Washington State Department of Labor & Industries

Light Duty Complaint Resolution Office

2025 Report to the Legislature

June 2025

Available online at www.Lni.wa.gov/LegReports

TABLE OF CONTENTS

Executive Summary

The 2024 Washington State Legislature provided funding of $200,000 to establish and staff a resolution process for complaints regarding light-duty work in the workers' compensation system.

Engrossed Substitute Senate Bill (ESSB) 5950, Section 220 (49) directed the Department of Labor & Industries (L&I) to report outcomes related to light-duty resolution processes.

L&I opened its Light Duty Complaint Resolution Office (LDCRO) on Sept. 3, 2024.

From Sept. 3, 2024, to April 30, 2025, the department monitored the volume of complaints, outcomes, and phone inquiries.

Based on initial findings, the LDCRO is filling a need by providing specialized resources to address a complex issue, in which injured workers may be able to perform limited work duties, and employers wishing to provide such light-duty work must do so consistent with those limitations. But what happens if there is a dispute about the light-duty job being offered? Previously, these challenging and time-consuming complaints were addressed by individual claim managers. The LDCRO established a consistent process for timely review and resolution of light-duty complaints, and offers feedback to employers if a job is found not valid. Workers and employers have shared positive feedback about the new office.

Light Duty Complaint Resolution Office (LDCRO) Pilot

A worker may be medically restricted from returning to their regular job following a workplace injury. However, they may be able to work in a less physically or mentally demanding assignment while recovering, referred to as light-duty. Light-duty work benefits both workers and employers. The worker stays active and recovers from the injury more quickly; the employer-employee relationship is maintained; and the employer retains the skills of an experienced employee. Studies show the longer an injured worker is off work, the harder it is for that employee to return to their original job and wages. Effective return-to-work strategies can help promote a faster recovery and prevent a downward spiral into disability.

In some cases, however, there are light-duty jobs offered that workers contend are unfair or not valid. The legislature provided funding for L&I to set up an office that serves as a single point of contact for workers who have questions or issues regarding a light-duty job offer.

BACKGROUND

Light-duty Work

The legislature finds that "long-term disability and the cost of injuries are significantly reduced when injured workers remain at work following their injury." Memorialized in the workers' compensation law at RCW 51.32.090(4)(a), this statement recognizes benefits to both workers and employers through appropriate return-to-work strategies. To encourage employers at the time of injury to provide light-duty or transitional work for their workers, wage subsidies and other incentives are made available to employers insured with the department.

Medical restrictions may prevent a worker from returning to their regular job after a workplace injury. However, a worker may be able to work in a light-duty capacity while still receiving medical treatment and benefits.

Employers are encouraged to offer light-duty work during a worker's medical recovery.

In cases of light-duty work:

- The health care provider must determine if the worker is physically able to perform light-duty or transitional work.

- The employer may assign only the work approved by the health care provider.
- The worker's time-loss benefits continue until they return to work or until they are released to work by the health care provider.

Light-duty or transitional work may include:

- working fewer hours;
- performing different duties with lighter physical demands; or
- adjusting the job duties or worksite to meet a worker's physical limitations, e.g., by providing tools, equipment, or appliances.

(Note: the light-duty job is not required to relate directly to the work performed at the time of injury.)

KEY MILESTONES

Project timeline and approach

To address disputes between injured workers and employers regarding what constitutes appropriate light-duty work, L&I began developing the new LDCRO office in June 2024. Efforts included engaging key representatives, aligning resources, creating needed materials, establishing processes, and communicating with internal and external stakeholders. The LDCRO opened in September 2024 and has implemented continuous quality improvement to meet pilot goals of resolving complaints within 10 business days and responding to phone inquiries within two business days. Key dates in the project timeline include:

- March 29, 2024 — ESSB 5950 signed into law, which included the above proviso.
- June 2024 through August 2024 — Established a project team and met with key business and labor representatives to share plans for the LDCRO, respond to questions, and solicit feedback.
- Sept. 3, 2024 — Opened the LDCRO, staffed with claims experts with advanced experience in adjudication and conflict resolution.
- September 2024 to April 2025 — Continued to meet with key parties to share data and provide updates to external stakeholders.

