



Corporate Policy Manual

Sub Topic:	Return to Work	Policy No.	8-06
Topic:	General	Employees Covered:	All Regular Full-Time & Regular Part-Time Employees (Excludes Fire & Library)
Section:	Human Resources	Council Adoption Date:	
Effective Date:	September 15, 2003	Revision No:	Date:

Policy Statement & Strategic Plan Linkages

The Town of Newmarket is committed to make reasonable efforts to provide employee(s) unable to perform his/her regular work duties, regardless of the cause of injury/disability, a Return to Work Program that facilitates early and safe rehabilitation to work, and accommodation of an injured and/or disabled employee in accordance with legislative requirements under the Ontario Human Rights Code and Workplace Safety and Insurance Act.

Purpose

The Town of Newmarket recognizes the importance of providing a healthy and safe work environment for employees and affirms its commitment to provide a Return to Work Program that:

- Identifies disability issues either occupational or non-occupational and provides early intervention through work accommodation for disabled employees to perform the essential duties of their job or other tasks suitable to their functional abilities.
- Provides a safe workplace in the accommodation of an injured/disabled employee.
- Supports workplace safety considerations for the accommodated employee and co-workers.
- Provides opportunity to restore the injured/disabled employee to self-sufficiency at the highest attainable skill level in the shortest possible time.
- Improves productivity by reducing the duration of absences from work and associated benefits costs.
- Implements a co-operative program that encourages open dialogue and the participation of all parties.
- Ensures that the Town meets legislative requirements in accordance with the Ontario Human Rights Code and the Workplace Safety and Insurance Act.

Definitions

Eligibility

All regular full-time and regular part-time employees who are disabled as a result of either an occupational or non-occupational injury or disability.

Workplace Accommodations

1. Modified Work

Able to return to his/her own job with changes to specific duties or method of how those duties are to be performed. E.g.: only to lift up to a specific weight, or additional equipment provided such as a foot stool, or only perform specified parts of the regular duties.

2. Alternate Work

Able to return to pre-injury/disability job site but not to own job. Acts as a helper for another job or can perform temporary work such as filing, painting, reception, etc. The objective is to maintain the employee in the workplace, possibly while receiving treatment at the same time.

3. Graduated Return to Work

Employee is expected to return to full duties but may lack endurance or physical ability; therefore the number of hours worked per day is limited, or the employee may work full shifts, but decrease the number of shifts in a week. Over a set period of time the employee gradually returns to full regular duties.

Physical Demands Analysis

Used to quantify the essential duties of a job, explaining each task, its frequency and duration. It details the physical requirements with specific measurements such as lifting, reaching, bending and walking.

Essential Duties

The duties of a job that are necessary to achieve the production or provision of the final product or service required.

Functional Abilities

The abilities and restrictions of the injured/disabled employee, i.e. what the employee can do and the identification of restrictions they have.

Description

The Return to Work Program is a corporate wide initiative established to facilitate the return of an employee who has become ill and/or disabled on a temporary basis to do his/her regular duties.

Temporary Workplace Accommodation

The intent of the Return to Work Program is to provide work that either maintains the employee in the workplace or ensures early and safe return to work for a fixed period of time, usually less than 8 weeks and generally not more than 12 weeks, and is documented with a description of the type of work, conditions and

duration of the program. The type of accommodation outlined in the Return to Work Agreement is individually tailored to the employee's level of function. Temporary accommodation is intended to assist the employee in returning to their pre-injury/disability position, if possible. Such work identified will not result in the displacement of other regular employees from their position.

Every attempt will be made to accommodate the restrictions within the disabled employee's pre-injury/disability department while the employee is on the Return to Work Program. An employee on temporary accommodation shall receive regular wages for the time that he/she is at work on the program (except for a Long Term Disability Claimant doing graduated hours).

An employee who is medically unable to complete temporary accommodation may apply to resume WSIB or disability benefits, as applicable and further assessments shall be undertaken to determine the employee's level of functionality and restrictions with respect to obtaining another suitable position or, if applicable, permanent accommodation.

Permanent Accommodation

Permanent accommodation is considered if the medical prognosis indicates that the injured/disabled employee:

- will be unable to perform the essential duties of his/her regular position, at any time in the future; and
- is able to perform some type of work which may be available within the Town.

Consideration will be given to assist the employee to obtain an available position suitable to his/her functional abilities and restrictions with preference to finding suitable work within the employee's department.

