

<b><i>Rainy River District School Board</i></b>	<b>SECTION 3</b> <i>Personnel</i>
<b>DISABILITY MANAGEMENT – EARLY INTERVENTION, ACCOMMODATIONS AND RETURN TO WORK PROCEDURE</b>	<b>3.58</b>

**PURPOSE**

The Board’s Disability Management Program is an integrated partnership among employees, supervisors/administrators, unions, and health care providers that supports employees to attend work which benefits students. This program fosters a widespread understanding that the way to reduce the incidence and duration of an employee’s absences are through early intervention and support.

**RATIONALE**

The Disability Management Program provides employees with a safe and timely transition from illness/injury that allow them to remain at work or return to work. When appropriate, the program assists employees by providing rehabilitation support, accommodations or modifications to remain at work, gradually return to work and/or modified work prior to commencement of regular full-time, part-time or occasional work.

When a permanent disability exists, the Board will endeavor to modify both the work and the workplace to accommodate the needs of the permanently disabled employee, based on medically-supported restrictions/limitations, provided that it does not cause undue hardship to the Board.

**GUIDELINES**

**1.0 Temporary Disability**

1.1 Restrictions and Limitations:

An employee who becomes ill or is injured and it appears that an absence from work will result is responsible for providing medical restrictions/limitations identified by the appropriate treating medical practitioner or specialist to the Manager of Human Resources, or designate. When documentation is required, the restrictions and limitations shall be shared with the /vice- or immediate supervisor and, at the discretion of the employee, the union representative.

1.2 Temporary or Uncomplicated Accommodation within employee’s job:

The principal or supervisor has the responsibility to assess how an eligible employee can be accommodated within the work unit in the least disruptive manner. Accommodation can be accomplished within the work unit with little disruption when:

- The present abilities of the employee to perform the work are known and,
- The nature of the job accommodation is uncomplicated, and
- Minor adjustments can be made to modify the employee’s work plan or schedule.

Note: Any questions regarding accommodation should be referred to the Manager of Human Resources

### 1.3 Complex Accommodation:

When accommodation is more complicated and cannot be easily implemented (see above), a consultation process which can involve the employee, the principal or supervisor, the Union representative and the Manager of Human Resources, or designate, will be used. This may involve the purchase of equipment, technology or other aids to assist the employee in performing the essential duties of their job. In addition, vacant positions for which the employee is qualified and able to perform the essential duties will be considered.

## 2.0 Permanent Partial Disability

2.1 An employee who becomes permanently disabled from an illness or injury, such that they are unable to meet the demands of their former position, may be provided with appropriate accommodations or modifications and/or suitable work based on their physical, mental and vocational capabilities.

2.2 The conditions for providing such work may be:

- The employee provides current medical restrictions and limitations from the appropriate treating medical practitioner and/or by submitting a Functional Abilities Evaluation (F.A.E.).
- The Board will promote the retraining of injured employees as circumstances warrant.
- Employees who have a permanent partial disability may be given preference for suitable job postings, subject to mutual agreement by the employer and the relevant union(s).
- Employees are accommodated on the basis of availability of positions, ability to perform the essential duties of the job, and terms and conditions as outlined by the relevant collective agreement, individual contract and/or relevant legislation.

## 3.0 Responsibilities

3.1 Manager of Human Resources, or designate will:

- contact the employee directly in one of two ways:
  - phone to discuss the Board's Disability Management Program and if eligible, the Short Term Leave and Disability Plan (STLDP); and/or
  - send a letter to the employee outlining the Board's Disability Management Program and if eligible the STLDP;
- inform the employee that s/he has the right to Union representation throughout the process;
- work with employee and/or health care practitioner(s) to review restrictions and/or limitations;
- co-ordinate the return to work of all disabled employees with the employee, the appropriate treating medical practitioner, principal/vice principal or immediate supervisor, and the union representative at the employee's discretion;
- assess the employee's work capabilities in conjunction with medically-supported restrictions and/or limitations provided by the appropriate treating medical practitioner(s);
- inform the employee's principal/vice principal or immediate supervisor of the work restrictions/limitations and initiates the development of the Remain at Work Plan or Return to Work Plan;

