

Return to Work

A Shared Responsibility

Return to Work A Shared Responsibility

Agenda

- What is it?
- Building a Return to Work Program
- Developing a Return to Work Plan

Return to Work

What Is It

- **RTW Program:** a company-wide organized, structured approach that outlines the policy and process/procedures by which an employee that is injured or ill and off the job will return to work. Primary goal is to return injured workers safely to their pre-injury job with the accident employer at no wage loss.
- **RTW Plan:** a detailed and individualized short-term arranged between the employer and the worker aimed at a common goal of early and safe return to work. RTW plans have timeframes and schedules, as well as an outline of the type of accommodated work or duties.

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What Is It

- A purposeful and proactive approach helping injured workers return to safe and productive work activities as soon as it is physically possible to do so.
- Designed to minimize the human and financial impact of workplace injuries and illness
- A goal-directed partnership between the employer, employee, WSIB, health provider.

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Return to Work outcome wanted

A program designed to achieve the early return of an injured employee to work that is:

- Safe
- Suitable
- Timely
- Sustainable

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Your active role in Return to Work will:

Reduce

- Indirect costs to the business
- Compensation claims costs
- Recurrent claim costs

Improve

- Productivity levels and employee morale
- Opportunity for WSIB premium rebates

Eliminate

- WSIB premium surcharges as a result of poor prevention and above average claims experience
- WSIB fines that could be imposed for non-cooperation

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Who makes it happen?

- Employer
- Employee
- Bargaining unit representative
- Health Care Practitioner
- WSIB

Who participates?

Effective OH&S that includes disability management and RTW programs tend to have the following characteristics:

- endorsed, supported and communicated by the most senior managers
- endorsed and supported by frontline managers
- involve employees
- resolve issues as they arise
- committed to continuous improvement

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Role of the workplace parties

- Cooperate in and through the RTW process
- Maintain regular contact with each other through the RTW process.

Employers and Employees have a joint legal obligation to:

- Communicate with the health care provider to determine employee capability while recovering, and suitability of available work.
- Work together to identify and monitor the suitability of new/modified job activities and adjust as necessary

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Workplace Safety and Insurance Act

- Section 40 - duty to co-operate in early and safe return to work
- Section 41 - duty to re-employ injured worker for employers with more than 20 employees and where the employee has been employed continuously for more than one year.
- Section 42 - the WSIB's responsibility to provide a labour market re-entry assessment in prescribed circumstances.

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Building a Return to Work Program

What helps return to work

A workplace based approach that;

- has top management commitment and all staff and management know and support
- has an emphasis on occupational health and safety and prevention and includes review of accident and injury history
- ensures a clear process of documentation and communication and continuous communication with injured worker while off work
- ensures active monitoring of an injured worker's progress following RTW throughout the transition back to regular work
- supports employer and employees to work together to make health and productivity improvements in their workplace.
- is linked with the Joint Occupational Health and Safety Committee.

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Five keys to building a Return to Work Program:

- Set standards – “What’s the policy? What are the rules?”
- Communicate – “Let’s make sure everyone knows about the program and their role in it”
- Train – “What to do and how to do it”
- Evaluate – “How are we doing?”
- Acknowledge Success/Make Improvements – “We did well, and can change a few things.”

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Set Standards

Important considerations include:

- A written policy exists that includes roles, responsibilities and procedures
 - For example: XYZ Company is committed to ensuring that it provides for safe and timely return to work by our employees. It is the policy of this company to:
 - provide suitable employment that is compatible with the injured/ill individual's abilities.
 - to work with each individual who is injured or ill to develop an individualized Return to Work plan as soon as possible following an injury or illness.

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Communicate

Important considerations include:

- Make sure the policy is clear and simple
- Include the specific mechanism for communication while employee is recovering.

Example:

- agenda item at company health and safety meetings
- orientation session
- e-mail or broadcast messages
- regular contact with injured/ill employee
- mailing of company information (l.e. newsletters, etc.,)
- visit(s) to hospital

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Train

Important considerations include:

- Having a formal training session that covers rights, responsibilities, health and safety, roles and corporate policies/procedures of the new program.
 - Make this part of annual training or new hire orientation, and review in some staff meetings.
- In smaller companies, formal can mean something as simple as sitting down and talking with the employees together in one place about the new program, and how it works.

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Evaluate

Important considerations include:

- Evaluate on an ongoing basis to constantly review program's effectiveness – is it working? Are people returning to work?
- Survey staff formally or informally to see if they know and understand the program.

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Acknowledge Success and Make Improvements

Important considerations include:

- Using the information from your evaluation process – make changes if necessary.
- Revise the program to include recent research and known best practices.
- Check the WSIB's Web site (www.wsib.on.ca) for research papers.
- Acknowledge outstanding employee contribution to this process.

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Developing Return to Work Plans

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Return to Work Plan

- Agreed purpose of the suitable work/duties – i.e., to return to pre-injury job, or as a transition measure to ensure return to pre-injury or to an alternative job
- Job title and location
- The name and contact information of the supervisor
- Hours and days to be worked
- Duties including restrictions or specific duties to be avoided
- Wages, including any top-up pay if applicable
- Start date, length of time and review dates
- Arrangements to attend health care appointments.

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Return to Work plan (*continued*)

In developing the individualized plan, ensure that consideration is given to:

- Personal circumstances of the injured employee that might impact on the suitable work, e.g., child care arrangements, transportation, medications that impair motor skills, or cognition
 - Industrial issues in the worksite, i.e. seniority
 - Workload impact on co-workers.
- The plan needs to be time-limited, monitored closely and adjusted as the employee recovers.

Duty to Accommodate

- Employers have a statutory requirement to provide modifications or assistive devices to accommodate employees – unless the employer demonstrates the expenses will cause undue hardship
- WSIB refers to the Ontario Human Rights Commission's guidelines, which supercedes WSIB policies.

What helps return to work

Types of Work Accommodations:

- Sit/stand stool
- Lift table, lower employee
- Light duty (alternative duty, limited duty, modified duty, restricted duty)
- Adjustable swivel chair for seated employee
- Provide all materials at work level
- Altered conditions: reduced work hours, improve the layout of the work area, allow frequent breaks etc.

Return to Work Mediation

- Mediation services are available when disputes arise over cooperation and/or re-employment issues.
- Services offered by WSIB are voluntary and must be accepted by both workplace parties before a mediation can proceed.