Light duty sounds simple on paper. Your doctor limits lifting, bending, or standing, the employer finds a role that fits, and you return to work while healing. In practice, that bridge between injury and full duty can turn into a maze. Jobs offered do not match restrictions, pay is unclear, supervisors push for tasks outside the medical note, and the insurer threatens to stop checks if you do not report. When you are recovering and worried about paying rent, a bad light duty plan can feel like an ambush.

I have sat with workers who wanted to do the right thing, earn a paycheck, and avoid conflict. I have also read too many job offers written to check a box rather than help someone safely get back on their feet. The tension is real. Employers want staff back. Insurers want to cut indemnity costs. Doctors are rushed, and paperwork gets messy. You carry the risk if the arrangement fails, because another flare up or a technical “refusal of suitable work” can crush your claim. That is why light duty disputes deserve thoughtful handling, not guesswork.

## What counts as light duty, and why definitions matter

Light duty usually means work within specific medical restrictions while you recover. The details come from a treating physician or, sometimes, from an insurer’s independent medical exam. Restrictions can include weight limits like no lifting more than 15 pounds, positional limits like sit or stand as needed, and task limits such as no ladder climbing or overhead work. Some notes are crisp and measurable. Others are vague, for example “light work as tolerated,” which invites misinterpretation.

Legal consequences flow from these words. In many states, if your employer offers a job that truly fits your restrictions, your temporary total disability benefits can be reduced or suspended, since you can earn wages again. If the offer does not comply with restrictions, you may have grounds to refuse it without losing benefits. That line between suitable and unsuitable work is the core dispute in most cases, and it often hinges on how precise the note is and how honest the job description is.

I look for two documents at the start of any light duty conflict. First, the actual restriction note, not a summary in a claim handler’s email. Second, a written job offer that spells out duties, schedule, location, and wage. Without on-the-job comp lawyer both, you are arguing on quicksand. A workers compensation lawyer builds the dispute around those texts, not just gut feeling.

## Where light duty breaks down in the real world

The pressure to get injured employees “back” can produce two common failure patterns. The first is the phantom job, a make work role that keeps you on the clock without meeting the spirit of the restrictions. Security guard assignments that involve constant standing for someone with a sit or stand as needed limitation, warehouse “labeling” jobs that suddenly require pallet lifting when production spikes, or modified nursing roles that turn into full patient handling within a week. Sometimes these roles start compliant, then drift as supervisors forget the plan or the team gets short staffed.

The second pattern is the rigid note. A treating doctor, unconvinced the employer will follow through, writes total off work for a longer period than needed. Or the note is so conservative that any job will be deemed unsuitable for months. That can trigger an independent medical exam and a credibility fight, and it raises your back to work temperature. People get stuck, checks slow down, distrust grows, and the whole claim hardens into litigation.

Precision helps prevent both failures. A note that says no lifting more than 10 pounds, no repetitive overhead work, no more than two hours of standing at a time with a 10 minute seated break each hour, no commercial driving, and no overtime gives everyone a shared map. A written light duty job that describes tasks by frequency

and weight, confirms break structure, and identifies who will monitor restrictions shows good faith. Vague on vague is where disputes and injuries explode.

## The money question that gets ignored

Light duty is not just about physical safety. Pay structure can be as important. In many states, if your light duty wages are lower than your pre injury Average Weekly Wage, you are owed temporary partial disability to make up a percentage of the gap. The formula and percentage vary by jurisdiction, often 60 to 70 percent of the difference up to a cap. But two details are regularly missed.

First, the Average Weekly Wage itself. It should include overtime, shift differentials, and sometimes seasonal bonuses if they were part of your regular pattern of earnings. I have seen carriers calculate Average Weekly Wage from 13 weeks of base pay while ignoring 10 to 15 hours of overtime you actually worked most weeks. That artificially lowers both your total disability rate and any partial benefits during light duty, which can cut hundreds of dollars per week from your pocket.

