

Section: E

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## **EARLY AND SAFE RETURN TO WORK POLICY & PROCEDURES**

Community Living-Central Huron recognizes the value of employees' early and safe return to work and is committed to the successful recovery of ill, injured and disabled employees through an Early and Safe Return to Work (ESRTW) Program. It is the intent of this Policy to encourage employees to actively participate with rehabilitative employment and cooperate with the procedures of the ESRTW Program. Non-compliance with the Agency's ESRTW Program is subject to discipline, up to and including dismissal. The Agency will make every attempt to ensure that all employees who are permanently or temporarily disabled as a result of a work injury, accident, illness or disability, are provided meaningful and productive employment through the ESRTW Program.

Community Living-Central Huron's ESRTW Program will work towards achieving the following goals: increasing awareness of disability issues for all employees; decreasing the number of days lost due to absences from injuries and illnesses and thus reducing payments through wage replacement plan(s); implementing a fair and consistent process for employees to return to work; and enabling employees to maintain their dignity, self-worth, respect and standard of living as valued employees.

When required, the Supervisor will design an individualized Modified/Graduated Return to Work Plan (Form RTW-02) in consultation with the employee, the employee's health care provider(s), Administrative Coordinator and representatives of the various wage replacement plans, and as necessary, the employee's union representative. The individualized Modified/Graduated Return to Work Plan will, when possible, assist in providing suitable temporary work to accommodate work restrictions over a specified period of time. In doing so, the Agency will make every reasonable effort to return employees to their regular job as soon as possible; it is understood that such steps will not result in undue hardship for the Agency.

The Agency will ensure the ESRTW Program and Modified/Graduated Return to Work Plans are in compliance with current and future legislative requirements.

### **1. Early and Safe Return to Work Program:**

#### **Purpose:**

The purpose of the ESRTW Program is to provide a planned approach to assist employees in returning to work in a safe and timely manner by minimizing barriers. The ESRTW Program is available to all employees who are temporarily unable to perform their duties or unable to perform their duties with the existing schedule. In some situations, employees may return to work with no lost time, when modifications and/or accommodations can occur immediately. The ESRTW Program is designed to attain the best performance with regard to personnel and finances, to manage benefits through various wage replacement plan(s). As a means for an employee to

safely return to their regular duties and/or schedule they must participate in the Agency's ESRTW Program; employees upon return may or may not require modified work with the ultimate goal of being able to return to regular duties within their own work location as soon as possible.

Relevant co-workers will be kept informed of modified duties being offered and/or performed by recovering employees and of temporary changes to job expectations. The Location Health & Safety Representatives will participate in monitoring injury, return to work, and work related complaints in order to identify patterns, and trends within the workplace and complete Section C of Employee Incident/Accident Investigation Form (RTW-01).

2. **Definitions:**

**Health Care Provider(s):**

Health care provider(s) are the attending physician, physiotherapist, psychologist, psychiatrist, occupational therapist or other member of the rehabilitation team. This professional can provide the necessary information about the employee's expected return to work date; any physical restrictions that may apply upon return to work, and/or the prognosis of an illness, injury or disability. To help prevent misunderstandings and prolonged absences, it is essential that ongoing communication occur between the attending health care provider(s), employee, Supervisor and Administrative Coordinator, as well as a representative from the wage replacement plan(s).

**Wage Replacement Plans:**

Wage Replacement Plans may include but are not limited to:

- a) Workplace Safety & Insurance Board (WSIB)
- b) Agency's Benefit Carrier: Short Term and Long Term Disability
- c) Employment Insurance Act
- d) Remunerations as provided for under any other private or legislated wage replacement plans

**Modified Work:**

Modified work is a temporary change in duties, adjusted schedule, task and/or function that an ill, injured or disabled employee may perform safely without risk of re-injury, further illness, further disability or risk to others. Modified work is developed based on the physical restrictions identified by the health care provider(s) utilizing the Agency's list of Modified Duties/Schedule (Form RTW-04), Physical Demands Analysis and Job Description for the position, as provided by the employer. In all situations, attempts are to ensure the work will be productive and valuable.

**Modified Work Program:**

A Modified Work Program is designed primarily to assist ill, injured or disabled employees to make a safe and speedy return to their regular duties and schedule. This is a temporary measure that is intended to bridge the gap between illness, injury

or disability and a return to regular duties. A Modified Work Program will not normally last longer than six (6) weeks. Extensions to this period will be granted on an individual basis based on supporting medical information.

