



Workers' Compensation
**Research &
Evaluation Group**

2023

Return to Work



TDI | Division of Workers'
Compensation

Per Chapter 405 of the Texas Labor Code, the Workers' Compensation Research and Evaluation Group at the Texas Department of Insurance is responsible for conducting professional studies and research on various system issues, including:

- Delivery of benefits.
- Litigation and controversy related to workers' compensation.
- Insurance rates and rate-making procedures.
- Rehabilitation and reemployment of injured employees.
- Quality and cost of medical benefits.
- Employer participation in the workers' compensation system.
- Workplace health and safety issues.
- Other matters related to the cost, quality, and operational effectiveness of the workers' compensation system.

This report is online at www.tdi.texas.gov/wc/reg/index.html.

For more information, email WCResearch@tdi.texas.gov.

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Conrado Garza managed the project, conducted the analyses, converted statistical results into tabular and graphical output, and interpreted the results. Botao Shi, Hari Luintel, and Vivian Meng contributed valuable editorial comments.

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Executive summary

This report analyzes return-to-work (RTW) outcomes for the Texas workers' compensation system between 2007 and 2020, including the:

- Percentage of injured employees who initially return to work after their injury.
- Percentage who remain at work.
- Average days away from work.

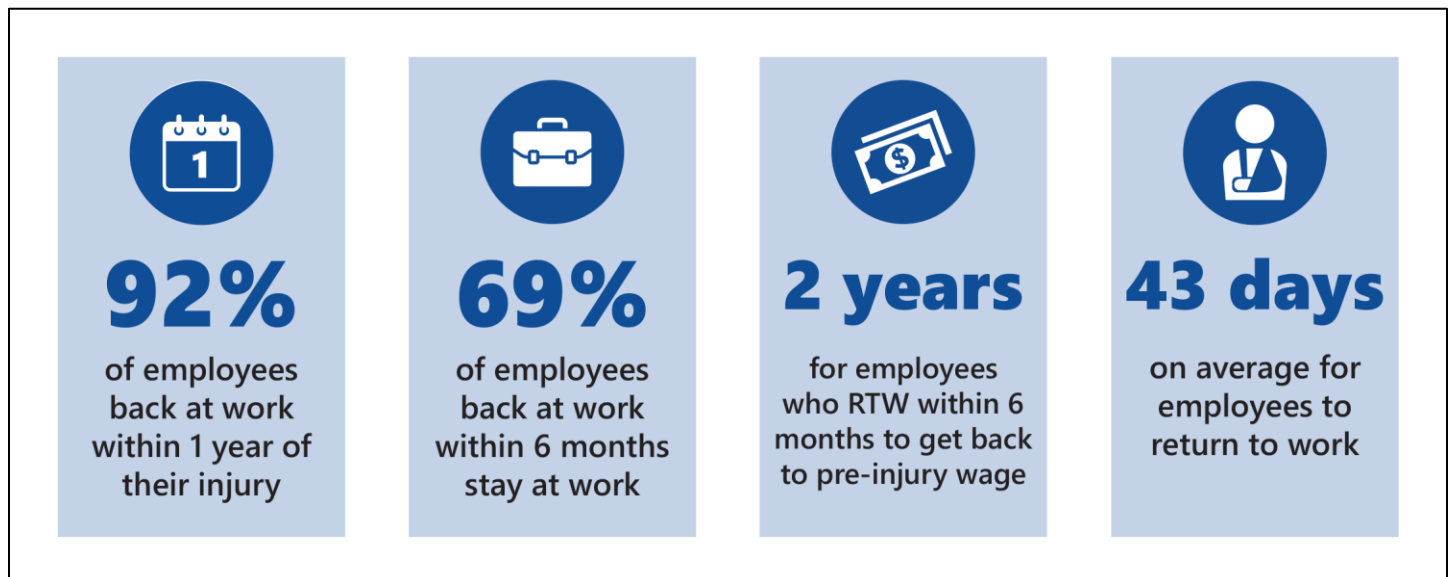
This analysis focuses on the RTW outcomes of injured employees who received temporary income benefits (TIBs) for their lost time. RTW rates are calculated using quarterly employee wage information from the Texas Workforce Commission.

This report shows two types of RTW rates: initial RTW and sustained RTW. Initial RTW is the percentage of injured employees who returned to work for the first time after their injury. Sustained RTW is the percentage of injured employees who returned to work and stayed at work for three consecutive quarters (nine months) after their injury.

Note that the report reflects lower RTW rates both sustained and initial in 2019 then recovering in 2020. This variance may be due to work interruption beginning in early 2020 due to COVID-19.