OUTCOMES

Data related to light-duty complaints and resolutions

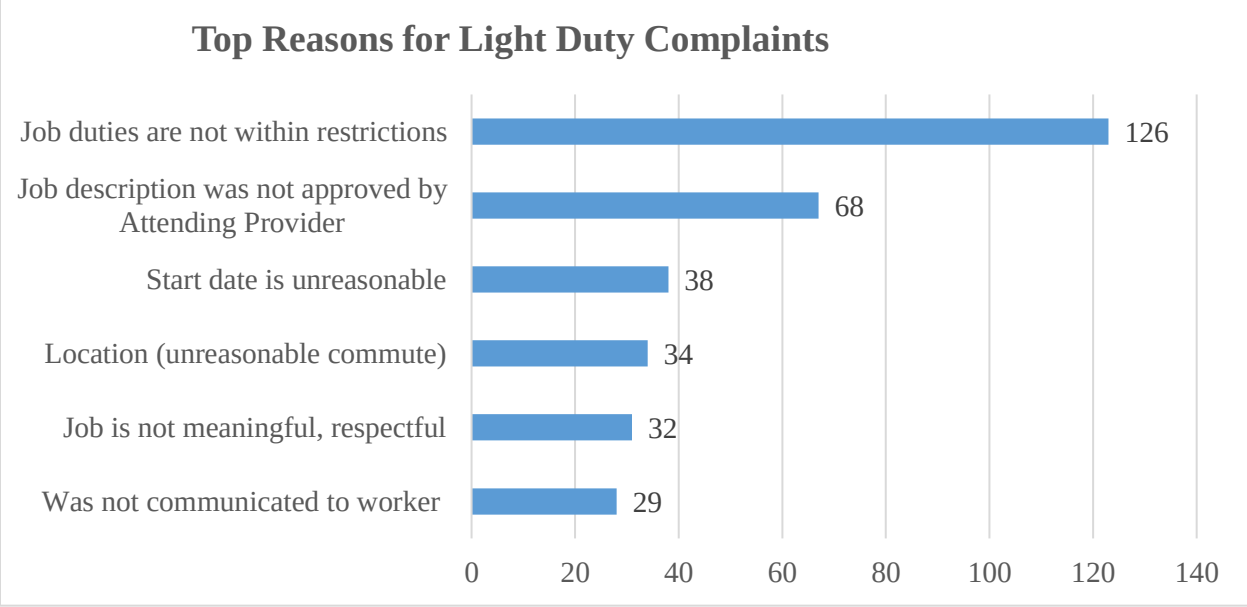
As of April 30, 2025, the LDCRO had received **352 complaints (327 State Fund and 25 Self-Insurance) and resolved 333 complaints.** L&I estimates an annual average of 8,800 claims involve a light-duty job offer from the employer of injury, though many light-duty offers occur without the department's involvement.

- Of the 333 complaints resolved:
  - 142 (42.6%) job offers were found valid; 117 (35.1%) were found not valid;
  - 51 (15.3%) were out of scope (not related to a light-duty job offer); and
  - 23 (7%) had already been resolved.

Fifty complaints were received directly from customers via fax, and four were received through the Self-Insurance Portal. Claim managers referred the remainder.