- co-ordinate the modification of the work or workplace, as needed, in conjunction with medically-supported restrictions/limitations, to ensure compatibility of work restrictions and the duties to be performed within the work environment through the facilitation of:
  - a workplace assessment with the principal/vice principal or immediate supervisor, when required;
  - and/or the assessment of the need for change in location and/or assignment;
- based on the medically supported restrictions/limitations, co-ordinate the development of a Remain at Work Plan or Return to Work Plan with the employee, his/her principal/vice principal or immediate supervisor, the appropriate treating medical practitioner(s), the employee's union representative (when requested by the employee), Workplace Safety and Insurance Board, Long Term Disability Insurance Carrier, Human Resources and superintendents, as appropriate; The Manager of Human Resources shall distribute a copy of the Remain at Work Plan or Return to Work Plan to the above parties and the employee;
- maintain regular contact with the employee's principal/vice principal or immediate supervisor for the duration of the Remain at Work Plan or Return to Work Plan;
- maintain an ongoing assessment of the Remain at Work Plan or Return to Work Plan;
- arrange regular follow-up during the Remain at Work Plan or Return to Work Plan to modify the Plan, as required.

3.2 The Principal/Vice Principal or Immediate Supervisor will:

- inform the employee that s/he has the right to Union representation at any meetings;
- contact the employee and discuss the disability management program and, in the case of a minor workplace related injury be asked to develop the employee's Remain at Work or Return to Work Plan;
- participate in the development of the employee's Remain at Work Plan or Return to Work Plan;
- modify the work or workplace, as outlined in the Remain at Work Plan or Return to Work Plan;
- assign work or duties according to the employee's Remain at Work Plan or Return to Work Plan;
- closely monitor the progress of the employee through the Remain at Work Plan or Return to Work Plan and immediately reports any problems or concerns to the Manager of Human Resources, or designate.
- Maintain contact with the employee over the course of the absence and with the employee and Human Resources throughout the duration of the Remain at Work or Return to Work Plan.

3.3 The employee will:

- engage in medical rehabilitation and/or treatment that can be expected to facilitate a timely return to work;
- participate in development of their Remain at Work Plan or Return to Work Plan and recovery goals;
- maintain regular contact, as identified in the Disability Management Program, with the principal or supervisor to provide updates on status, changes in condition, and review progress through their Remain at Work Plan or Return to Work Plan;
- provide appropriate documentation as required by the Absence Reporting Procedure.

#### **4.0 Development of Individualized Remain at Work Plan or Return to Work Plan**

##### 4.1 Remain at Work or Return to Work:

- Identification of likely candidates for the Disability Management Program shall be made initially by the Manager of Human Resources, or designate, based on information received from the appropriate treating medical practitioner and, when appropriate, representatives of the Workplace Safety and Insurance Board and Long Term Disability (LTD) Insurance.

##### 4.2 A Remain at Work Plan or Return to Work Plan, in general, may include, but is not restricted to, some or all of the following:

- volunteer work
- reduced work hours
- modification of duties
- workplace modifications
- removal of physical barriers
- reassignment to another position if the employee has the necessary skills and abilities to perform the essential duties of that position.

##### 4.3 The employee may be provided with an outline of the Remain at Work Plan or Return to Work Plan to be given to the appropriate treating medical practitioner with an indication that accommodations and/or modified work are available. The outline may also include information regarding the employee's job description and physical demands analysis.

##### 4.4 Modified work is provided within the employee's own school or service area, wherever possible.

##### 4.5 While participating in the Disability Management Program, the employee's status will be monitored by the Manager of Human Resources, or designate, principal/vice principal or immediate supervisor, in consultation with the appropriate treating medical practitioner(s).