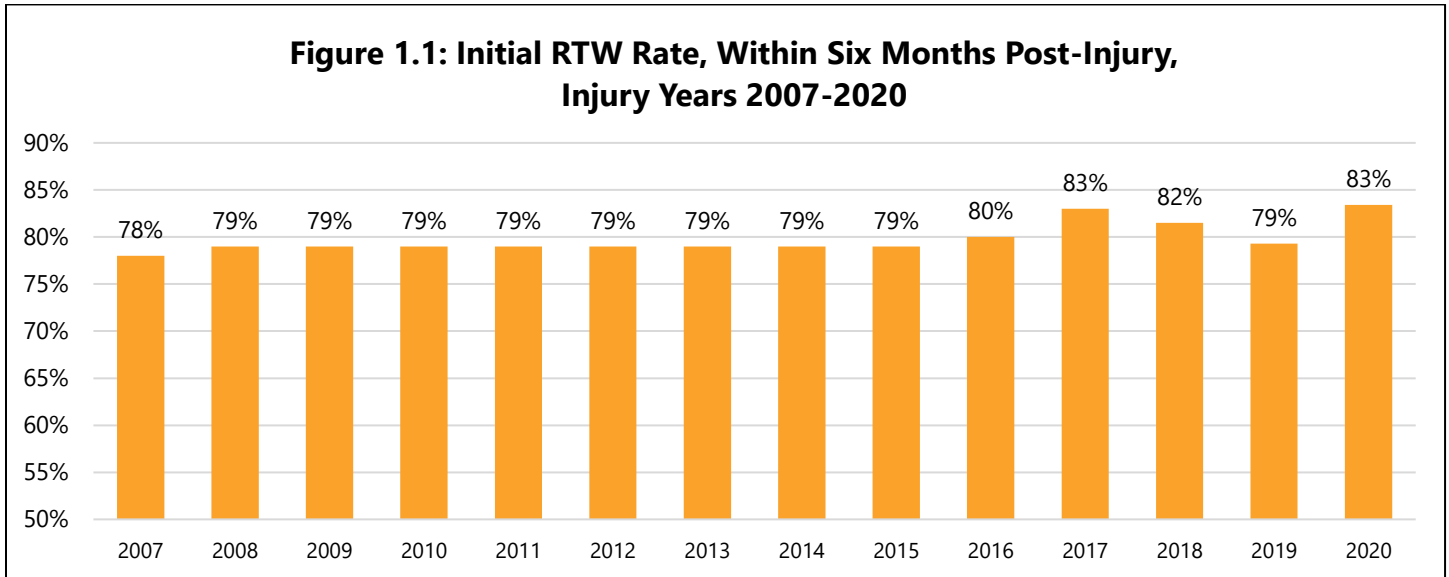
It is important to note that several factors outside of the Texas workers' compensation system affect RTW rates for injured employees, including the state's economy, unemployment rates, industry changes, and changing employee demographics, among others. However, RTW rates are an important barometer of the overall effectiveness of a state's workers' compensation system.

Key findings



Initial return to work

The initial RTW rate slightly decreased between injury years 2017-2019 from 83% to 79% (see Figure 1.1). The initial RTW rate increased from 79% in 2019 to 83% in 2020, returning to 2017 levels.



Source: Workers' Compensation Research and Evaluation Group, 2023.

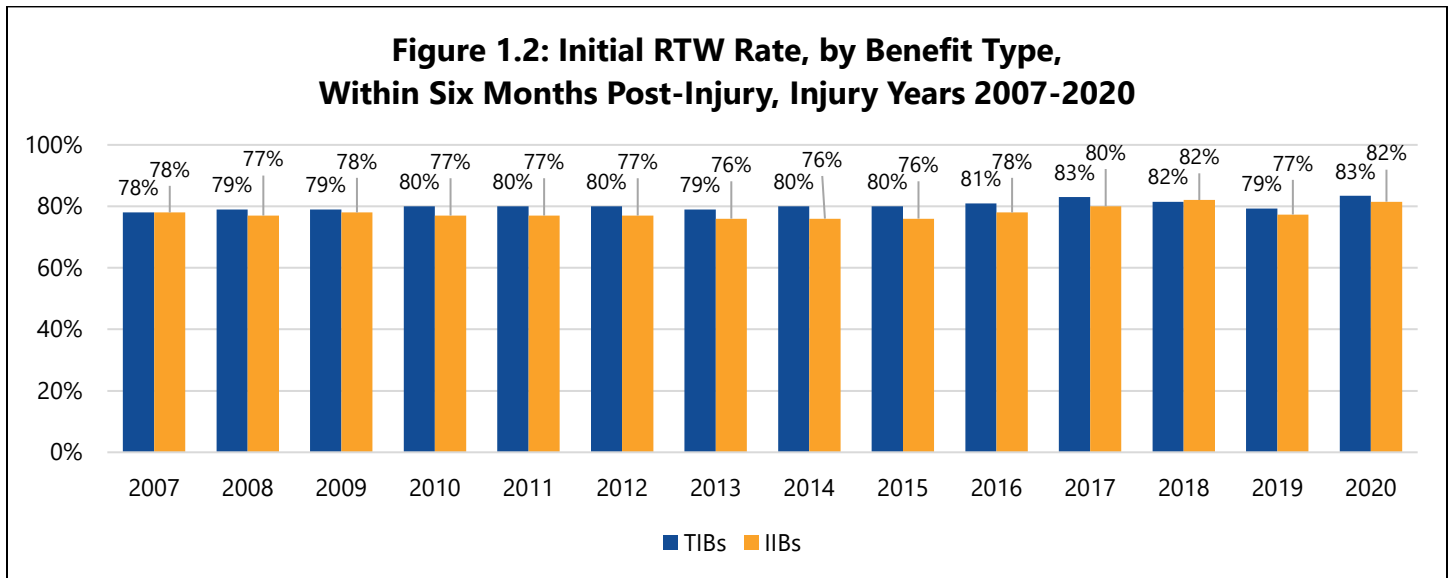
While the initial RTW rate slightly declined in 2019, 92% of injured employees returned to work within one year post-injury and 96% returned to work within three years post-injury.

