



ISR Physical Therapy

FCE Tip August, 2015

By Richard W. Bunch, PhD, PT

Job Validations, FCEs and Litigation

It is essential that employers have validated job descriptions that clearly describe the minimum essential physical demands of each job. General job descriptions that describe physical demands only with a broad brush may place employers in a bind legally. In a recent federal civil court case, Dr. Bunch testified about the results of a functional capacity evaluation (FCE) that he performed on the plaintiff. The FCE found that the plaintiff, an offshore crane operator, could return to work as a crane operator with physical demands that fall within the medium physical demand level (PDL). Most crane operator jobs fall within the medium PDL classification as defined by the U.S. Department of Labor (USDOL). However, in this case, the plaintiff's attorney used the employer's own job description against the employer which stated that the crane operator was required to be able to constantly move 40 lbs. There was no validation of this physical demand requirement and no definition or parameters regarding what "move" meant in terms of lifting, carrying, pushing, and pulling. However, by stating that the crane operator had to constantly move 40 lbs, the employer inadvertently placed this job in the heavy PDL classification as defined by USDOL. Thus, Dr. Bunch's opinion that the plaintiff could return to medium level crane work was offset by the employer's poorly written job description which described a heavy PDL requirement for the crane operator position. ISR Physical Therapy and WorkSaverSM Employee Testing Systems validate job descriptions for employers nationwide. For more information, contact our office at 800.414.2174.

LOCATIONS:

HOUMA WEST

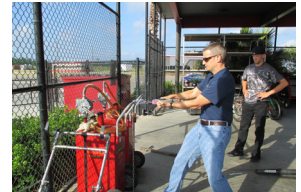
478 Corporate Dr.
Houma, LA 70360
985-872-5911

HOUMA EAST

814 Grand Caillou Rd. Ste 17
Houma, LA 70363
985-346-0383

NEW ORLEANS

1516 River Oaks Rd. West
Harahan, LA 70123
504-733-2111



ABOUT OUR EVALUATORS:



Richard W. Bunch PhD, PT, CBES
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Physical Therapy of Houma & Harahan

Dr. Bunch is founder and CEO of ISR Institute. He is a nationally renowned professional speaker, author and consultant on the topics of wellness, ergonomics, injury prevention and injury management.



Trevor D. Bardarson PT, OCS, CSCS
Clinic Director, Houma, Partner of ISR Physical Therapy of
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Trevor is a Board Certified Orthopedic Specialist and Certified Behavioral Based Ergonomic Specialist. He is also Certified in Mechanical Diagnosis and Therapy of the Spine by the McKenzie Institute USA, is a Certified Strength and Conditioning Specialist, and is currently the Training Director for the Worksaver FCE Protocol. Mr. Bardarson is also the Vice President of Clinical Operations for Industrial Safety and Rehabilitation Institute and Clinic Director/Partner of ISR Physical Therapy of Houma, LLC.



Marc Cavallino, MPT, OCS
Clinic Director & Partner of ISR Physical Therapy Harahan

Marc completed his Masters of Physical Therapy at Emory University in 2001. He has had the opportunity since his graduation to work with a variety of orthopedic conditions and is experienced in FCEs, work conditioning, sports injuries as well as back and neck injuries.