



## Subject: Early and Safe Return to Work Program

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### 1. PURPOSE

- 1.1 The Laurentian University Students' General Association (the SGA) is committed to facilitating an Early and Safe Return to Work. This program sets out the framework to safeguard employees while minimizing the associated impacts to the SGA.
- 1.2 This program is designed to:
  - 1.2.1 Provide meaningful accommodation where practicable, during the short term healing process.
  - 1.2.2 Manage a timely and safe return to full duties.
  - 1.2.3 Eliminate or reduce lost time.
  - 1.2.4 Coordinate efforts with workplace parties as well as physicians, registered medical professionals, and authorized Workplace Safety Insurance Board (WSIB) representatives as required.

### 2. SCOPE

- 2.1 This program applies to employees actively working for the SGA that have incurred a work related or non-work related injury or impairment and are unable to perform duties associated with their job during the temporary and short term healing process.
- 2.2 Permanent Impairment/Permanent Disability cases will be managed in accordance with applicable legislation on a case by case basis.
- 2.3 This program is consistent with relevant legislation including the Workplace Safety Insurance Act (WSIA), WSIB Work Reintegration Policies, Ontario Human Rights Code, Canadian Human Rights Act, and Accessibility for Ontarians with Disabilities Act (AODA).

### 3. DEFINITIONS

- 3.1 **Accommodation:**

The reasonable modification of work and/or workplace.

**3.2 Early and Safe Return to Work Program:**

Referenced in supplementary SGA documents as 'Modified Return to Work'.

**3.3 Functional Abilities Assessment:**

The process of assessing and describing an employee's physical and functional abilities related to their regular job duties. *Assessments are to be completed by a physician and/or registered medical professional.*

**3.4 Modified Duties:**

Changes to regular job duties (e.g. task, workload, hours of work). Changes will take into consideration limitations and/or restrictions imposed by a physician and/or registered medical professional.

**3.5 Non-Work Related Impairment:**

A physical or functional abnormality or loss resulting from a non-work related injury.

**3.6 Work Related Impairment:**

A physical or functional abnormality or loss resulting from a workplace injury or occupational illness.

**3.7 Permanent Impairment / Permanent Disability:**

Any permanent physical or functional abnormality or loss (including disfigurement) which results from an injury, and any psychological damage arising from the abnormality or loss.

**3.8 Physician:**

A duly qualified medical doctor/specialist who has been licensed to practice medicine (i.e. MD).

**3.9 Productive Work:**

Work that is of objective benefit to the SGA.

**3.10 Safe Work:**

Work that does not pose a risk to the health or safety of the employee, other employees or members of the public.

**3.11 Suitable Occupation:**

A category of jobs suited to an employee's transferable skills that are safe and consistent with the employee's functional abilities.

**3.12 Suitable Work:**

Post impairment work that is safe, productive and consistent with the employee's functional abilities.

**3.13 Supervisor:**

As defined by the OH&S Act, a supervisor is a person who has charge of a workplace or authority over a worker.

#### **4. APPLICATION**

4.1 The SGA will independently manage each case to identify, eliminate and/or reduce associated barriers that may impede an employee from returning to full duties.

4.2 Only duties that are safe, productive and consistent with the functional abilities of the employee will be offered. The SGA reserves the right to make final determination of what constitutes as productive work.

4.3 Employees are required to participate in the Early and Safe Return to Work Program.

4.3.1 As per the WSIA, WSIB benefits may be reduced and/or suspended if non-cooperation exists.

4.3.2 The SGA may disallow sick leave benefits if non-cooperation exists.

4.4 This program allows employees to continue to receive wages, and benefits without interruption. Reasonable efforts will be made to maintain the employee's pre-impairment rate of pay based on medical information provided and the duties being performed, applicable to the circumstances.

4.5 Modified duties are intended to be temporary and short term in nature. Modified duties are not reasonable in the circumstances for permanent impairment/permanent disability. Modified duties and are not to be considered as permanent available work.

4.6 Reasonable efforts will be made to accommodate an employee within their own department and/or shift. If the SGA does not have suitable or available work for the employee, a meeting will be held with all required parties to discuss other available work and/or suitable occupation as required.

