



# Huron-Superior Catholic

## DISTRICT SCHOOL BOARD

### PROCEDURAL GUIDELINES RETURN TO WORK AND ACCOMMODATION

This procedure applies to all employees who sustain a non-occupational or occupational illness, injury or disability, regardless of its cause, type or nature, which results in an absence from work.

#### ROLES & RESPONSIBILITIES

Under the internal responsibility system (IRS), the responsibility for prevention is shared by all employees of the Board.

#### **The Board is responsible for:**

- Accommodating employees who have sustained a non-occupational or occupational illness or injury to the point of undue hardship.
- Adjusting or modifying the work environment or the method of doing work in order to address the individual needs of the employee requiring an accommodation.
- Ensuring the procedures are followed as outlined in the Occupational Health and Safety Act (OHSA) in the event of an occupational illness or injury.

#### **Human Resources is responsible for:**

- Advising the employee of the availability of transitional work, and providing copies of the required documentation.
- Assisting in the creation of and supporting the employee's return to work (RTW) plan.
- Facilitating the identification of appropriate duties, within the parameters identified by the treating healthcare provider.
- Communicating and assisting in the evaluation of the plan's effectiveness through regular meetings scheduled with the employee, supervisor and union representative, if applicable.
- Facilitating the return to work meeting and subsequent follow-up meetings.
- In the event of a non-occupational or occupational illness/injury:
  - Contact the employee as soon as possible after information has been provided;

- Maintain communication within a reasonable timeframe with the employee throughout their recovery and RTW;
- Attempt to provide suitable work within the employee's functional physical and psychological capabilities, as outlined in the medical documentation from the treating healthcare provider;
- Provide a RTW package (doctor letter, medical documentation, date of meeting for RTW, if needed);
- Document the RTW plan and provide a copy to the employee and WSIB, if applicable;
- Review the RTW plan to ensure it is current and reflects the employee's functional abilities; if changes are needed, revise the RTW plan, and inform the employee and other parties;
- Monitor the progress of the employee's modified duties and/or hours through regular meetings with the employee and supervisor; ensure medical follow-up is obtained at a pre-arranged schedule (as determined in the RTW plan).

**Employees are responsible for:**

The employee is responsible for maintaining personal health and wellness in consultation with his/her healthcare provider(s). All employees will provide the Board with sufficient medical documentation to support any absence or requirement for modified duties and outline current functional capacity. All employees will also participate in the RTW Program and follow the duty to cooperate.

- In the event of an occupational illness or injury:
  - Get appropriate medical treatment immediately following the incident and follow the recommendations of the treating healthcare provider;
  - Complete a Form 6 (Employee's Report of injury) and return it to WSIB;
  - Following treatment, the healthcare provider will complete a WSIB Form 8.
- In the event of an occupational or non-occupational illness or injury:
  - Participate and be in regular contact with Human Resources;
  - Comply with the appropriate treatment strategies to promote recovery;
  - Submit updated medical documentation to HR during recovery as requested;
  - Take an active role in the development of the RTW plan;
  - Communicate any concerns to Human Resources or the immediate Supervisor;

- Ensure that appointments with the treating healthcare provider is continued while on modified hours and/or duties;
- Cooperate with all requests for medical documentation, as required by WSIB and the Board;
- Attend all scheduled RTW meetings;
- Communicate any change or modifications needed to their RTW plan, as soon as they are known, to Human Resources.

**The treating healthcare provider is responsible for:**

- Providing up-to-date functional abilities information as scheduled or requested;
- Completing the forms (documentation) as requested;
- Acting as a resource to the RTW plan;
- Monitoring the employee's medical status (functional abilities) and initiating a RTW when appropriate;
- Identifying the physical and cognitive limitations and restrictions;
- Identifying an appropriate accommodated work schedule (if applicable);
- Communicating with the employee and Human Resources (if applicable and authorized by the employee);
- Assisting with the resolution of any identified issues or concerns with the workplace accommodation, including obtaining additional medical information, as needed.

