

MANUAL OF ADMINISTRATION

TOPIC: HEALTH AND SAFETY	SUBJECT: Early and Safe Return to Work	Code: HS011
		Date of Issue: Dec 2005
		Revised: March 2016
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PURPOSE:

Avenue II, in collaboration with the JHSC and the Union have implemented a modified duties program that will allow Avenue II, where possible, to provide modified duties to employees on a fair and consistent basis.

AVENUE II COMMITMENT:

Avenue II values the goal of prevention of injuries and illnesses through maintaining a safe and healthy workplace. Consistent with this value is the agencies commitment to the successful recovery of injured/ill employees by assisting in early intervention and return to safe work.

It is Avenue II policy to take all reasonable steps to return injured/ill employees to their pre-injury job as quickly as possible. Where the employee is unable to return to their pre-injury job, the goal will be to return them to alternative work, which is consistent with their functional abilities.

Avenue II and its employees are committed to co-operate and participate in the success of the Return to Work Program.

BENEFITS OF EARLY AND SAFE RETURN TO WORK:

Both Avenue II and the employee will benefit from the Return to Work (RTW) Program.

Avenue II Benefits:

- Skilled workers are retained and return to work on a timely basis.
- A reduction in days lost to WSIB due to absence from injuries or illness.
- Compliance with current and future legislative obligations.

Employee Benefits:

- Opportunity to return to work earlier to pre-injury income.
- Increased awareness of disability issues for all employees.
- Enhances medical and vocational rehabilitation that minimizes loss of physical fitness.
- Reduction of an injured workers' sense of estrangement and isolation while away from work.
- Maintains dignity and self respect.

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DEFINITIONS:

Modified Duty:

Modified Duty is the modification of an employee position that allows for the employee to carry out the work assigned with-in the employee's capabilities.

Health Care:

Services requiring the professional skills of a health care practitioner (e.g. doctor, nurse, dentist, chiropractor, or physiotherapist), services provided at hospitals and health care facilities, obtaining prescription drugs.

PRINCIPLES OF MODIFIED DUTY:

Avenue II recognizes that the temporarily injured employee can and should be performing meaningful, productive employment. The modified duty program gives structure and organization to this principle and recognizes the Employer, Union, Health Care Practitioner's and employee(s) joint responsibility to participate in the rehabilitation of the employee.

Specifically the work:

1. will be productive and the result must have value.
2. will not aggravate the employee's injury.
3. will not constitute an additional hazard to the employee or fellow employee(s).
4. will assist the employee in returning to their original position if possible.
5. may be at different times and locations resulting in schedule changes.

EMPLOYER RESPONSIBILITIES:

- Provide a fair and consistent rehabilitation policy for injured employees on or off the job.
- Provide meaningful employment for temporarily injured employees and promote modified duty.
- Facilitate communication between the agency, the employee, and the treating agency of the employee.
- Assist in the modification of the workplace where required.
- Ensure co-operation of all staff.

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HUMAN RESOURCES OFFICER:

- Determine in consultation with the employee's immediate Supervisor, if the position can be modified. The Executive Director will be consulted when unable to determine.
- Monitor the progress of the employees modified duties.
- Liaise with the employees treating agency and other agencies when required.
- Assist the employee's supervisor where required.
- Ensure that there is no conflict with the collective agreement (where applicable).
- Determine and maintain medical monitoring and treatment with the use of the Functional Abilities Form. The frequency of medical contacts can be determined on a case by case basis.

IMMEDIATE SUPERVISOR:

- Immediately advise the employee of the availability of the modified duties or transitional work program and provide the required forms. Forms include the Employee Advisement Letter, Letter to Physician or Health Care Practitioner, the Functional Abilities Form for Timely Return to Work, and a copy of Policy HS011.
- Create a modified work plan, and support the employee's modified duty or return to work program.
- Document the modified duties or return to work program.
- Maintain and document communication with the employee on modified duty and monitor the progress and the effectiveness, on an individual case by case basis. (a minimum of weekly)
- Ensure the employee adheres to the Return to Work Plan.
- Inform other employees and Management of program requirements when required.
- Schedule regular meetings with the employee to communicate and assist in the evaluation of the program's effectiveness.
- Report changes in the program or duties to the Human Resources Officer.