**Individualized Return to Work Plan:**

An individualized Modified/Graduated Return to Work Plan (Form RTW-02) is a written document that lays out the steps to be taken to accommodate an employee's temporary work restriction(s). Accommodation(s) will recognize the unique circumstance in each case and may include, but is not limited to:

- a) working fewer hours/adjusted schedule;
- b) taking more frequent rest breaks;
- c) obtaining temporary assistance from co-workers for tasks the returning employee is unable to perform;
- d) job/responsibility sharing;
- e) physical changes to the work environment;
- f) assistive devices
- g) assignment to another location
- h) special project work

An individualized Modified/Graduated Return to Work Plan (Form RTW-02) will be developed by the employee and the employee's supervisor in conjunction with the employee's relevant health care provider(s), Administrative Coordinator and when required, a representative from the wage replacement plan(s). The individualized Modified/Graduated Return to Work Plan will set-out and document the objectives of the Plan, time frames, duties/tasks, training (if required), limitations, safety considerations, etc., for the employee to return to their regular duties.

The Modified/Graduated Plan will also include any responsibilities of co-workers and supervisors and will regularly document progress (Form RTW-02) towards the goal, such as returning to their regular duties. The relevant supervisor will provide written notice of said responsibilities to the employee's co-worker(s) as appropriate. The employer will assess the employee's ability to perform modified/graduated work and/or return to regular duties based on the employer's obligation to accommodate and the needs of the Agency. As noted above, progress will take into consideration information from the employee, their health care professionals, needs of individuals supported, co-workers, etc.

**Return to Work Survey: (Form RTW-07)**

Each employee following their return to work, full hours and no modifications, will complete a Return to Work Survey (Form RTW-06); the employee's immediate Supervisor will also complete a Return to Work Survey. Completion of the surveys is for the purpose of evaluating the individualized Modified/Graduated Return to Work Plan and assist the Agency in auditing its Return to Work Program.

3. **Responsibilities:**

**Shared Responsibility:**

Returning to work is a shared responsibility primarily between the employer and the employee and with this shared responsibility, communication and cooperation towards a common goal is essential. Health care provider(s) are responsible for furnishing timely health and medical information, along with any restrictions, functional abilities information. Representatives of the wage replacement plan(s) are responsible for management and monitoring, providing information, education and assistance to the employee and the employer. The Employer must respond to requests for information and file reports in a timely manner. The Employee can control payment from wage replacement plans (WSIB or Benefit Carrier) by providing requested information whether Doctor/Specialist reports, completed functional abilities forms, dates of follow-up appointments, etc. in a timely manner. When such information is delayed, payment to the employee is delayed or ended. Together, all parties working toward a shared goal of early and safe return to work and full productivity, have the potential to reduce the human and economic impact of workplace injuries and illness.

**The Injured/ill/Disabled Employee will:**

- a) get proper medical treatment immediately for any illness, injury or disability, that may cause them to miss work and follow the recommendations of (their) a qualified health care provider(s), as per ESRTW definition. WSIB and Benefit Carrier forms must be completed and signed by a licensed physician.
- b) when possible, take appropriate package (WSIB or non-WSIB package) with you to the hospital, doctor's appointment. These packages are kept at each work location and in Agency vehicles; supervisors and the Administrative Coordinator can also provide employees with the appropriate WSIB or non-WSIB package.
- c) as soon as reasonably possible, an employee who becomes ill, injured or disabled, etc., on the job is required to provide the Administrative Coordinator with the fully completed, signed WSIB Health Professionals Report -WSIB Form 8, from the treating health care professional;
- d) promptly report all illnesses, injuries or disabilities to their immediate supervisor, along with completion of Employee Incident Report, submission of medical documentation regarding length of time off work, expected date of return and any work restrictions;
- e) cooperate with the Agency's ESRTW Program by immediately supplying all medical information, including completed Medical Release form (RTW-05) as required by WSIB, the Benefit Carrier, or the Employer, or other when requested and complete all required medical releases;
- f) follow-up with their health care provider regarding delays in processing forms, lack of details and dates, as required by WSIB, Benefit Carrier or other;
- g) assist in the development of the Modified/Graduated Return to Work Plan, as contained in the Agency's ESRTW Program;
- h) maintain frequent contact with the Agency's Administrative Coordinator, to advise of any changes in their condition, progress in their recovery, dates of medical appointments, delays in processing forms by the attending health care provider(s), etc;

- i) continue to follow recommended medical, rehabilitation programs, etc., in the time frame prescribed, so your return to work is not delayed/assist with an early and safe return to work;
- j) obtain written clearance from the health care provider(s) to return to work, both to modified work and/or regular duties; completion of Employee Return to Work Form (Form RTW-06);
- k) schedule rehabilitation activities, such as physiotherapy, that will result in as little lost time as possible from the employee's work schedule;
- l) cooperate with all parties involved and be committed to returning to their regular duties;
- m) notify supervisor of the need to replenish the supply of WSIB or Non-WSIB packages at the work location or in work vehicle;
- n) complete the Return to Work Survey (Form RTW-07) and submit such to the Administrative Coordinator, within seven days of returning to full duties, (full hours, no modifications).