Second, secondary jobs. If you had a part time job before the injury and can no longer perform it because of restrictions from the primary injury, many states allow those lost wages to be included in Average Weekly Wage or to support an additional partial disability claim. If the numbers on the pay stub do not match life before the accident, a workers compensation lawyer will rebuild the wage picture with bank statements, W 2s, and schedule proofs. It is mundane work, and it moves the needle more than almost any other part of light duty advocacy.

## Suitable work is a legal term, not a gut check

Employers sometimes think any genuine offer counts as suitable. The law asks a narrower question. Does the offered job fall within the treating doctor’s current restrictions, pay fair wages under the statute, and exist in good faith without setting you up to fail or be disciplined? The analysis can include commute distance changes, whether the role was created solely for litigation optics, and whether the offered hours are consistent with medical limits.

Consider a delivery driver with a 20 pound lifting restriction who is offered a dispatch desk role. If dispatch requires repeated bending to retrieve files and an eight hour seated day without the ability to stand and stretch, it may not be suitable even though it is “light.” Suitability also evolves with your medical status. An offer that fit in week three can become unsuitable in week seven if the doctor reduces restrictions after a setback. The insurer does not get to freeze time. New notes matter.

This is where people get hurt by silence. If a job begins to drift beyond limits, say so in writing. If you have a flare up that the doctor has not seen yet, ask for a quick appointment or at least a nurse triage note to document the change. The more the paper trail aligns with your body’s reality, the harder it is for the insurer to label you noncompliant.

## How a workers compensation lawyer changes the light duty equation

A seasoned workers compensation lawyer is not just a courtroom fighter. In light duty disputes, most of the work happens between letters, medical notes, and quiet conversations with adjusters. A good lawyer will request the formal, itemized job offer instead of accepting hallway descriptions. They will match each duty against each restriction, and ask the questions that make vague plans concrete. How heavy is the heaviest bin. Who covers the register if you need to take a break. What happens when the second shift is short and the supervisor asks you to stay. Vaguely kind promises, like “we will find something you can do,” turn into commitments you can hold.

If an employer refuses to put details in writing, that tells you a lot. Courts and boards look at documentation when deciding whether a refusal was reasonable. If you end up in a hearing, a letter from your lawyer to the adjuster that quoted the doctor's restrictions and asked ten clear questions about the job, unanswered, can carry more weight than a hundred texts. The lawyer's role is to build a factual record that shows you tried to cooperate within medical limits.

On the medical side, counsel can coordinate with your treating clinic to fix fuzzy notes and avoid contradictions. Many doctors write thousands of notes a year and do not get feedback on how a six word sentence drops a paycheck. A lawyer can send a short form to your doctor to clarify terms, for example whether a sit or stand option means the freedom to alternate every 15 minutes, or whether lifting to a waist height shelf twice per hour exceeds the restriction. If the insurer relies on an independent medical exam that loosens restrictions too aggressively, your lawyer can challenge that with a functional capacity evaluation or a treating specialist's narrative that walks through the day's tasks with more nuance.

Negotiation is not just talk. Workers compensation systems run on deadlines. Insurers are often required to accept or deny a claim within a set period after notice, and to start or resume payments within a set number of days when entitlement is clear. When a light duty plan effectively suspends your checks without a proper basis, a lawyer can push for penalties, interest, or attorney fee claims where the statute allows. That pressure can lead to better offers, or at least quicker decisions, instead of leaving you in limbo.

## Red flags in light duty assignments

- No written job offer that lists specific tasks, schedule, and wages.
- A promise of "help as needed" without naming who will enforce restrictions.
- A pay rate that ignores shift differentials or a regular overtime pattern.
- A commute that suddenly doubles with no transportation accommodation.
- A disciplinary warning for not performing tasks outside medical limits.

If you recognize more than one of these, you are walking into a dispute, not a return to work plan. Get advice early. Speaking up after a write up is harder than asking smart questions before you report.