4.7 Employees are prohibited from engaging in work or performing duties for another employer, including a self-operated business while participating in the program, unless the employee can demonstrate that he/she is able to perform such work

or duties within the prescribed functional abilities and/or restrictions imposed by a physician and/or registered medical professional.

- 4.8 Supervisors are required to immediately notify the Executive Director of all accommodations (e.g. modified duties) for both work related and non-work related instances. Supervisors are required to forward the completed Early and Safe Return to Work (ESRW) Form to the Executive Director within 24 hours.
- 4.9 All parties have a responsibility to maintain the private and confidential nature of each claim.

## 5. PROCEDURAL GUIDELINES

- 5.1 In the event an employee is involved in an incident that causes a work related or non-work related impairment, reasonable efforts will be made to return the employee to work on the day of the incident or the next scheduled shift. The employee will be notified regarding the availability of accommodation (e.g. modified duties) as soon as possible.
- 5.2 An employee who incurs a non-work related injury or impairment that may limit the duties he/she is able to perform will be responsible for notifying his/her supervisor prior to his/her next scheduled shift in order to initiate an Early and Safe Return to Work Plan.
- 5.3 Completion of the SGA's *Return to Work Form (RTW)* or the *WSIB's Functional Abilities Form (FAF)* will be required from a physician or a registered medical professional to identify any imposed limitations and/or restrictions. In the case of non-work related impairment, the SGA reserves the right to only accept RTW forms completed by a physician. Subsequent forms may be required on a regular basis to facilitate the application of suitable work in response to changes in functional abilities. The Executive Director may modify the frequency upon which forms are required based on case specific circumstances.
  - 5.3.1 *In the event a form is found to be incomplete and/or unsatisfactory, reasonable efforts will be made to liaise with the affected employee to have the treating physician or registered medical professional amend the form or complete a new form, as required. The Executive Director may contact the physician or registered medical professional for further clarification regarding functional abilities and/or details of the accommodation.*
  - 5.3.2 *The Executive Director may engage other medical practitioners and/or medical advisory services when accommodation barriers have been identified and/or when additional medical expertise is required.*
- 5.4 Accommodation shall not create an increased risk to the employee, other employees or members of the public and shall not displace another employee.
- 5.5 Accommodation (e.g. modified duties) timelines shall be clearly defined and identify a date in which the employee is expected to return to full duties. If

accommodation (e.g. modified duties) is required to extend past the identified date, consultation shall occur between the Department Manager and HR Services.

- 5.6 An Early and Safe Return to Work Form shall be completed and signed by all required parties. Completed forms must be immediately forwarded to the Executive Director.
- 5.7 If suitable work and/or modified duties cannot be offered or continued given the circumstances, additional options will be explored. Plans will be developed in consultation with applicable workplace parties, physicians, registered medical professionals, and authorized WSIB representatives as required.
- 5.8 The direct Supervisor will follow-up with the employee at regular intervals to verify applicability of the Early and Safe Return to Work Plan. Identified changes to the plan shall be documented on an Early and Safe Return to Work Form. Completed forms must be immediately forwarded to the Executive Director.

## **6. RESPONSIBILITIES**

### **6.1 Employees (All)**

- Comply with and cooperate in the *Early and Safe Return to Work Program*.
- Advise a treating physician and/or registered medical professional of the SGA's *Early and Safe Return to Work Program*.
- Work within imposed restrictions at all times.
- Immediately report any impairment related change(s) in condition to their direct Supervisor.
- Maintain regular communication/follow-up with their direct supervisor as agreed.
- Return all requested and completed forms to their direct Supervisor in a timely manner (immediately where practicable).

### **6.2 Supervisor**

- Ensure that all applicable workplace parties have been notified.
- Review limitations, restrictions and employee tasks to create a focused Early and Safe Return to Work Plan. Record the plan using the Early and Safe Return to Work Form.
- Forward all completed forms and applicable documents to the Executive Director within 24 hours.
- Follow up with the affected employee at regular intervals.
- Request additional forms as required (e.g. RTW Form, WSIB FAF Form).