Table 1.1: Initial RTW Rate, Injury Years 2007-2020

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
6 months post-injury	78%	79%	79%	79%	79%	79%	79%	79%	79%	80%	83%	82%	79%	83%
1 year post-injury	87%	87%	87%	88%	88%	88%	87%	88%	88%	89%	91%	91%	86%	92%
1.5 years post-injury	91%	90%	90%	91%	91%	91%	91%	91%	91%	92%	94%	94%	91%	
2 years post-injury	93%	92%	92%	93%	93%	93%	93%	93%	93%	95%	95%	95%		
3 years post-injury	94%	94%	94%	95%	95%	95%	94%	95%	96%	96%	96%			

Source: Workers' Compensation Research and Evaluation Group, 2023.

In general, initial RTW rates for employees receiving temporary income benefits (TIBs) are higher than those of employees receiving impairment income benefits (IIBs). IIBs are received when an injured employee is given an impairment rating (generally a more severe injury) by a certified doctor which usually indicates a longer time away from work to recover.



Source: Workers' Compensation Research and Evaluation Group, 2023.

Initial RTW rates of employees that returned to work within six months of injury slightly declined in 2019 across all employer sizes and generally rebounded in 2020. Large employers, those with more than 100 employees, consistently have RTW rates averaging 80% or higher. Larger employers tend to have more robust RTW programs than smaller employers.

Table 1.2: Initial RTW Rate, by Employer Size, Within Six Months Post-Injury, Injury Years 2007-2020

Employer Size	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
1 to 4 employees	79%	73%	75%	78%	69%	72%	73%	72%	76%	76%	80%	76%	73%	73%
5 to 9 employees	76%	73%	75%	75%	72%	75%	71%	73%	75%	74%	80%	76%	72%	74%
10 to 49 employees	77%	77%	78%	78%	77%	77%	77%	77%	78%	78%	79%	78%	75%	78%
50 to 99 employees	81%	78%	77%	78%	80%	81%	77%	77%	80%	78%	81%	81%	77%	81%
100 to 499 employees	81%	80%	79%	79%	79%	81%	78%	80%	80%	81%	83%	82%	79%	83%
500 or more employees	80%	82%	82%	83%	83%	83%	82%	83%	82%	82%	85%	85%	83%	87%

Source: Workers' Compensation Research and Evaluation Group, 2023.

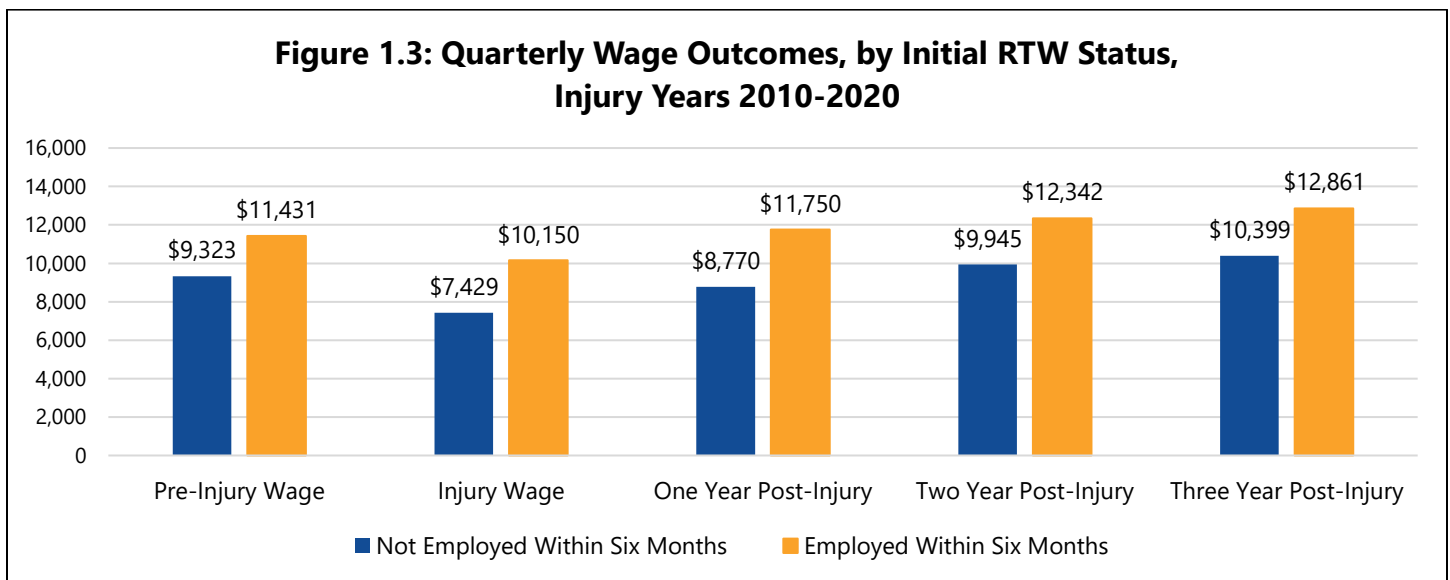
Initial RTW rates differ by industry sector. Employees in the mining/utilities/construction industry had the lowest initial RTW rate at 76% in 2020. Public administration injured employees have consistently had the highest RTW rates within six months of injury with 90% in 2020.

