



Human Resources

Policy Title: Return to Work

Policy Number: HR-H&S-007

Implemented: October 10, 2018

Revision/Review Date: N/A

Policy Statement

A Return to Work Policy will minimize the human and financial impact of illness, disability, injury or work-related injury by helping the employee back to safe and productive work as soon as medically possible.

Most ill, injured, and disabled workers can return to some type of work while they are undergoing treatment and recovering. Returning to daily work and life activities is important in the rehabilitation process. The ill, injured, or disabled worker benefits by maintaining their connection to their employer, staying active, productive and restoring their source of income, all of which are important to the healing and recovery process.

The Township of Georgian Bluffs (Township) benefits by keeping valuable and knowledgeable workers and strengthening relationships in the workplace.

Purpose and Scope

The purpose of this policy is:

- a) To define the responsibilities of the ill, injured, or disabled worker;
- b) To define roles and responsibilities for department heads, supervisors, human resources (HR), health care professionals, union representatives(if applicable), and the Workplace Safety and Insurance Board (WSIB);
- c) To outline procedures for communicating with the ill, injured, or disabled employees as communication and co-operation of an early and safe return to work is essential;
- d) To develop an individualized Return to Work Plan and comply with the relevant legislation of the Workplace Safety and Insurance Act, Occupational Health and Safety Act, Accessibility for Ontarians with Disabilities Act, and Human Rights Code, with the primary goal being the early and safe return to work of an ill, injured, or disabled employee.

This policy shall apply to all full-time and part-time employees of the Township of Georgian Bluffs, including non-union and union employees.

Definitions

N/A

Policy Requirements

NEER

WSIB's New Experimental Experience Rating (NEER) program recognizes a company's accident performance and reviews them for potential penalties. Returning ill, injured or disabled workers to available suitable/sustainable work decreases NEER costs and potential associated penalties.

The financial performance of the Township's return to work program will be determined by monitoring WSIB Monthly Accident Cost Statements, the quarterly NEER Firm Summary Statements and short-term and long-term insurance claims.

Procedures

Worker's Responsibilities

Inform your Medical Practitioner that the Township has a Return to Work program in place. Give your doctor the *Return to Work Letter for Medical Professionals*. Where the injury or illness is work-related, return a copy of the second page of the *Doctors Report WSIB FORM 8* to HR.

Stay in contact with HR throughout your recovery, to keep them informed about your progress and status. Help the Township identify suitable work that is available, safe, productive and consistent with your functional abilities, and that restores pre-injury/illness earnings when possible.

The employee must:

- Inform the Township of a disability requiring permanent accommodation and assist in the creation of an Individual Accommodation Plan (IAP), and
- Must give their WSIB/Insurance adjudicator any information requested concerning your return to work.

It is important for the employee to co-operate in your early and safe return to work and communicate any concerns to the supervisor so that potential problems can be resolved immediately. The employee must ensure all requested medical documentation and follow-up is completed by your Medical Practitioner in a timely manner and report any **significant changes** in your medical condition or income that may affect their benefit.

Employer's Responsibilities

The HR Manager will contact the employee, as soon as possible after the illness or injury and stay in contact throughout the employee's recovery. Ensure they were given the

Return to Work Letter to Medical Professional to forward to their Doctor on the day of injury and given the *Return to Work Letter to Employee*.

Ensure that the employee receives medical clearance, *Functional Abilities Form*, prior to their return to work in some capacity.

Attempt to identify and provide suitable work:

- that is available, productive and has value;
- that the worker has, or is able to acquire the skills to perform;
- that does not pose a health or safety risk to the worker or the worker's co-workers, and
- is consistent with the worker's functional abilities.

The employer must make modifications to the work or the workplace to enable the worker to return to either the pre-injury/illness/disability or another suitable and available job.

HR will compare provisions of the WSIB Act and/or employee collective agreement or HR policies and apply the provisions that provide the greater protection for the worker. Information and reports will need to be sent to WSIB as requested, if applicable which can include the following;

- Wage changes, expenses, changes in worker duties, adjustment to the duration of the Return to Work program (after 12 weeks), failure to cooperate, employment close out, etc.

The Township will ensure that all employees receive adequate training on the Return to Work programs, accommodation practices, safety practices and WSIB.

A re-employment obligation exists if:

- Your worker has been 'unable to work' as a result of their work-related injury or illness;
- Your worker has been continuously employed by you for at least one year before the date of injury, and
- You regularly employ 20 or more workers.

Re-employment of the employee remains in effect until the earliest of:

- The second anniversary of the date of the work-related injury or illness;
- One year after the worker is declared fit to perform the essential duties of their pre-injury job or other suitable work, or
- When the worker reaches age 65.

Workplace Safety and Insurance Board (WSIB) Responsibilities

The WSIB is to provide the employer and worker with:

- What to expect through the return to work process;

- What the expectations are;
- Rights and responsibilities, and
- Who to ask for help.

The WSIB monitors the activity, progress and co-operation between the employer and worker. They obtain and clarify information on the workers functional abilities and help resolve difficulties and disputes through the process. If the employer and worker have been unsuccessful in arranging a return to suitable and available work, the WSIB will assess the need for return to work services.