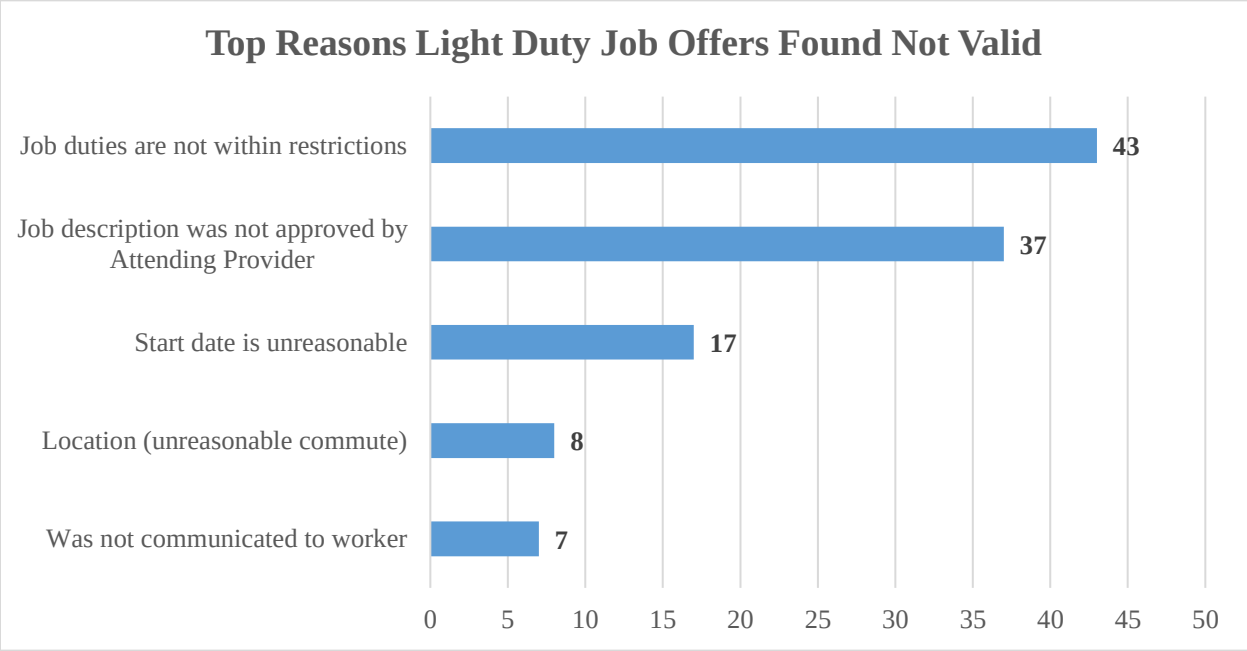
Top reasons for complaints

The most common reasons for complaints are shown in the chart below. Most often, the employee asserts the job duties are not consistent with their work restrictions. That is followed by a complaint that their medical provider did not approve the job offer or the start date is not reasonable.



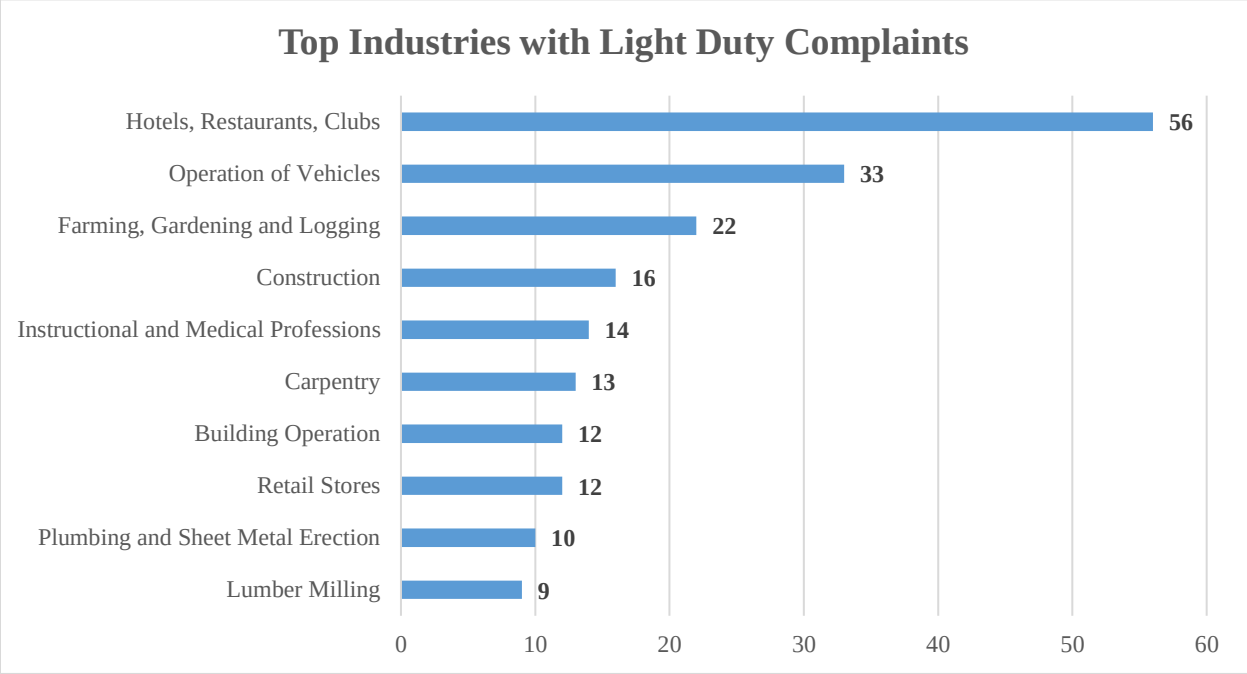
Top reasons job offers found not valid

The most common reasons that a light-duty job offer is found not valid are identified below. These are consistent with the complaints received, with the most common reason that the job duties are not within the restrictions approved by the worker's medical provider and that the medical provider did not approve the job description.