Table 1.3: Initial RTW Rate, by Employer Industry, Within Six Months Post-Injury, Injury Years 2007-2020														
Industry Type	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Agriculture	69%	70%	78%	84%	74%	76%	71%	75%	76%	75%	80%	74%	72%	81%
Arts/Accommodation	81%	81%	78%	81%	80%	80%	78%	82%	79%	81%	81%	81%	76%	78%
Education/Health	82%	83%	84%	81%	82%	82%	80%	84%	83%	81%	85%	83%	82%	88%
Manufacturing	77%	80%	78%	79%	79%	81%	79%	81%	80%	80%	83%	84%	81%	83%
Mining/Utilities/Construction	76%	75%	73%	74%	76%	74%	73%	76%	75%	75%	79%	77%	72%	76%
Other Services	81%	81%	81%	77%	73%	78%	78%	77%	82%	80%	84%	81%	76%	80%
Professional Group	76%	75%	76%	78%	76%	77%	76%	77%	78%	78%	80%	79%	76%	79%
Public Administration	85%	86%	86%	87%	87%	88%	87%	87%	86%	87%	88%	87%	85%	90%
Wholesale/Retail/Transportation	80%	80%	80%	81%	81%	82%	81%	80%	81%	82%	84%	84%	81%	84%

Source: Workers' Compensation Research and Evaluation Group, 2023.

The speed of an employee’s initial RTW can greatly affect an employee’s future wages, and how long it takes for an injured employee to get back to pre-injury wage levels. It is important to note that when an injured employee can return to work and earn pre-injury wages, it reduces the amount and duration of income benefits they receive. This in turn lowers claim costs and positively affects workers’ compensation insurance premiums for Texas employers.

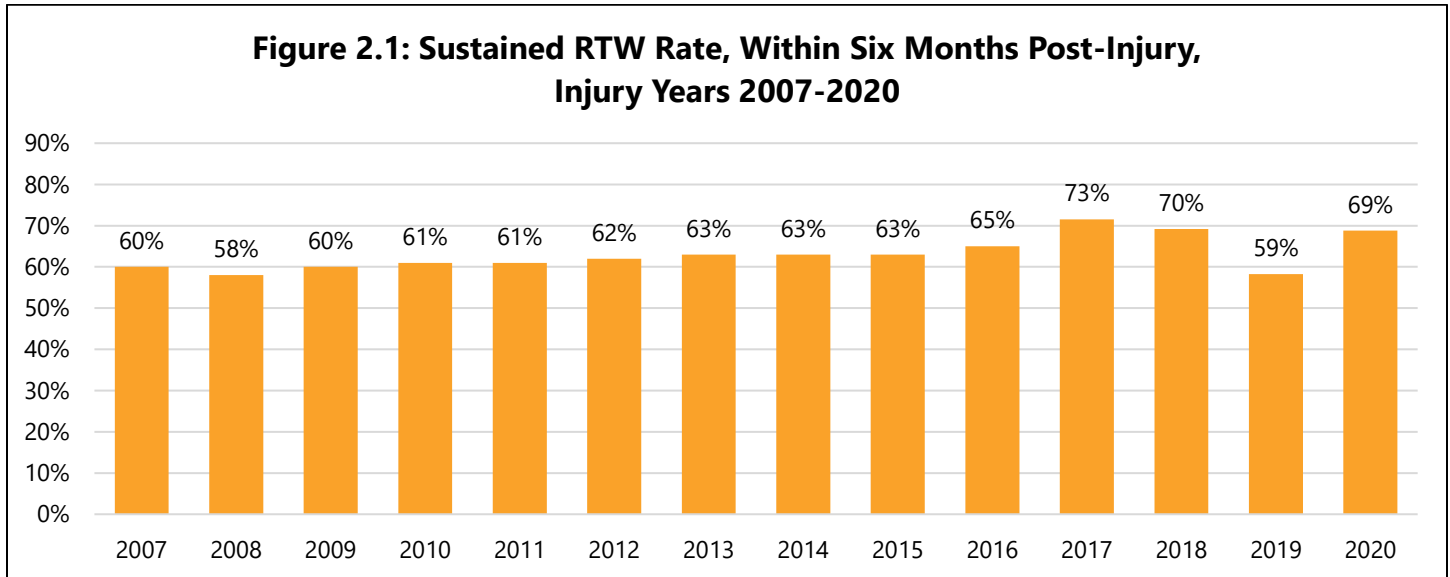
Those returning to work within six months of injury, on average, show a recovery to pre-injury wage levels in about two years. However, employees not back to work within six months of their injury take around three years to get back to pre-injury wage levels (see Figure 1.3). Additionally, employees who do not initially return to work within six months of their injury tend to have lower pre-injury wages than employees who do return to work within six months, which may indicate that there may also be other factors affecting an injured employee’s ability to return to pre-injury wages (e.g., differences in occupation, availability of employer light-duty options, need for employee retraining, etc.).