## How to respond to a light duty offer without blowing up your benefits

The scariest part of a disputed offer is the threat that refusing will stop your checks. In many states, an unjustified refusal can reduce or suspend benefits. That does not mean you have to accept a dangerous or dishonest offer. It means your response must be careful, documented, and anchored in the medical note.

Here is a practical path that balances safety and claim protection.

- Ask for the offer in writing with a description of duties, hours, location, supervisor, and pay.
- Compare each task to your current restrictions and mark any conflicts in writing.
- Ask your doctor to review the written offer, not a verbal summary, and update the note if needed.
- If the offer appears suitable, report as directed but document any drift beyond restrictions, and notify your supervisor in real time.
- If the offer remains unsuitable after doctor review, send a written refusal that quotes the restrictions and identifies the conflicting duties.

Those five steps sound basic, yet they are the difference between a suspended check and a well supported refusal in most hearings I have handled. Timing matters too. If you sit on an offer for a week without responding, the

insurer has an easier argument that you are not cooperating. A short letter or email within 24 to 48 hours shows you are engaged.

## When light duty aggravates the injury

One of the toughest calls is what to do when a light duty assignment causes a setback. Maybe the work is technically within restrictions but still flares symptoms. Maybe a supervisor asked you to help for five minutes with something heavy, and that five minutes reset your progress back by weeks. Workers often try to push through, worried about losing the assignment or being labeled difficult.

Report the increase in symptoms immediately, both to the employer and the medical provider. Even a nurse call line entry can create a timestamped note that supports the next clinic visit. If the doctor tightens restrictions or takes you off work again, get the note and deliver it to the employer the same day if possible. These quick moves shift the narrative from “unwilling worker” to “changed medical status,” which is legally different.

A workers compensation lawyer can also evaluate whether the light duty aggravation should be treated as a new injury date or a continuation of the original claim. In some jurisdictions, that choice can affect average weekly wage calculations or access to new benefits periods. The right framing can mean weeks or months of additional protection.

## Intersections with disability laws and leave rights

Light duty sits at the crossroads of multiple laws. Workers compensation governs medical care and wage loss for work injuries. The Americans with Disabilities Act and similar state laws cover reasonable accommodations if you have a qualifying disability. The Family and Medical Leave Act provides job protected leave for serious health conditions if you and your employer meet eligibility criteria. These systems do not always point in the same direction.

An employer is generally not required to create a new permanent job as a workers compensation accommodation. Under the ADA, they may have to modify a job or reassign you to a vacant position if you can perform the essential functions with or without reasonable accommodation, unless doing so causes undue hardship. Meanwhile, FMLA can protect your job for up to 12 weeks of unpaid leave in a 12 month period, but it does not require wage replacement. A workers compensation lawyer who understands these overlaps can coordinate strategies. For example, you might accept a short term light duty assignment to preserve partial wages while invoking FMLA to protect your position if the assignment fails or your doctor orders a break from work again.

Good coordination also reduces retaliation risk. It is illegal in most states for an employer to fire you for filing a workers compensation claim, but employers can terminate for other reasons, including business needs, if properly documented. Keeping your requests, responses, and medical notes crisp and timely gives your lawyer leverage if something smells like pretext.

## Documentation that wins disputes

I ask clients to keep a simple work journal during any light duty period. Dates and times you performed certain tasks, any requests to exceed restrictions, your pain levels during and after shifts, and names of witnesses if something went sideways. It does not have to be fancy. A notebook or a notes app on your phone is fine, as long as entries are made in the moment or at least the same day.

Why this matters. In a hearing, everyone will recall events differently. A supervisor may say you never raised concerns. An adjuster may claim you refused a job without explanation. Contemporaneous notes from you,

forwarded in real time to HR or the claim handler when appropriate, punch through those narratives. Combine that with emails your lawyer sent asking for clarifications that never came, and your credibility climbs.

Pay stubs tell another quiet story. Track the exact wages you receive during light duty, including hours, differential pay, and any missed overtime opportunities compared to pre injury patterns. If your TPD checks do not match the statutory formula, the discrepancy becomes easy to show. I have recovered several months of underpaid partial benefits because a client saved each pay slip instead of relying on end of year forms.