Top industries for complaints

Below are the most common industries for which the department receives a complaint that a light-duty job offer is not valid. Of course, most light-duty offers do not end in a disagreement. However, they are often created without L&I's involvement, so it is not known whether this list is representative of offers in these industries.

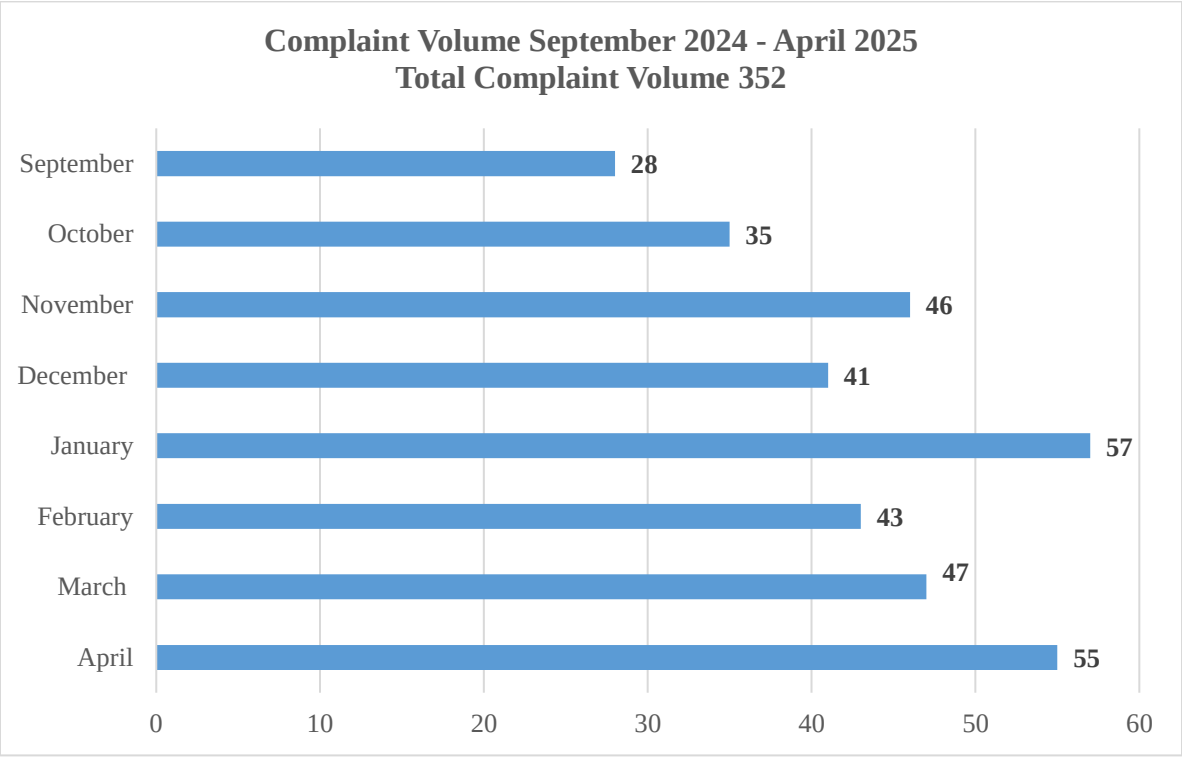


Additional data:

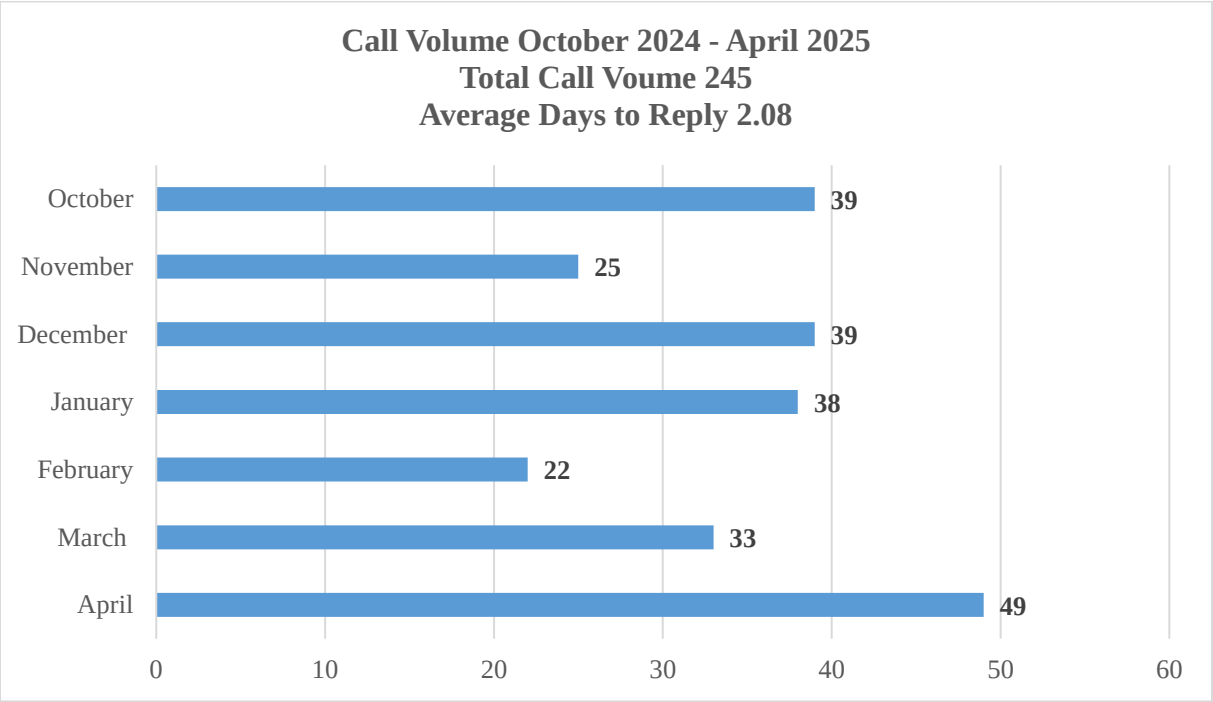
- 294 (84%) of the claims had a third-party administrator or employer representative.
- 179 (51%) of the workers had legal representation.
- 155 (44%) of the claims had an assigned vocational counselor.
- 45 (14%) of the LDCRO decisions were protested, causing the office to conduct a further review. Of those, LDCRO affirmed that 33 were correct, four were out of scope, three were reversed, and five are pending a further decision. If any party disagrees with a final decision of the LDCRO, they may appeal to the Board of Industrial Insurance Appeals (BIIA).

Performance of the office

The LDCRO created a consistent and efficient process for resolving complaints and responding to inquiries. Process improvement adjustments were made to meet pilot goals, which include resolving complaints within 10 business days and responding to phone inquiries within two business days.



From September 2024 through April 2025, the average days to resolve a complaint was 11.25. Through continuous improvement, L&I decreased this timeframe and is now meeting the goal of resolving complaints within 10 business days. Prior to implementation of the LDCRO, there was no standard timeframe for resolving complaints and they were not tracked, so there is no data to make a comparison.



Customers were given a direct phone line to the LDCRO for any questions they may have regarding light-duty job offers. The LDCRO provides education and guidance, which can strengthen job offers and prevent complaints.

FINDINGS

The LDCRO received an average of 44 complaints each month. The complaints vary in complexity and take skilled resources to resolve.

Initially, the number of valid vs. not valid job offers was evenly split. Over time, more light-duty job offers were found to be valid. This may be the result of education and advice offered to employers and third-party administrators.

The most common reasons for complaints were: (1) the job duties were outside the worker's medical restrictions; or (2) the attending provider did not approve the job. These were also the most common reasons for jobs to be found not valid. These factors can usually be corrected and followed with a new job offer that meets the needs of the worker and the employer. Another common complaint by workers is that the light-duty job was not meaningful or respectful. One job was found not valid for this reason during this period.