**The Employer will:**

- a) maintain absolute confidentiality and ensure compliance to the ESRTW Program;
- b) upon employment, train each employee with information of Community Living-Central Huron's Health and Safety Policies and Procedures; maintain a complete updated copy of WSIB and non-WSIB packages at work locations sites and in Agency vehicles;
- c) comply with the requirements of the Agency's ESRTW Program for return to work, as outlined in the attached document, as well as the Ontario Occupational Health & Safety Act & Regulations;
- d) provide as soon as possible to the ill, injured or disabled employee with the necessary forms and assistance in completing and submitting such to the appropriate source;
- e) develop in conjunction with the worker and appropriate health care provider(s), an individualized Modified/Graduated Return to Work Plan;
- f) maintain frequent contact with the ill, injured or disabled employee to document progress, discuss the Modified Work Program and the individualized Modified/Graduated Return to Work Plan; this function is the responsibility of the Administrative Coordinator;
- g) take all reasonable steps to return ill, injured or disabled employees to their regular duties as quickly as possible;
- h) accommodate to the best of its ability, modified work restrictions, functional abilities, etc., of the employee who is unable to return to their regular duties;
- i) annually audit and review the Agency's Early and Safe Return to Work Policy and Program;
- j) maintain an active file for each claim.

**The Supervisor will:**

- a) maintain confidentiality, and ensure compliance to the ESRTW Program and advise relevant co-worker(s) in writing of the ill, injured or disabled employee's work modifications;

- b) contact or follow-up with the ill, injured or disabled employee, as appropriate and as soon as possible, after the illness, injury or disability has been reported;
- c) as applicable, conduct an accident or incident investigation;
- d) develop, in consultation with the ill, injured or disabled employee, Administrative Coordinator and health care provider(s), an individualized Modified/Graduated Return to Work Plan and any extensions and revisions thereafter;
- e) orientate the ill, injured or disabled employee to modified work and/or return to regular duties;
- f) advise co-workers, as appropriate, of modified work restrictions, functional abilities, etc., of the ill, injured or disabled employee;
- g) assist in the collection of medical information, job information for task analysis, development of workplace modifications; inclusive of regular jobs that can be modified;
- h) monitor the ill, injured or disabled employee's progress by completing Individualized Return to Work Plan - Progress Report(s) (Form RTW-03) and complete the required forms for documenting progress and required changes to the individualized Modified/Graduated Return to Work Plan;
- i) cooperate with the Location Health & Safety Representative and all parties involved;
- j) complete a Return to Work Survey, within seven days of an employee's full return to work (full hours, no modifications), and immediately submit such to the Administrative Coordinator;
- k) Maintain a supply of up-to-date copies of WSIB and non-WSIB packages at work locations and Agency vehicles;
- l) as appropriate advise the relevant Management Health and Safety Representative of the ill, injured or disabled employee, so that they may inform the union.

**The Administrative Coordinator will:**

- a) maintain absolute confidentiality and ensure compliance with the ESRTW Program;
- b) cooperate with the Supervisor, and the employee, and WSIB and/or Benefit Carrier and any other parties involved;
- c) assist in the development and maintenance of individualized Modified/Graduated Return to Work Plans;
- d) maintain frequent contact with the ill, injured or disabled employee, seeking information as any changes in their condition, progress in their recovery, details of relevant upcoming appointments, delays in processing forms by the attending health care provider, etc;
- e) apprise the ill, injured or disabled employee's immediate supervisor of the regular communication with the worker;
- f) follow-up, as required with health care provider(s), wage replacement plan(s), etc., to ensure progress with the individualized Modified/Graduated Return to Work Plan;
- g) receive Return to Work Surveys and copy to the designated Management Health and Safety Representative and the Executive Director;
- h) review annually with the Executive Director, the results of the Agency's ESRTW Program;
- i) maintain all required records in a confidential manner.