**The Supervisor is responsible for:**

- Notifying Human Resources of extended absences of more than five (5) consecutive days or frequent absences, or any other situation requiring an accommodated RTW;.
- Identifying the appropriate accommodation (duties), within the parameters identified by the treating healthcare provider;
- Participating in the initial RTW meeting and subsequent follow-up meetings;
- Providing updates to Human Resources specific to the employee's progress in the RTW program;
- Providing immediate feedback to Human Resources, should there be any concerns with the RTW program;
- Forwarding any documentation received from the employee to Human Resources as soon as possible.

## RETURN TO WORK PROCESS

### **DUTY TO ACCOMMODATE**

The Board is committed to accommodating employees with disabilities, within the spirit of, and under applicable legislation, collective agreements and board policy. Each person with a disability will be considered individually in order to determine appropriate accommodation, and their needs will be accommodated in a manner that most respects the person's dignity, privacy, comfort, autonomy and self-esteem, up to the point of undue hardship.

### **ACCOMMODATION**

The Board must take reasonable measures to provide the most appropriate accommodation available under the circumstances. A workplace accommodation may mean making changes to:

- Duties and tasks
- Physical demands
- Methods of achieving work results
- The physical workplace/workstation
- Hours of work
- Location of work
- The distribution of duties among co-employees
- The number and use of breaks during the working day
- The amount of work a person normally performs
- The quality of work a person normally performs

***Duty to accommodate is a shared responsibility***

### **RETURN TO WORK**

The Supervisor is responsible for addressing absences and return to work issues. Human Resources should be consulted immediately in the case of a workplace accident and in other cases of lengthy absences (non-occupational or occupational), e.g. over five (5) working days, to initiate the RTW process. Human Resources will contact the absent employee to request more medical information (omitting diagnosis).

Human Resources will advise employees to return all completed medical documentation to HR. Confidentiality will be maintained throughout the process. The documentation may indicate the following:

- Nature of illness / injury (omitting diagnosis);
- Signature of treating healthcare provider and date;
- The potential for modification of the work and/or hours, if applicable;
- The medical information substantiates continued absence from work;
- Indication of a time frame for return to work (prognosis);
- Return to work with no limitations and the medical information does not substantiate continued absence from work or a modified work requirement.

## **MODIFIED WORK**

The key to any successful RTW program is the ability to accommodate an employee's re-entry into the workplace by accommodating various restrictions and limitations set out by the employee's treating healthcare provider. Modified work/rehabilitation opportunities can be identified at any stage of the employee's illness or injury.

Procedures and specific plans/arrangements for modified work would have to be consistent with accommodation requirements established under the *Ontario Human Rights Code*, and collective agreements and policies.

When an employee presents with documentation that outlines restrictions, the Board has an obligation as the employer to review what is required and determine if we are able to accommodate based on the restrictions. Accommodation enables a person with functional limitations to productively perform and participate in the workplace

## DEFINITIONS

### *IRS*

The philosophical approach to health and safety, which underlies the Ontario Occupational Health and Safety Act, whereby responsibility for health and safety is shared by all parties in the workplace.

### *Transitional Return to Work (RTW)*

Transitional RTW is based on objective medical documentation and is time limited (per individual circumstances), and resulting in a return to the employee's pre-injury job.

### *Early and Safe Return to Work (ESRTW)*

Is the early and safe return of an employee to a modified work program. This program can include the modification or re-designation of hours and/or duties.

### *Permanent Accommodation*

A permanent accommodation meets the capabilities / limitations of the employee such that he / she may perform the essential duties of the job without assistance. Occurs when an employee has reached Maximum Medical Recovery (MMR) as determined by a specialist.

### *Non-occupational injury or illness*

A non work-related illness or injury defined as not being caused at or from the workplace.

### *Occupational injury or illness*

Is defined as per the Workplace Safety and Insurance Board (WSIB) and a work related illness or injury.

### *Modified work*

Any alternate work, task, function or combination thereof that an employee who suffers from diminishing capacity may perform safely, which may or may not normally have been performed by that employee. The assignment of the modified work will be dependent on the employee's functional abilities.

### *Supervisor*

The Occupational Health and Safety Act (OHSA ) defines a supervisor as a person who has charge of a workplace or authority over a worker (e.g., Principal or Vice-Principal in a school).