

Madawaska Valley

Association For

Community Living

**POLICY: RETURN TO WORK**

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**CATEGORY: HUMAN RESOURCES**

Policy Statement**:**

Madawaska Valley Association for Community Living is committed to providing a safe workplace for our employees. Preventing work related illness and injury is our primary goal. MVACL and its employees are committed to co-operating and participating in their return to Work Program.

Our early return to work program strives to provide accommodation for an employee who is temporarily or permanently unable to return to their duties as a result of an occupational injury or illness. The program provides opportunities to perform the regular job with modifications or, when available, to perform alternate temporary work that meets the injured employee’s functional abilities.

The early and safe return to work (RTW) program applies to all employees of MVACL. The return to work program will be a collaborative and outcome based process to assess, plan, implement, coordinate, monitor and evaluate the options and services required to meet an individual’s needs. The RTW program will utilize a case management approach for achieving an outcome for an injured/ill employee.

Confidentiality Statement**:**

As the employer, all appropriate steps will be taken to ensure the confidentiality of the information collected and used in RTW Program.

The employer will ensure that the individual(s) responsible for the RTW program and coordination have training and understanding of the confidentiality and security of employee information.

**RTW Program Objectives:**

* To reduce the number of days lost to injury or illness.
* To reduce the costs relate to work and non-work related injury or illness.
* To increase awareness and satisfaction with our RTW program.
* To ensure compliance with all legislation including the Workplace Safety and Insurance Act and Human Rights Code and Ontarians’ with Disabilities Act.
* Reduce the number of future injuries and illnesses by improving health and wellness.

**Roles and Responsibilities**

**Employer Responsibilities:**

* Provide a safe work environment.
* Develop written early and safe return to work policies and procedures that are consistently applied to all employees covered by the program.
* Educate all employees about the RTW program.
* Train employees on proper reporting of incidents and incident investigation.
* Promptly report work-related injuries to the WSIB.
* If you’re injured, regularly communicate with you during your time away from work, and monitor your progress when you return.
* Work with the employee and health professional to identify suitable work.
* Modify the workplace, as required to accommodate employees who are disabled due to illness or injury.
* Monitor the progress of employees in modified work programs and meet with them regularly to ensure they will be successful in achieving their return to work goal.

**Employee Responsibilities:**

* Know and follow safety policies and procedures.
* Report any injury or illness immediately.
* If medical attention is necessary, inform your doctor that early and safe return to work opportunities are available to accommodate functional abilities.
* Communicate with your employer through your recovery period, and cooperate with your employer in finding in finding suitable employment for your return to work plan.
* Take an active role in developing your return to work plan.
* Obtain the necessary documentation from the treating health professional, as may be required by the employer (for example, functional abilities information).
* Report any concerns with your return to work to your supervisor and/or your WSIB adjudicator so the problems can be addressed promptly.
* Attend scheduled return to work progress meetings with your employer/manager.

**WSIB Responsibilities:**

* Administration of all claims as required by the WSIA.
* Maintain communication with the company, and our injured workers and their health care providers.
* Help MVACL and our injured workers, when necessary, through the return to work process and provide resources to assist in cases of dispute.
* Determine the suitability of employment and fitness to return to work.
* Enforce MVACL’s re-employment obligations.
* Encourage and actively assist injured workers in their successful return to work.
* Track and analyze injury and illness data and provide trend information to workplace for prevention and RTW planning.

**Co-workers:**

* Support the returning employee.

**Union or employee representative:**

* Participate, support and guide the employee in understanding the RTW procedures, responsibilities and support where required the return to work plan (i.e., modify work committee).

**Health Professional Responsibilities:**

* Provide appropriate, effective health care that facilitates recover and expedites return to productive work.
* Provide information on the injured or ill worker’s functional abilities when requested by the company, our employees or the WSIB.
* Provide timely information to the WSIB.

**Procedures and Process:**

**Reporting requirements:**

**Occupational Injuries less than 5 days:**

* Employees will report all occupational injuries and illness immediately to the employer (manager). First aid will be provided in all cases and a record of the incident will be documented. All accidents or near misses will be investigated. In those cases where medical treatment is obtained, the following procedures will apply:
* The employer will complete a report of the injury/illness and submit to the WSIB within 3 days and provide a copy of the Form 7 to the injured/ill worker within 7 days.
* The employee will complete a report of the injury/illness and submit to the WSIB.
* The employee will take a functional abilities form and RTW package (note: see definition) to the health professional and return it as soon as possible to the manager.
* The manager and modified work committee will coordinate an offer of accommodated work for the period of disability.