The Township and the worker will receive assistance in providing return to work and/or work transition services.

The WSIB makes the decision on all claim-related and compliance issues.

Communication with Ill, Injured, or Disabled Workers

HR will request the ill, injured, or disabled worker have a *Functional Abilities Form* completed by their Medical Practitioner and returned to the office, at that time the HR Manager and the ill, injured, or disabled worker will meet to develop an individualized return to work plan.

In the event of required accommodation due to a permanent disability, an Individual Accommodation Plan (IAP) will be completed.

Individualized Return to Work Plan is developed jointly by:

- a) HR Manager who co-ordinates the process,
- b) the ill, injured, or disabled worker,
- c) the ill, injured or disabled worker's supervisor,
- d) the union representative (if applicable),
- e) the ill, injured or disabled worker's medical practitioner, who provides restrictions via the *Functional Abilities Form*,
- f) WSIB, if the need arises.

HR will discuss a verbal job offer of return to work with the ill, injured, or disabled worker. The individualized return to work plan includes the goals of the plan, the actions required to achieve these goals, time frames for achieving the goals, health care needs and monitoring of the status of worker and progress until the final goal, a return to pre-injury/illness employment is achieved.

HR will present a written job offer of return to work plan with the ill, injured, or disabled worker, and copy of the plan is sent to WSIB/Insurance Company, if applicable.

Procedure

- a) Modified work is any job, task, function or combination thereof that the ill, injured or disabled worker, who suffers from diminished capacity, may perform safely without risk of re-injury.

- b) The work must be productive and the result of the work must have value.
- c) Each department will try to accommodate the ill, injured, or disabled worker unable to perform their pre-injury/illness/disability work duties.
- d) Where the ill, injured, or disabled worker's department is unable to provide an available suitable work assignment, an attempt will be made to place the employee in another department. This process will be coordinated by HR.

Accommodation Process

All employers have a duty to modify the work or the workplace to accommodate the needs of the worker to the extent of undue hardship.

Following an Injury or Illness

The ill, injured or disabled worker will be given on a biweekly basis a WSIB Functional Abilities Form for return to work (for work-related) or *Functional Abilities Form* (for non-work-related) to be taken to a medical practitioner and have it completed. A copy will be given immediately to the HR Manager.

Regular contact between the ill, injured or disabled employee and the supervisor is to be maintained throughout their recovery period.

Modified Work Implementation

When the medical practitioner indicates that the ill, injured, or disabled worker is available for modified duties, the supervisor and the worker will meet to discuss what options are available, those being, in order of priority:

- A modified pre-injury/illness/disability job,
- An alternate job, and
- Another suitable job.

It may be necessary to modify the pre-injury/illness/disability job on a temporary or permanent basis, to accommodate the worker's physical restrictions. This may include, but not limited to:

- The regular job/tasks that have been changed redesigned or physically modified.
- A reduction in time (e.g. fewer hours per day than normal or fewer days per week).
- A reduction in volume or work performed.
- Assistance from another co-worker for more difficult tasks.

If the pre-injury/illness/disability job cannot be modified to accommodate the worker's needs, alternate jobs may be considered following a job specific physical demands assessment if needed to determine appropriate modifications. An alternate job is one that involves work that is approximately the same standing within the organization, looking at their department first and then all outside departments second.

When looking at alternate jobs, consideration should be given to:

- The employee's previous work history, and
- Transferable skills.

When neither the pre-ill/injury/disability job nor an alternate job is appropriate, other available suitable jobs should be considered. Other available suitable jobs are defined as those jobs within the capacity of the worker and which pose no health and safety risks to him/her, but may be quite different from their pre-injury/illness/disability job.

Program Monitoring

The ill, injured, or disabled worker should be monitored closely while on their return to work program/plan and before returning to regular duties, with any difficulties being reported and evaluated by one of the workplace supervisors.

The *WSIB Functional Abilities Form* (work-related) or *Functional Abilities Form* (for non-work-related) will be filled out and returned to the employer if a modified work program has duration of more than 2 weeks. The information provided on the *WSIB Functional Abilities Form* or *Functional Abilities Form* will be used to place the worker in a return to work program within the physical capabilities and limitations identified.

When monitoring a worker's participation, the following factors should be considered:

- Attendance
- Productivity
- Accuracy
- Problems with particular tasks
- Ability to increase speed or improve efficiency

Once the worker completes their return to work plan and returns to full duties, a complete review of the individual's return to work plan should be performed by the worker and HR to identify recommendations for improvements to the Township's Return to Work Program.

Acknowledgment and Agreement

All employees are required to sign an Acknowledgement and Agreement form for this policy. The signed form will be kept in the employee's personnel file.

Monitoring and Review

This policy shall be reviewed every three (3) years by the HR Manager and the CAO. Any minor revisions required prior to the review date will be completed by the HR Manager and CAO.

Associated Forms

- HR-H&S-007(FORM) – Acknowledgement and Agreement
- HR-H&S-007(FORM) – Functional Abilities Form
- HR-H&S-007(FORM) – Return To Work Plan