my rights and responsibilities about vocational plan development.
- I understand my rights and responsibilities.
- I agree to meet my responsibilities as described by my counselor during plan development.

Printed Name

Claim Number

Signature

Date Signed

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