Source: Workers’ Compensation Research and Evaluation Group, 2023.
 Note: Due to TWC’s retention policy data only goes back to 2010.

Sustained return to work

This section analyzes the percentage of injured employees who initially return to work and stay employed for at least three consecutive quarters. This measure is important in understanding the Texas workers' compensation system's ability to both help an employee return to work after an injury and make sure they stay employed. Sustained RTW rates saw a decline in 2019, at 59%, and then recovered to 69% in 2020 (see Figure 2.1 and Table 2.1).



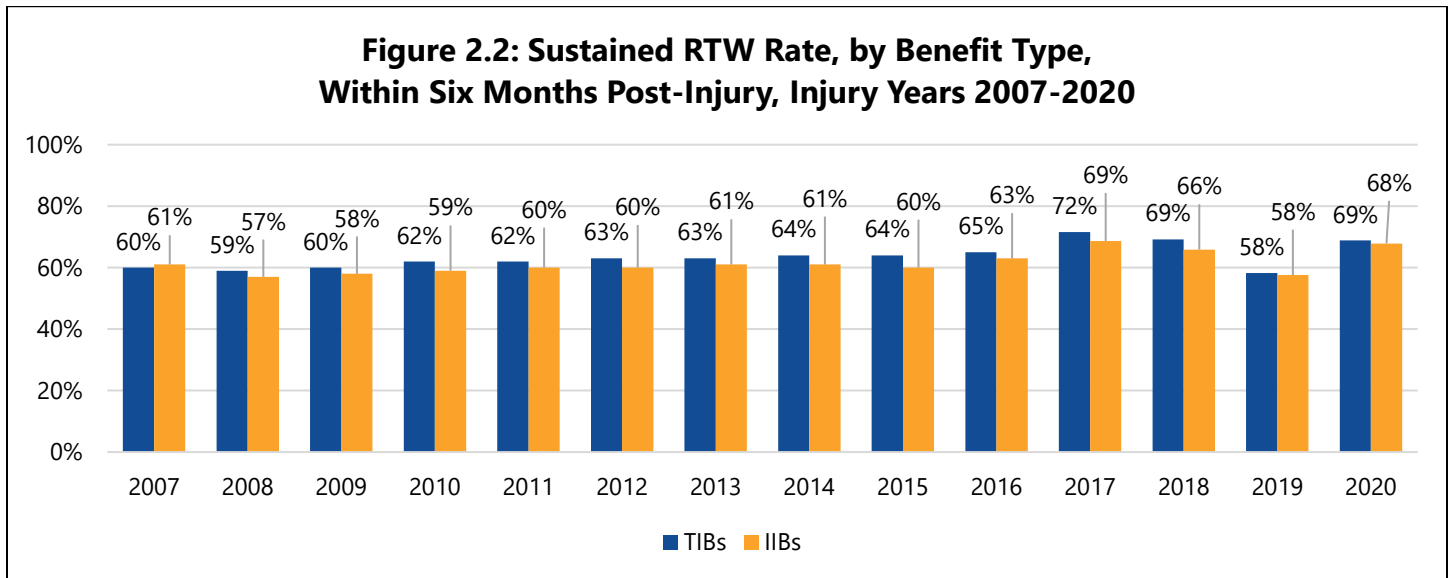
Source: Workers' Compensation Research and Evaluation Group, 2023.

Table 2.1: Sustained RTW Rate, Injury Years 2007-2020

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
6 months post-injury	60%	58%	60%	61%	61%	62%	63%	63%	63%	65%	73%	70%	59%	69%
1 year post-injury	67%	64%	66%	67%	68%	69%	69%	70%	70%	71%	77%	74%	62%	
1.5 years post-injury	69%	66%	68%	70%	70%	71%	72%	73%	72%	73%	79%	75%	63%	
2 years post-injury	71%	67%	69%	71%	72%	73%	73%	74%	73%	78%	79%	75%		
3 years post-injury	72%	69%	71%	72%	73%	74%	75%	75%	77%	78%	79%			

Source: Workers' Compensation Research and Evaluation Group, 2023.

Like initial RTW rates, sustained RTW rates for employees receiving TIBs are higher than those of employees receiving IIBs.



Source: Workers' Compensation Research and Evaluation Group, 2023.

Sustained RTW rates of injured employees that returned to work within six months of injury slightly declined in 2019 across all employer sizes and generally rebounded in 2020. Large employers consistently have higher RTW rates. More than two-thirds of employers with 100 or more employees had RTW rates of six months or less.

Table 2.2: Sustained RTW Rate, by Employer Size, Within Six Months Post-Injury, Injury Years 2007-2020

Employer Size	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
1 to 4 employees	62%	54%	55%	58%	52%	58%	58%	59%	58%	63%	62%	60%	49%	60%
5 to 9 employees	61%	54%	58%	56%	54%	60%	58%	59%	59%	64%	64%	63%	46%	60%
10 to 49 employees	58%	55%	58%	60%	60%	59%	61%	60%	62%	63%	64%	61%	48%	64%
50 to 99 employees	65%	60%	59%	59%	62%	62%	59%	62%	61%	63%	66%	64%	49%	63%
100 to 499 employees	63%	61%	61%	61%	61%	63%	63%	65%	64%	64%	66%	65%	52%	67%
500 or more employees	64%	65%	65%	67%	67%	67%	68%	68%	67%	68%	73%	69%	59%	72%

Source: Workers' Compensation Research and Evaluation Group, 2023.

