

When a worker is injured on the job, the unfortunate reality is that they may never be able to work in the same job again. Unless they are totally and permanently disabled, however, they may be able to work in another role at some point in the future. Workers who are facing the possibility of changing jobs or careers as a result of their injuries need to understand their options. If you may not be able to return to your former job, you discuss your situation with an experienced [workers' compensation attorney](#) before making any decisions.

What Is Vocational Rehabilitation?

Vocational rehabilitation is a workers' compensation benefit that provides education, assistance, and training to help an injured worker return to the workforce. For example, Mike is a [construction worker](#) who loses the use of his legs due to an accident at work. He is no longer able to work as a construction worker, but his employer agrees to place him in an administrative role in the office. Vocational rehabilitation may pay for the computer and bookkeeping classes he would need to perform this job.

Qualifying for Vocational Rehabilitation

The vocational rehabilitation process begins when either you or your employer request rehabilitation benefits. Unfortunately, the workers' compensation insurer will not rely upon your good faith belief that you are unable to return to your old job, no matter how reasonable that belief may be. Instead, they will require you to undergo a vocational assessment in order to determine whether you are eligible for vocational rehabilitation benefits.

It is important to note that your employer can request vocational rehabilitation services at any time, even if you have not reached your maximum medical improvement (MMI). In addition, you must cooperate with their request or your workers' compensation benefits may be withdrawn.

On the other hand, you can request vocational rehabilitation services only if you have not returned to work or have returned to work but are earning less than 75% of your pre-injury weekly wages. This is one of the reasons why you need to be very careful in deciding whether to return to work - if you return too soon and realize you cannot do your job, you may no longer be able to request vocational rehabilitation benefits.

Whether you think it is time to consider a career change or your employer has requested rehabilitation services, a workers' compensation attorney can help you navigate the process.

The Vocational Assessment

A vocational assessment is performed by a qualified vocational rehabilitation professional who is typically chosen by the insurer. They are responsible for determining whether you need rehabilitation services and the potential benefits. To put it another way, they will assess whether you are able to perform your prior job and if not, what services or training you would need to perform that job or another job.

You will be interviewed by the vocational rehabilitation professional. The purpose of the interview is to determine what may be suitable employment for you in the future. Factors that will be considered include the following:

- Your injury, your current medical condition, and your expected recovery
- Your limitations and ability to work
- Your qualifications, skills, education, and other work qualifications

You are not at the mercy of the process when it comes to this assessment. A workers' compensation attorney can work with you and the rehabilitation professional to make sure the process is fair and your needs are appropriately considered.

The Vocational Rehabilitation Plan

The next step in the process is to create an individualized written plan that recommends specific vocational services based on the information gathered from your interview. The vocational rehabilitation plan should be a collaborative effort between you, your employer, and the rehabilitation professional assigned to your case. Services that you may qualify for include the following:

- Job modification
- Job counseling and job search services
- On-the-job training
- Educational programs or classes through North Carolina community college or university systems
- Workshop training

- Vocational exploration and evaluation
- Job

However, injured workers should note that the services recommended will depend on your return to work options.

According to the rules that govern vocational rehabilitation, your options will be prioritized as follows:

1. Your current job with your current employer
2. A new job with your current employer
3. On-the-job training with your current employer
4. A new job with a new employer
5. On-the-job training with a new employer
6. Formal education or training in preparation for a job with your current or new employer
7. Self-employment

In other words, it is unlikely that your rehabilitation plan will include more extensive services if you can simply take a new job with your current employer that does not require formal training or education.

Obviously, there is a lot riding on the vocational rehabilitation plan. A workers' compensation attorney can work with you to advocate for a plan that is a realistic reflection of your limitations, abilities, and aptitudes.

What to Watch Out For

It is important to emphasize that the vocational rehabilitation process is not a mere formality and that you should take it very seriously. The rehabilitation professional is not necessarily on your side, and you cannot rely on them to make recommendations that reflect your best interests. Many rehabilitation plans can fall short in various ways, including the following:

- They fail to provide opportunities for the worker to obtain necessary skills
- They require the worker to apply for jobs that are inappropriate for their skill set, abilities, or physical limitations
- They require the worker to apply for jobs they do not want

If you are unsatisfied with your vocational rehabilitation plan, you should discuss your appeal rights with a workers' compensation attorney.

Considering a Return to Work? Talk to a Workers' Compensation Attorney at Martin & Jones

Returning to work is a big step and one that should be taken carefully. The workers' compensation attorneys at Martin & Jones have extensive experience in all phases of the workers' comp process. Wherever you are in the process, we can help you get to where you need to be. [Contact us](#) today at 800-662-1234 to schedule a free consultation.