About half of the complaints were received directly from workers who do not have legal representation, demonstrating that unrepresented workers are aware of the option to file a complaint when they disagree with or have a concern about a light-duty job offer.

The majority (nearly 85%) of claims with job offer complaints had an employer representative or third-party administrator on the claim. The LDCRO offers feedback and education to employers or their representatives when jobs are found not valid.

Customers have shared positive feedback about the new office.

- "I'm very happy this office is open and operating. I appreciate that the office is working with both workers and employers on the complaints and that the office reached out to me for information to help resolve the complaint."
- "I appreciate being able to talk with the office and understand more about their decision making."
- "I appreciate the call and the office taking the time to make sure I understood the process and ensuring my actual concerns were being addressed."
- "The office has given some really helpful guidance which is assisting us in making our job offers stronger and successfully bringing workers back to work."
- "The office does a great job of staying neutral but giving answers, very helpful."
- "The office has been very informative and helpful."

Conclusion

Disagreements between workers and employers over the suitability of light-duty jobs represent a unique challenge in claims adjudication. By creating a dedicated office and through specialized training of light-duty claim managers, L&I has successfully resolved more of these disputes more quickly, which returns workers back to suitable work more quickly, benefiting the worker and employer. The prior process relied on individual claim managers to address and adjudicate complaints, in addition to managing all other aspects of their caseloads. The LDCRO created a single point of contact responsible for managing these issues consistently and efficiently. The process improvement has benefited both workers and employers by reducing delays in decisions about light-duty disagreements. By resolving light-duty complaints quickly, the likelihood of long-term disability is reduced and workers' quality of life is restored while also reducing costs in the workers' compensation system.

Due to positive results from this process improvement, and with the support of continued funding, L&I is now able to make the LDCRO permanent. The office will continue to partner with business and labor representatives to find opportunities to improve services and continue to improve policies and procedures related to light-duty job offers.

Appendix

SURVEY HIGHLIGHTS WORKER EXPERIENCES WITH LIGHT-DUTY JOBS

In 2024, L&I partnered with Ipsos, an independent research organization, to survey injured workers about their experiences with light-duty jobs, and the experience of those who were not offered such roles. The purpose of the research was to identify opportunities to improve L&I's internal processes, outreach efforts, and oversight related to light-duty jobs.

The survey targeted two groups: workers whose employers participated in the **Stay at Work** program, and those whose employers did not. Workers whose employers did not participate in Stay at Work had at least 30 days of time-loss benefits in 2023, had not undergone surgery, and were not hospitalized immediately after injury. A random sample was drawn in August 2024, and 387 interviews were completed between October and November — 242 with workers who participated in light duty and 145 who did not.

Key Findings:

- **New Duties Common:** Light-duty roles most often involved different tasks from the worker's original job.
- **Perceived Benefits:** Both groups generally agreed on the benefits of light-duty work, but those with firsthand experience were more likely to see its value. Interestingly, nonparticipants were more likely to view learning new skills as a key benefit — suggesting employers could enhance light-duty roles by incorporating more skill-development opportunities.
- **Job Adjustments Matter:** Nearly 40% of participating workers reported their light-duty roles were adjusted over time, including changes such as reduced physical demands, flexible hours, added equipment, or additional support. This points to the importance of continued collaboration between workers and employers, recognizing that recovery is not a linear process.
- **Concerns Were Uncommon:** Only 13% of light-duty participants expressed concerns, mostly about limited supervision, difficulty with tasks, or being assigned unsuitable

duties. A small number mentioned poor working conditions. These concerns are directly relevant to L&I's new Light Duty Complaint Resolution Office.

- **Strong Interest among Nonparticipants:** Over 75% of workers who did not take part in light duty said they would be likely to do so if given the opportunity — reflecting a positive perception and a chance for L&I to broaden the impact of light-duty incentive programs.
- **Higher Return-to-Work Rates:** Participation in light duty was strongly associated with returning to work — 92% of participants had returned by the time of the survey.

These findings offer key insights to help L&I and employers across Washington better support injured workers. Enhancing the structure, communication, and flexibility of light-duty opportunities can help more workers recover and return to work successfully.