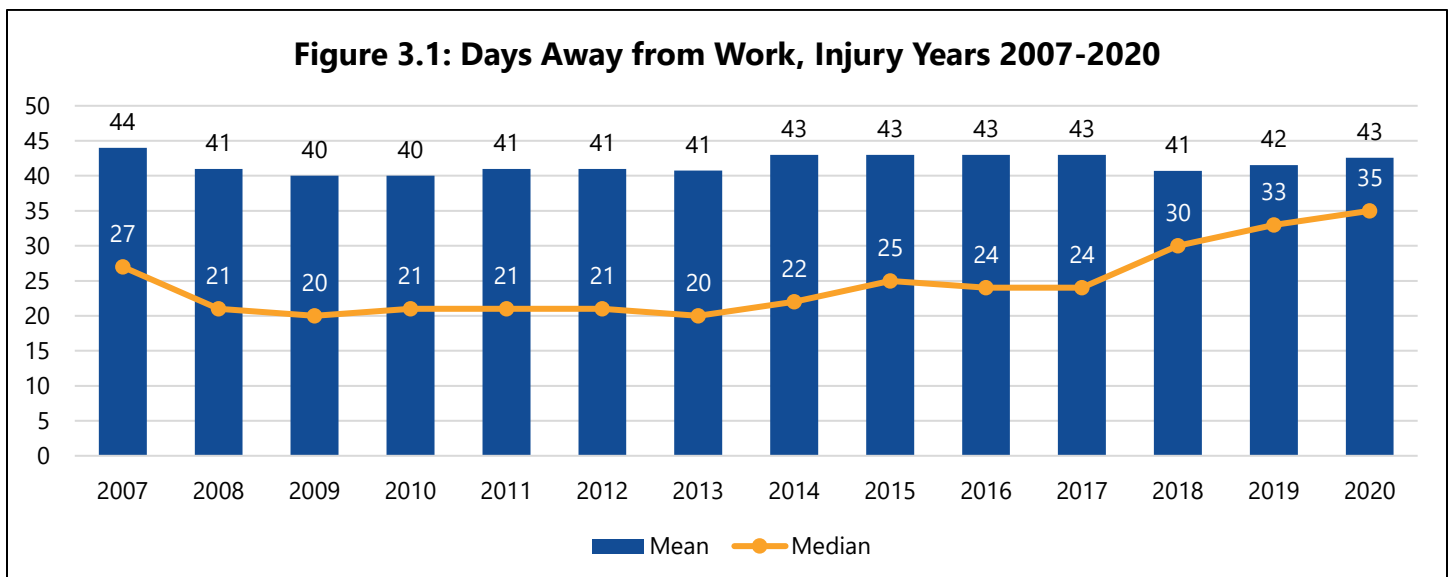
Like initial RTW rates, sustained RTW rates differ by industry sector. Injured employees in public administration consistently have the highest sustained RTW rates within six months post-injury. In 2020, the industry with the lowest sustained RTW rates at six months post-injury was mining/utilities/construction at 60%.

Table 2.3: Sustained RTW Rate, by Employer Industry, Within Six Months Post-Injury, Injury Years 2007-2020														
Industry Type	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Agriculture	51%	44%	62%	58%	52%	52%	49%	55%	60%	56%	65%	56%	49%	67%
Arts/Accommodation	64%	61%	59%	60%	62%	60%	61%	63%	64%	65%	64%	63%	42%	63%
Education/Health	64%	65%	65%	62%	63%	63%	65%	69%	66%	66%	69%	68%	58%	74%
Manufacturing	60%	59%	61%	62%	62%	63%	66%	68%	64%	66%	72%	67%	54%	67%
Mining/Utilities/Construction	60%	53%	52%	55%	56%	59%	57%	58%	56%	61%	63%	59%	43%	60%
Other Services	60%	65%	62%	55%	59%	63%	62%	65%	65%	68%	66%	64%	53%	67%
Professional Group	55%	53%	54%	59%	57%	58%	58%	59%	60%	60%	62%	61%	48%	63%
Public Administration	72%	73%	74%	74%	73%	76%	75%	75%	76%	75%	78%	73%	65%	77%
Wholesale/Retail/Transportation	64%	61%	62%	63%	66%	65%	67%	66%	66%	67%	70%	69%	57%	68%

Source: Workers' Compensation Research and Evaluation Group, 2023.