**Occupational Injuries over 5 days:**

* The employer will complete a report of the injury/illness and submit to the WSIB within 3 days and provide a copy of the Form 7 to the injured/ill worker within 7days.
* The employee will complete a report of the injury/illness and submit to the WSIB.
* The manager will establish a contact schedule with the injured employee through the recovery period and arrange regular meetings with all involved parties such as the worker, union, health professionals and the insurance provider to determine the injured/ill employee’s level of functional abilities and ability to participate in accommodated work.
* The manager will assist with the coordination and access to required services such as functional assessments, treatments, job demands analysis and other such programs that can improve RTW outcomes for the injured/ill worker.

**Establishing Early Contact:**

If an employee is off due to an injury or illness, it is recommended (where appropriate depending on the severity or circumstances of the injured/ill employee) that contact be initiated by the manager within 24 to 48 hours. Contact can be a telephone call or a face to face meeting.

 **Frequency of Contact:**

The frequency of contact required by the employee and manager will be determined by the health recovery status. At minimum, a follow up case conference between the worker and the manager by telephone at least bi-weekly.

 **Health Recovery:**

The manager will assist and support the injured employee during their recovery. The process will involve consultation with the treating health professional and the employee. The manager will obtain functional abilities to be utilized when developing the return to work plan.

 **Eligibility and referral to the RTW Program:**

Employees are referred to the RTW program when they are unable to do their regular job due to a medically determined physical or mental impairment caused by an illness or injury for which they are actively seeking active treatment and that is substantiated with medical evidence. All occupational injuries/illnesses will be managed by the manager, joint health and safety committee and Modify work committee.

 **The Process for RTW Accommodation:**

Upon receipt and review of the functional abilities information, the modify work committee and manager will review job accommodation options with input from the injured/ill employee. Accommodations may require an adjustment of the work process, work schedule or a formal modification to the work station up and including the provision of assistive devices. \*\* (as long as it does not constitute undue hardship for the employer).

**Return to Work Plan Adjustments:**

The manager and employee will work together to update and adjust the return to work plan if required. Any adjustments such as a change in duties, hours or wages, will be communicated by the manager to key stakeholders (i.e., manager, human resources, WSIB).

 **Return to Work Goal Setting:**

The primary goal of a return to work plan is a return to the pre-injury job as soon as possible. By comparing the physical demands of the job and the functional abilities, the manager and the employee can determine if the job needs modifying and if accommodations would be required.

If the employee is not able to return to their pre-injury position, the manager will attempt to accommodate the worker as soon as possible. The accommodation should be suitable and restore the employee’s earnings. The employer will make every effort to provide meaningful modified work. The manager will use the following hierarchy as a guideline to return to work plan development:

 1. Pre-injury job (starting point and overall goal).

 2. Pre-injury job, accommodate to meet the workers abilities.

3. Work comparable in nature and earnings to the pre-injury job (with accommodation if required).

 4. Alternate work (with accommodation if required).

 **Independent Medical Assessments:**

Where there are discrepancies or differences in opinions around the employee’s prognosis or functional abilities, the employer may request that an independent medical assessment be completed in an attempt to resolve the issue.

 **Dispute Resolution Process:**

In situations where there is an issue in dispute related to either the RTW process or the suitability of the RTW plan, and where a meeting with the worker did not resolve the dispute, the manager will refer the matter to the Human Resource Manager to facilitate a resolution. If the matter cannot be resolved, a referral to the WSIB may be made where the dispute involves cooperation in return to work or suitability of the job accommodation.

**Communication/Training/Implementation:**

The success of our early and safe return to work program depends on everyone involved in the process being informed of the program.

The initial communication to all internal employees is through an information package created and distributed to all employees and management covered by the program. This will be followed by training so that they understand how the program works. All new employees will receive an information package with orientation.

The manager will ensure that the WSIB and any other insurer as required will be kept up to date on the progress of any employees in the return to work process.

 **Evaluation:**

 **Monitoring and Evaluating the RTW Program:**

An evaluation of our return to work program will be completed at the end of each year. The joint health and safety committee will complete the evaluation and present it to the Executive Director. The purpose of the evaluation is to see if we are meeting the objectives of the program.

 **Monitoring and Evaluating Individual RTW Case Plans:**

Each employee and manager who has been through the return to work process will independently complete an evaluation at the end of the return to work. The manager will ensure that a RTW Closure/Evaluation Report is completed for all program participants.

 We are committed to using the results of our evaluation to improve our program.