

Louisiana Workers' Comp Vocational Rehabilitation: Jobs, Wages, and Your Rights

An injured worker can get a medical release that says "light duty" and still have no idea what job is actually being offered. The lifting limit might be clear, but the hours, pay, travel, and physical demands of the proposed work are not. That is often when vocational rehabilitation enters a Louisiana workers' compensation case.

The process is supposed to help a person return to suitable work. It also produces evidence that an insurer may use to argue the worker can earn more than he or she is actually earning. Both sides of that process matter.

Editorial & Legal Accuracy Notice (Louisiana)

Last reviewed for statutory accuracy: September 23, 2026. Author: Stephen Babcock, Louisiana Bar No. 26792. This page explains Louisiana workers' compensation law and does not evaluate any particular person's claim. Injury dates, medical findings, benefit notices, and the applicable version of the law can change the result.

When is vocational rehabilitation available?

[La. R.S. 23:1226\(A\)](#) gives an injured employee prompt rehabilitation services when a covered work injury prevents the employee from earning wages equal to what he or she earned before the injury. The service must be provided by a licensed professional vocational rehabilitation counselor. This is the vocational process within workers' compensation, separate from ordinary medical treatment or a public job-training program.

Think of a warehouse employee who can no longer lift freight after surgery. A doctor may permit some work, but that does not answer whether the employee can perform the old job, what modified work exists, or what wages the employee can realistically earn. The counselor's work should address those questions with actual facts about the worker and the proposed jobs.

The law starts with the old job, not a training program

The statute lists return-to-work options in a particular order. The first appropriate option is chosen: the same position, a modified position, a related occupation suited to the worker's education and marketable skills, on-the-job training, short-term retraining, long-term retraining, and finally self-employment. Whenever possible, the local job pool must be considered before a statewide job pool. [La. R.S. 23:1226\(B\)\(1\)-\(2\)](#).

The return-to-work order

R.S. 23:1226: choose the first appropriate option

1

Same position

The old job, if the worker can actually do it.

2

Modified position

Adjusted duties that fit the medical restrictions.

3

Related occupation

Work suited to education and marketable skills.

4

On-the-job training

Training while working in a different role.

5

Short-term retraining

A program of less than 26 weeks.

6

Long-term retraining

More than 26 weeks, up to one year.

7

Self-employment

Considered after earlier appropriate options.

When possible, consider the local job pool before the statewide job pool.

Louisiana's statutory order of return-to-work options. The first appropriate option controls; a counselor cannot make an unsuitable job suitable by moving it up the list.

Retraining has its own limits. Under [R.S. 23:1226\(E\)](#), a necessary and desirable program generally lasts no more than 26 weeks, with a possible additional period of up to 26 weeks if a workers' compensation judge finds it necessary and proper. The statute also requires the worker to request and begin retraining within two years after temporary total disability ends as determined by the treating physician. That is a specific retraining rule, not a general deadline to report every work injury.

Who chooses the counselor?

The employer selects the licensed vocational rehabilitation counselor under [R.S. 23:1226\(B\)\(3\)\(a\)](#). The counselor is required to meet professional standards, but the counselor is not the injured worker's personal advocate. A worker should know what the counselor has been told about the injury, what medical restrictions are being used, and what information the counselor plans to give the insurer.

It is fair to ask for the full job description, expected hours, pay rate, location, and the physical tasks that come with a proposed position. "Office work" is not a description of how much sitting, reaching, driving, or concentration the job requires. Those details belong in the record before anyone treats a job lead as proof the worker can do the job.

Why a proposed job can affect wage benefits

Vocational evidence often becomes important when the insurer disputes supplemental earnings benefits, usually called SEBs. Under [La. R.S. 23:1221\(3\)](#), the threshold question is whether the injury prevents the employee from earning at least 90 percent of preinjury wages. If SEBs are due, the statute generally measures them as two-thirds of the difference between preinjury monthly wages and the monthly wages earned or shown to be within the worker's earning capacity, subject to the statute's conditions.

That is why the details of a job lead matter. The statute addresses work the employee is physically able to perform and that was offered or proven available within the relevant community or reasonable geographic region. A job title on a list, standing alone, leaves questions about restrictions, qualifications, availability, pay, and geography. A release to do some work is not the same as proof that a particular wage is available to this worker. [R.S. 23:1221\(3\)\(c\)\(i\)](#).

A proposed job has to survive four checks

A job title or a medical release does not answer every wage question.

1 Medical fit

Actual lifting, standing, driving and schedule demands versus written restrictions.

2 Pay and hours

The offered wage, hours, and what the worker can reasonably earn now.

3 Real availability

Employer, location, vacancy, qualifications and whether the position can be done.

4 Written record

Job description, doctor notes, counselor reports, pay stubs and the insurer notice.

Respond to every counselor request. Put a disagreement and its evidence in writing.

Four practical questions to put beside any proposed job or earning-capacity opinion.

Keep cooperating, and document a real disagreement

Ignoring the counselor is risky. [R.S. 23:1226\(B\)\(3\)\(c\)](#) permits the employer or payor, upon an employee's refusal, to reduce weekly compensation, including SEBs, by 50 percent for the period of refusal, subject to the statute's notice procedures. A worker who believes a job is beyond medical restrictions should explain the problem in writing, send the actual job duties to the treating physician, and keep copies of the response. The point is to make the disagreement concrete while continuing to participate.

Save every meeting request, counselor report, job lead, application, rejection, work-status note, and benefit notice. If an insurer changes or cuts benefits, the notice and its stated reason should be reviewed promptly. [R.S. 23:1201.1](#) governs notices and procedures for disputed changes to compensation benefits.

What if the counselor's work is inadequate?

The statute gives an employee a way to challenge the need for, or quality of, vocational services before the Office of Workers' Compensation Administration. It provides an expedited summary proceeding for a dispute over vocational services. This is useful when the counselor keeps sending jobs that conflict with restrictions, omits important medical information, or refuses to address a genuine problem with the plan. The remedy depends on the facts and the record presented to the judge. [R.S. 23:1226\(B\)\(3\)\(a\)](#).

Questions workers ask us

Can the insurer stop my checks because a counselor found a job listing?

A listing alone does not answer every statutory question. What the job requires, whether it is available, whether you can physically do it, and what it pays may affect the analysis. Do not ignore a benefit notice or assume a disagreement will resolve itself.

Do I have to try a job that violates my restrictions?

Get the job's actual tasks in writing and ask the treating physician to address the mismatch. Continue responding to the counselor while the issue is reviewed. An unexplained refusal can create a separate benefits dispute.

Is vocational rehabilitation the same as settling my workers' comp case?

No. Rehabilitation concerns a return-to-work plan and earning capacity. A settlement raises additional questions about future benefits and medical care. Our [Louisiana workers' compensation overview](#) explains the broader benefit system, and our [work injury and third-party claim guide](#) addresses cases involving another responsible company or driver.

Before the next meeting

Put the proposed job, the most recent medical restrictions, and your preinjury and current pay records in one place. If a job does not fit, write down precisely why. The question is not whether you would prefer your old job. It is whether the proposed work and the claimed earning capacity stand up to the actual medical and employment evidence.

If a counselor's proposed work conflicts with your restrictions or your checks have changed, call Babcock Injury Lawyers at (225) 500-5000 or use the [contact form](#). We can review the job details, benefit notice, and records that matter before the disagreement hardens into a decision.

Primary sources: [La. R.S. 23:1226](#); [La. R.S. 23:1221\(3\)](#); [La. R.S. 23:1201.1](#); [Louisiana Works workers' compensation guidance](#).