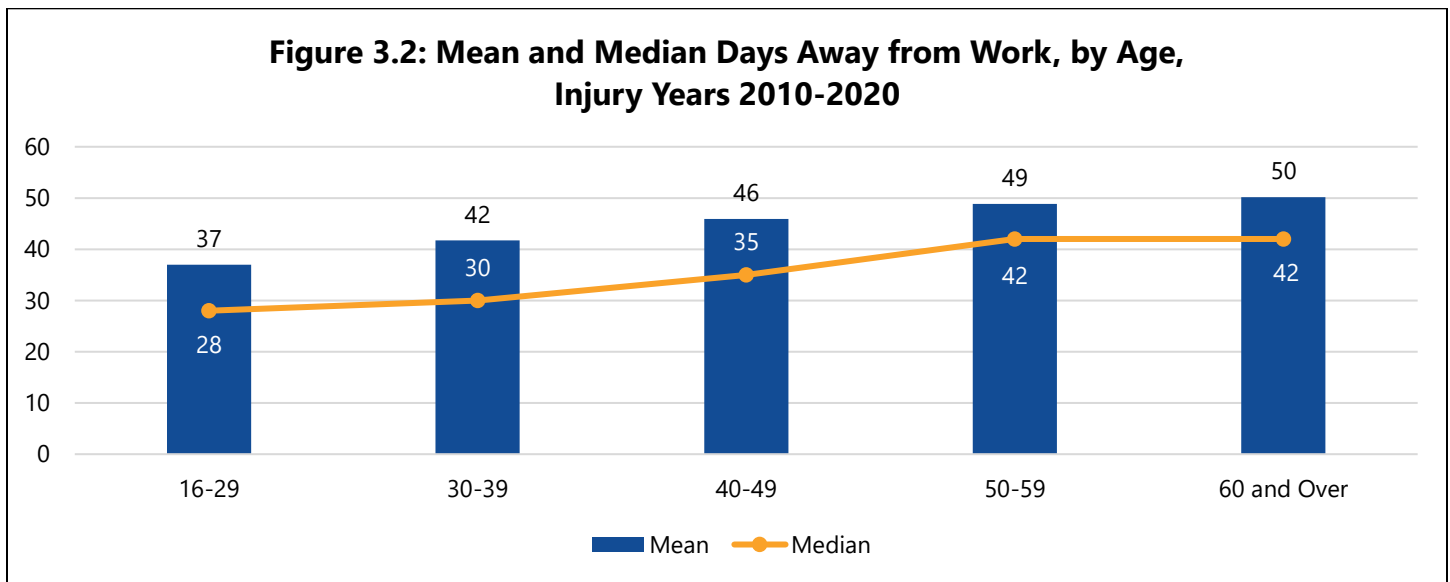
Days away from work

When an injured employee is away from work, it impacts the employee's ability to earn wages and the employer's productivity. The less time an injured employee is off work due to a work-related injury, the quicker that employee can restore their wage-earning capacity, helping them avoid serious economic losses. Overall, the median days away from work is slightly higher in 2020 (35 days) than it was in 2007 (27 days) (see Figure 3.1). The mean days away from work show a stable overall trend at roughly 43 days.



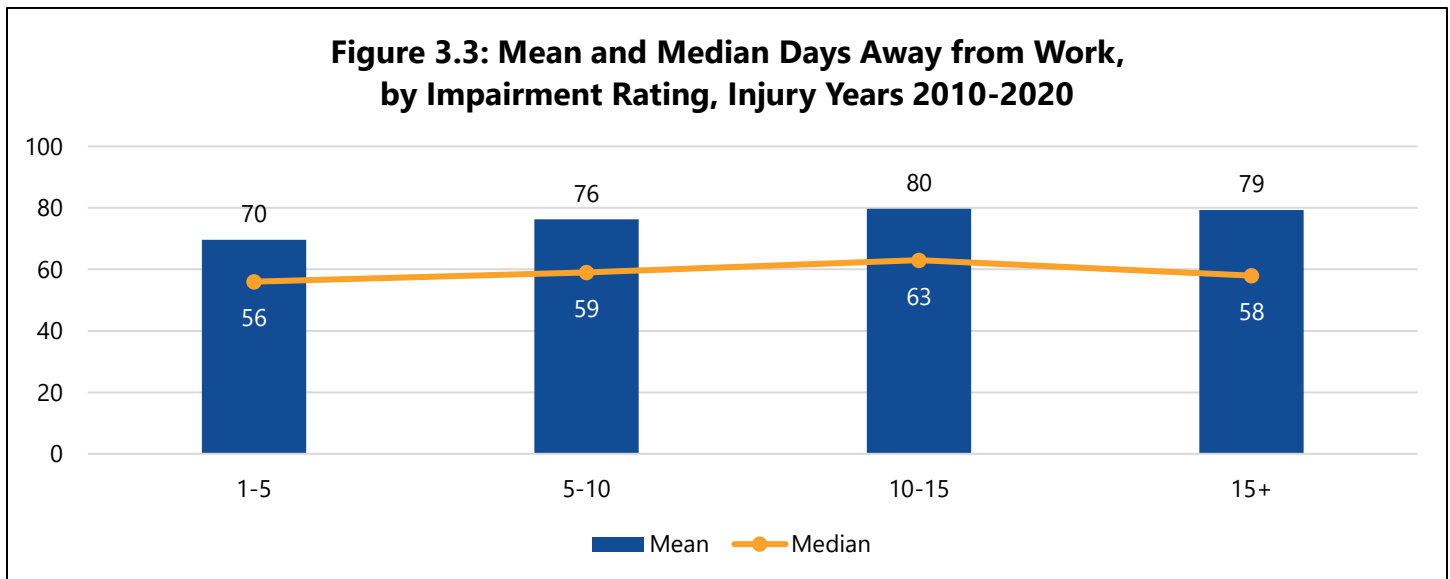
Source: Workers' Compensation Research and Evaluation Group, 2023.