THE EMPLOYEE:

- Maintain regular contact with his/her immediate Supervisor.
- Adhere to the Return to Work Plan.
- Take an active role in developing their modified duty or return to work program.
- Communicate to their immediate supervisor or alternate any concerns, problems or changes in condition, including health care appointments.
- Obtain the necessary forms from the treating agencies as may be required by the employer. The employee may be responsible for the upfront costs of any forms that are required, but will be reimbursed by the employer.

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- Ensure that scheduled rehabilitation activities such as physical therapy or doctor's appointments are continued while on modified duty. These appointments are to be arranged whenever possible during non-work hours.
- Co-operate with all requests for updates on medical status and documentation as required by the WSIB and Avenue II.

THE UNION:

- Counsel its members on the benefits of co-operation in the "Modified Duty" and "Return to Work" programs.

WSIB REPORTING REQUIREMENTS:

1. Changes in duties/duration of program.
2. Failure to co-operate.
3. End of program.

RETURN TO WORK PROCEDURE:

Initial Return to Work Meeting:

1. The injured employee with his/her immediate Supervisor and union representation, if required, will be in attendance. If the meeting cannot take place in person, it can be done by telephone.

They will:

- review the physical demands and define the essential duties of the pre-injury job.
- determine the injured workers' abilities by using the information provided on the Functional Abilities Form for Timely Return to Work, and other medical documentation if available.
- determine if more information on medical status is required.
- work together to determine what the employee is capable of.
- discuss alternatives to the employee's current schedule.
- discuss the employee's obligation to adhere to the written Return to Work Plan.

Considerations When Assigning Modified Work:

1. Individual safety and quality service provision is of utmost importance.
2. The employee must be assigned work that meets their abilities.
3. Other staff must not be put at risk of injury.

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Modified Work May Include:

1. Alternate work sites and/or tasks at regular hours when originally scheduled or at other times.
2. Alternate work sites and/or tasks with modified hours (either reduced hours or graduated hours).

Modified Work Time Frame:

1. Each modified work plan will have a specific time frame. At the end of the specified time frame the case will be reassessed to determine whether an extension or further modifications are required.
2. The maximum time frame for an injury with no lost time is four (4) weeks, at the end of which another Return to Work meeting will take place.
3. The maximum time frame for a lost time injury will be eight (8) weeks, at the end of which another Return to Work meeting will take place.

Written Return to Work Plan (The plan should include):

1. A goal which will ideally be the return of the employee to the essential duties of their pre-injury job.
2. A start date, end date and review dates. Plan review meetings should be included on the injured employee's schedule if they are to be held in person.
3. Details and a schedule of the temporary duties assigned to the worker, including days and hours of work.
4. A copy of the written plan is to be given to the Human Resources Officer, the General Manager of Support Services and a copy will be sent to WSIB if applicable. On Call and management shall be advised of the plan.
5. All parties should sign and be given a copy of the completed plan. The employee should be advised to give a copy to their health care practitioner.

In the Case of a Dispute:

1. WSIB may be called upon for mediation or dispute resolution.

Completion of the Return to Work Plan:

1. The Return to Work Plan (RTW) is completed successfully when the goal in the RTW plan is achieved.

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2. Upon completion of the plan and if required the Manager will notify the employee of their obligation to provide Avenue II with an updated Functional Abilities Form (FAF) from their medical practitioner.
3. The Human Resources Officer will notify the WSIB case adjudicator that the plan is complete.

FORMS AND RESOURCES:

- Return To Work Plan
- Return to Work Journal
- Case Management Form
- FAF (Functional Abilities Form)