4. Summary:

**SEE INSERT FOR PAGE #7**

5. **Steps and Responsibilities Summary:**

Person	Responsibilities
<b>Employee</b>	<ul style="list-style-type: none"> <li>- <b>Immediately</b> seek proper medical treatment;</li> <li>- <b>Report</b> injury to your immediate Supervisor or pager;</li> <li>- <b>Complete and submit</b> all relevant forms and documentation within 24 hours to the Agency and wage replacement plan(s); <b>follow-up as necessary</b>;</li> <li>- <b>Assist and participate</b> in the development of your Individualized Modified/Graduated Return to Work Plan; (Form RTW-02)</li> <li>- <b>Maintain frequent contact</b> with the Administrative Coordinator to report on progress, appointments with health care provider, changes in condition, etc.;</li> <li>- <b>Obtain</b> clearance from your health care provider(s) to return to work (modified and/or regular duties). (Form RTW-06)</li> <li>- <b>Complete</b> Return to Work Survey (Form RTW-07)</li> </ul>
<b>Supervisor</b>	<ul style="list-style-type: none"> <li>- <b>Maintain</b> confidentiality and ensure compliance to the Early and Safe Return to Work Program;</li> <li>- <b>Contact or follow-up</b> with the employee as soon as possible, after the injury/illness/disability, has been reported; if WSIB within 24 hour;</li> <li>- <b>Conduct</b> an accident <b>or incident</b> investigation, (Form RTW-01) as applicable;</li> <li>- <b>Submit</b> Employee Incident Report (Form -00) and Supervisor's Report to Admin. Coordinator; WSIB Incident- within 24 hours of learning of incident; non-WSIB- next business day; if applicable conduct investigation;</li> <li>- <b>Develop</b>, in conjunction with the employee, Administrative Coordinator and health care provider(s), an Individualized Modified/Graduated Return to Work Plan and any extensions and revisions thereafter;</li> <li>- <b>Orientate</b> injured, ill or disabled employee to modified work and/or return to regular duties;</li> <li>- <b>Advise</b> co-workers in writing, as appropriate, of modified work duties, restrictions, functional abilities, etc. of the employee;</li> <li>- <b>Assist</b> in the collection of medical information, job information for development of workplace modifications, and/or return to regular duties;</li> <li>- <b>Monitor</b> the employee's progress, and complete the required forms for documenting progress (RTW-03) and required changes to the Individualized Modified/Graduated Return to Work Plan.</li> <li>- <b>Complete</b> Return to Work Survey. (RTW-07)</li> </ul>



<b>Administrative Coordinator</b>	<ul style="list-style-type: none"> <li>- <b>Maintain</b> confidentiality and ensure compliance with the ESRTW Program;</li> <li>- <b>Cooperate</b> with employee, health care provider(s), and parties involved, inclusive of preparing up-to-date reports;</li> <li>- <b>Maintain</b> frequent contact with the employee regarding any changes in their condition, progress, appointments, delays in processing forms by the attending health care provider(s), etc.;</li> <li>- <b>Update</b> the employee's immediate Supervisor in writing of employee's progress;</li> <li>- <b>Follow-up</b>, as required, with health care provider(s), wage replacement plan(s), etc.;</li> <li>- <b>Provide</b> a copy of Return to Work Survey to the Management H &amp; S Rep. and Executive Director;</li> <li>- <b>Review</b> annually with the Executive Director, the results of the Agency's Early and Safe Return to Work Program;</li> <li>- <b>Maintain</b> all required records.</li> </ul>
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**Early & Safe Return to Work Forms:**

Packages- WSIB Package and Non-WSIB Package (Benefit Carrier/Other)

Form - 00- Employee Incident Report (triplicate- Public Service Health & Safety Association)

RTW-01 - Supervisor & Location Health & Safety Rep

RTW-02 - Modified/ Graduated Return to Work Plan

RTW-03 - Individualized Return to Work Plan- Progress Report

RTW-04 - Modified Duties/Schedule

RTW-05 - Medical Release

RTW-06 - Employee Return to Work Form

RTW-07 - Return to Work Survey

**Related Policies:**

- Confidentiality (A-003)
- Privacy (A-004)
- Volunteer (B-007)
- Accessibility Policy (B-009)
- Duty of Care Policy (B-010)
- Code of Conduct (B-011)
- Health and Safety Policy Statement (D-001)
- Critical Injury (D-006)
- Pandemic Policy (D-008)

- Musculoskeletal Disorders Awareness Policy (D-010)
- First Aid Policy & Procedures (D-011)
- Working Alone Policy (D-012)
- Infection Control Policy and Procedures (D-013)
- Hazard/Risk Policy and Procedures (D-014)
- Health and Safety Orientation Policy (D-015)
- Location Health and Safety Representatives Policy (D-016)
- Ladder Safety Policy and Procedures (D-017)
- Sharps Policy and Procedures (D-018)
- Manual Handling Policy (D-019)
- Slips, Trips and Falls Prevention Policy (D-020)
- Workplace Inspection Policy (D-021)
- Work Refusal Policy (D-022)
- Lifts, Transfers and Physical Assistance Policy (D-023)
- Incident/Accident Investigation Policy and Procedures (D-024)
- Employee and Volunteer Orientation Policy (E-005)
- Professional Development/Training Policy (E-006)
- Individual Consultation (E-007)
- Employee Performance Appraisal (E-008)
- Vehicle Use (E-009)
- Employee Performance Standards (E-011)
- Disciplinary (E-012)
- Benefit Plans (E-017)