Injured employees who are “60 and over” experience nearly two more weeks on average away from work than employees who are “16-29” years old (see Figure 3.2). Older age groups tend to be away from work longer than younger age groups.



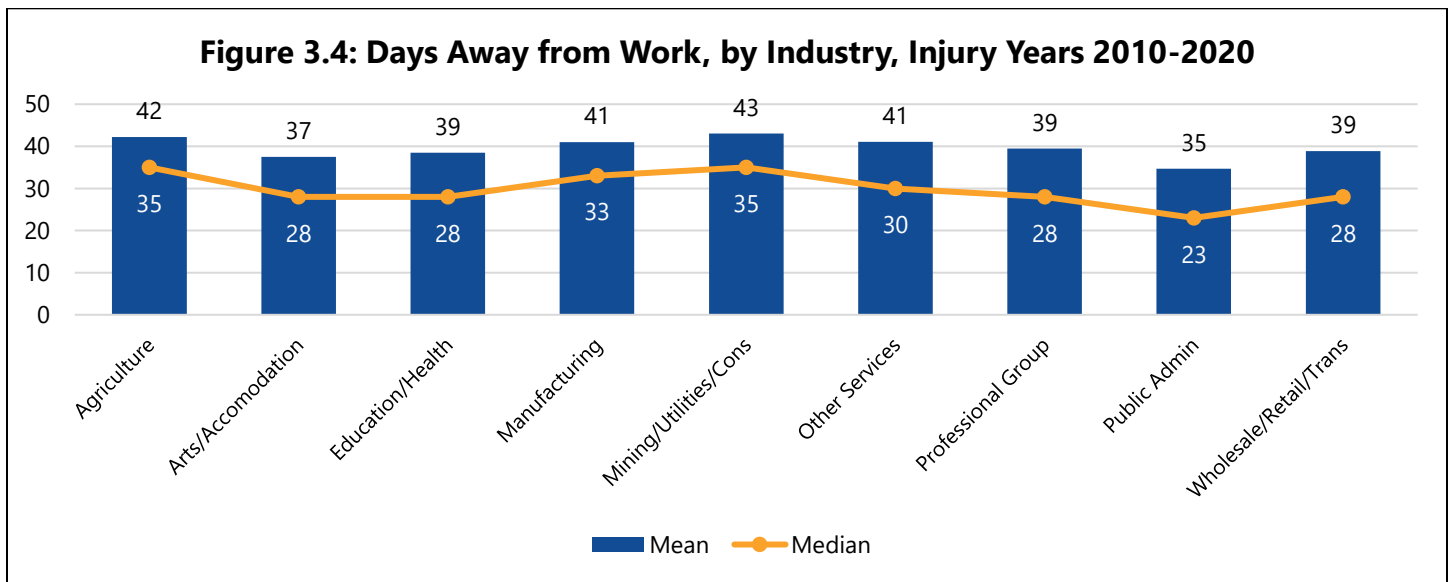
Source: Workers’ Compensation Research and Evaluation Group, 2023.
 Note: Due to TWC’s retention policy data only goes back to 2010.

Employees with higher impairment ratings, corresponding to more severe injuries, tend to be away from work longer than employees with lower impairment ratings (see Figure 3.3). The overall trend shows that as impairment ratings increase so do the number of days away from work.



Source: Workers’ Compensation Research and Evaluation Group, 2023.
 Note: Due to TWC’s retention policy data only goes back to 2010.

Employees in the mining/utilities/construction and agriculture industries have the highest average number of days away from work (see Figure 3.4). As in previous reports on rates for initial RTW and sustained RTW, employees in the public administration industry appear to return to work the quickest.



Source: Workers' Compensation Research and Evaluation Group, 2023.

Note: Due to TWC's retention policy data only goes back to 2010.

Summary

Overall, the findings in this report show steady improvements in RTW rates for Texas injured employees in the last decade. More than three-fourths of employees injured in 2020 initially returned to work within six months, and almost nine out of 10 injured employees went back to work within the first year after their injury. Initial RTW rates vary by employer size and industry sector. Smaller employers and employers in industries that rely heavily on manual labor may not have the resources that other employers have to provide light-duty or alternate-duty options to injured employees, so their RTW rates tend to be lower.

Findings show that in 2020 nearly two-thirds of injured employees who went back to work within six months post-injury remained at work. Injured employee wage recovery shows that employees that return to work within six months post-injury were able to recover to pre-injury wages faster than employees who do not return to work within six months post-injury.

Results show a minor dip in RTW rates, both initial and sustained, in 2019 then recovering in 2020. Both initial and sustained RTW rates are looking at injured employees that returned to work within six months of injury. Injured employees may have experienced work interruption in 2020 due to COVID-19, since an employee injured in the last quarter of 2019 could experience COVID-19 impacts within six months of their injury.

Lastly, the findings show enduring trends that older employees, employees with severe injuries, and employees working in industries that rely on manual labor tend to have more lost time than other employees.