An employee who is permanently relocated to alternate work may be paid in accordance with the pay scale of the new position. In the case of a work-related injury (WSIB), the pay scale of his/her new position or pre-accident rate of pay, whichever is greater.

Note: Additional information can be found in the [Return to Work Managers Guideline](#). Consult the applicable collective agreement when dealing with unionized employees.

Procedures

Employees are responsible to:

- Report to his/her Supervisor as soon as possible, all incident/injuries or disabilities that prevent him/her from doing their regular duties, including timely initiation of 'Supervisor's Report of Injury/Accident Form' where applicable.
- Notify his/her Supervisor of any absence from work due to injury or disability, maintain regular contact, provide medical certificates as required, (Policy No. 11.04, Absenteeism, Sick Leave and General Leave Provisions) and provide updated information on the expected date of return to work.

- Identify restrictions in performing his/her work.
- Obtain suitable and timely professional health care.
- Provide his/her immediate supervisor with regular updated assessments, either the WSIB [Functional Abilities Form](#), or [Fitness To Work Form](#) or such other medical assessment or certificate, (minimum of every 28 days, unless waived) as requested, completed by the treating health care professional.
- Co-operate and participate in his/her early and safe return to work, the Return to Work Program, assist in the identification of suitable work and the development of a work plan strategies, as appropriate and in accordance with legislated requirements.
- Co-operate in the implementation of third party assessments, as requested to assist in the assessment/identification of the employee's functional abilities and restrictions and support the identification of suitable work activities.
- Inform his/her supervisor of any change in his/her condition.
- Schedule appointments so as to minimize time lost to the employee's work schedule.

Co-workers of the injured and/or disabled employee shall be expected to support the Return To Work Policy, co-operate and assist their peer whenever possible.

Supervisor/Manager/Director is responsible to:

- Maintain communication with the injured/disabled employee immediately upon learning of his/her inability to perform their regular duties to attempt to identify and arrange suitable workplace accommodation that is consistent with the employee's functional abilities and restrictions.
- Consult with Human Resources; identify and discuss work options to promote early return to work.
- Be aware of obligations under the WISA, OH&S Act and OHRC.
- Ensure that appropriate forms (FA, RTW) are provided to the employee, completed and returned in a timely manner.
- Follow-up regularly with the employee to obtain information and discuss work accommodation.
- Make every effort to provide early rehabilitation by immediately offering and providing appropriate workplace accommodation as soon as the employee is able.
- Modify the work/workplace and/or provide a graduated return to work, or alternate work as necessary to accommodate the injured/disabled employee.
- Consult with Human Resources regarding issues or concerns about the employee's abilities and employment alternatives.
- Monitor and evaluate the employee's performance during the program until he/she is able to resume the normal essential duties.
- Refer the employee to other resources, if appropriate (e.g. EAP, OH&S).
- Support the development and implementation of the Return to Work Program, educate and promote corporate wide awareness of the Return to Work Policy.
- Facilitate open discussion, liaise with union representative, as applicable and promote co-operation of all parties in the return to work process.

Human Resources is responsible to:

- Facilitate an early and safe return to work following an injury or illness.
- Assist the Supervisor/Manager/Director in identifying meaningful and productive work preferably in the employee's own department, but when not available, within another department.
- Obtain confirmation of health care treatment regime and health progress, including follow-up on the completion of the [Fitness To Work Form](#) or [Functional Abilities Form](#).
- Co-ordinate joint meeting(s) with all parties, employer, employee, union, as applicable, and EAG representative, if requested, to develop a return to work schedule when it is indicated that the employee is able to return to workplace accommodation.
- Assess the documentation regarding physical demands of the work, and provide general recommendations to support job design, work activities, training, etc.
- Maintain contact with all parties, direct line supervisor/manager, employee, union representative (as applicable), health care professional and external provider as necessary for evaluation and support throughout the Return to Work Program.
- Co-ordinate with external consultants to do third party independent assessments in order to determine the employee's ability to perform the essential duties of the position, restrictions and a physical demands analysis of the job, as appropriate.
- Attend workplace accommodation meetings and act as a liaison between all parties, document the return to work schedule and distribute them to all parties.
- Provide information on the employee's progress to insurance carrier or claims adjudicator, if involved.
- Evaluate ongoing effectiveness of the Return to Work Program.
- Maintain statistics on the facility wide utilization of the program, including costs, number of workers in the program, hours, etc.