## Real examples, real outcomes

A warehouse picker with a 15 pound limit was offered a labeling role that required pushing full carts between stations. The employer insisted the carts were under 10 pounds of force when empty, but on the floor they were loaded most of the day. We asked for the job in writing, with the maximum cart weight at any point of the shift. Silence. We then sent a letter declining the assignment on day three, quoting the restriction and noting the lack of detail. The insurer cut checks for TTD instead of suspending them, and two weeks later the employer offered a seated scanner job with defined breaks and a rule that others moved full carts. The picker transitioned safely and kept partial benefits for the wage gap.

A home health aide had a sit or stand as needed note after a back injury. The agency offered a call center role at a lower hourly rate but advertised it as full time. In practice, after two weeks they cut her to 20 hours when census dropped, which slashed her total pay. We gathered pay stubs and pre injury schedules that showed a consistent 45 hour week with overtime. The adjuster grudgingly recalculated the Average Weekly Wage to include overtime, which increased both her TTD and her TPD rates. We also negotiated a written minimum hour guarantee during the light duty period, which stabilized her income until she could return to field visits.

A journeyman electrician accepted light duty in the tool room, but supervisors repeatedly asked him to help on ladders “for just a few minutes.” He kept notes, and after a bad flare up his doctor took him off work for a month. The insurer pointed to his initial acceptance and tried to suspend benefits. We filed for penalties based on unsuitability drift and misuse of his restrictions. The board credited his day by day records and the clinic’s notes, ordered back pay with interest, and warned the employer about ignoring medical limits. The pressure improved the company’s process, and he returned later with a stricter plan that stuck.

## Settlement dynamics during light duty

Light duty periods often coincide with settlement talks. Insurers see lower exposure when you are earning wages again, and they hope to close the file while things feel stable. Be careful. A settlement that trades away future medical care when you still need injections or surgery can eat your budget alive next year. A workers compensation lawyer will map the likely medical arc with your doctors, estimate cost ranges, and factor those into settlement value.

Vocational considerations matter too. If permanent restrictions are likely and your employer has no long term accommodation, your earning power may shift. Some states offer wage differential benefits or vocational rehabilitation when an injury permanently limits work options. Settlements should contemplate those rights. A number on a piece of paper is not just about past checks, it is about future risk. Rushing because the light duty plan seems fine this month can be costly when a flare up returns six months later.

## Practical limits and the value of honest conversations

Not every dispute needs to be a war. Many employers genuinely want to help and will fix a plan once someone explains the gap. I have seen supervisors change floor layouts to reduce pushing distances within a day after we asked. I have also seen HR staff level with us that they cannot promise an accommodation for a specific shift, and we work around that instead of fighting the inevitable.

Honesty about your goals helps your lawyer tailor the approach. Some workers want to stay with the company long term and protect relationships. Others are ready to move on and want to preserve benefits while looking for new work. The strategy for each is different. An empathetic workers compensation lawyer will align the legal plan with your life plan, not the other way around.

## When to call a lawyer

If your employer offers light duty that does not seem to fit your restrictions, if your checks are threatened because you hesitated, or if the plan is drifting and you are getting hurt, talk to a workers compensation lawyer sooner rather than later. Early advice often prevents the worst outcomes. The cost structure in these cases usually involves a contingent fee approved by the board or court, and consultations are often free. A short call can save weeks of confusion and a damaged back.

## The bottom line

Light duty is supposed to be a bridge. When built well, it speeds healing, preserves income, and keeps you connected to your team. When thrown together, it creates new injuries, wage chaos, and litigation nobody wanted. Clear medical notes, honest job descriptions, fast and documented communication, and patient legal guidance turn that bridge into a safe path. If you find yourself standing at the start of it, unsure whether to step forward, you do not have to walk it alone. A workers compensation lawyer can stand beside you, translate the rules into plain choices, and make sure the plan protects both your body and your paycheck.