##### 4.6 Ongoing reviews of the employee's Remain at Work Plan or Return to Work Plan will be conducted with any necessary adjustments made to support the employee's success. The frequency of these reviews is established prior to the placement of an employee in the Program.

##### 4.7 The Board will endeavor to modify both the work and the workplace to accommodate the needs of permanently disabled employees, provided that it does not cause undue hardship to the Board.

##### 4.8 Based on the medically supported limitations or restrictions, the Manager of Human Resources, or designate, will coordinate the development of a Remain at Work Plan or Return to Work Plan with the employee, his/her principal/vice principal or immediate supervisor, the appropriate treating medical practitioner(s), the employee's union representative (when requested by the employee), Workplace Safety and Insurance Board, LTD Insurance Carrier, Human Resources and Operations Superintendents, as appropriate. A copy of the Plan will be distributed to all parties, as well as the WSIB for WSIB claims. All meetings may include the employee's supervisor and union representative. A written Remain at Work Plan or Return to Work Plan may also be shared with the employee's appropriate treating medical practitioner and/or immediate supervisor and/or union representative.

##### 4.9 Any necessary changes to the work environment will take place prior to the employee's commencement of Remain at Work Plan or Return to Work Plan.

- 4.10 Should the employee not be able to participate in a Return to Work Plan, the employee and the Manager of Human Resources, or designate, will maintain regular contact. Ongoing, updated documentation will be obtained to determine when participation in the Return to Work Plan will be feasible.
- 4.11 The employee may be required to participate in a Functional Abilities Evaluation and/or Independent Medical Evaluation, conducted by a third party, to determine limitations and/or restrictions and to assist in the development of an individualized Remain at Work Plan or Return to Work Plan.
- 4.12 The Individualized Remain at Work Plan or Return to Work Plan may include the following information:
- essential job duties/tasks
  - specific physical requirements
  - restrictions and limitations
  - work schedule
  - follow-up work assessment date(s) by the Appropriate Manager of Human Resources, or designate
  - a gradual resumption of duties assigned under the Disability Management Program
  - a gradual increase in hours worked
  - expected date of completion of plan
  - signatures of employee, Appropriate Manager of Human Resources, or designate, principal/vice principal or immediate supervisor, appropriate treating medical practitioner(s), union representative
  - next meeting date
  - conditions for withdrawal of the individual from the Program
- 4.13 Regular follow-up meetings may occur during the Remain at Work Plan or Return to Work Plan to ensure that the employee's needs are being met and to make any necessary changes to the modifications or accommodations should there be a change in the employee's restrictions or limitations.
- 4.14 The employee continues to participate in their Remain at Work Plan or Return to Work Plan until they have reached Maximum Medical Recovery and are working at full capacity within any restrictions or limitations, including those that may be permanent in nature.

<u>CROSS REFERENCE</u>	<u>Date Reviewed</u>	<u>LEGAL/MINISTRY OF EDUCATION REFERENCE</u>
<p>Policy 3.56 Accessible and Healthy Workplace Program</p> <p>Procedure 3.59 Absence Reporting</p> <p>Procedure 3.57 Confidentiality of Medical Records</p>	<p>January, 2015</p>	<p><i>Ontario Human Rights Code</i></p> <p><i>Municipal Freedom of Information and Protection of Privacy Act</i></p> <p><i>Accessibility for Ontarians (AODA) Act</i></p> <p><i>Employment Standards Act</i></p> <p><i>Occupational Health and Safety Act</i></p> <p><i>Workplace Safety and Insurance (WSIB) Act</i></p>

Appendix A

**SAMPLE RETURN TO WORK PLAN FORM**

**Return to Work Plan**

**Employee  
Name:** \_\_\_\_\_

**Start Date:** \_\_\_\_\_

**End Date:** \_\_\_\_\_

<b>DAY/ WEEK #</b>	<b>HOURS PER DAY</b>	<b>JOB DUTIES</b>	<b>ACCOMMODATION</b>

**Employee  
Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Employer  
Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_