



## **ADMINISTRATIVE PROCEDURES**

### **Disability Management – Early Intervention, Accommodations and Return to Work (Policy Statement: Attendance Support)**

#### **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 is through early intervention and support.

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, gradual 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.

#### **References**

Policy Statement: Attendance Support

Administrative Procedures:   Absence Reporting  
  Confidentiality of Medical Records  
  Attendance Assistance Program

Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)

Personal Information Protection and Electronic Documents Act (PIPEDA)

Ontario Human Rights Code

Occupational Health and Safety Act

Education Act

Workplace Safety and Insurance Act

## Procedures

### 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 for assessment by Disability and Wellness, or designate. The restrictions and limitations shall be shared with the Principal/Vice-Principal or Immediate Supervisor and, at the discretion of the employee, the union representative.

### 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 consider 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 Human Resources Officer– Disability and Wellness, or Designate may:

- 3.1.1 on initial contact, informs the employee that should they desire, they may have a union or association representative attend any meetings
- 3.1.2 will contact the employee directly in one of two ways:
  - phone to discuss the Board's Disability Management Program; and/or
  - send a letter to the employee outlining the Board's Disability Management Program;
- 3.1.3 work with employees to assess restrictions and/or limitations;
- 3.1.4 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;
- 3.1.5 notify the appropriate union(s) of an employee's participation in the Disability Management Program;

- 3.1.6 assess the employee's work capabilities in conjunction with medically-supported restrictions and/or limitations provided by the appropriate treating medical practitioner(s);
- 3.1.7 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;
- 3.1.8 perform a workplace assessment with the Principal/Vice-Principal or Immediate Supervisor to ensure compatibility of work restrictions and the duties to be performed within the work environment:
  - co-ordinates the modification of the work or workplace, as needed, in conjunction with medically-supported restrictions/limitations;
  - reviews proper body mechanics with the employee and provides instruction, as required;
  - assesses the need for change in location and/or assignment;
- 3.1.9 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, Workplace Safety and Insurance Board, LTD Insurance Carrier, Human Resources and Superintendents, as appropriate;
- 3.1.10 shall distribute a copy of the Remain at Work Plan or Return to Work Plan to the above parties and the employee;
- 3.1.11 maintain regular contact with the employee and his/her Principal/Vice-Principal or Immediate Supervisor for the duration of the Remain at Work Plan or Return to Work Plan;
- 3.1.12 maintain an ongoing assessment of the Remain at Work Plan or Return to Work Plan;
- 3.1.13 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 may:

- 3.2.1 be designated by Disability and Wellness to 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.
- 3.2.2 participate in the development of the employee's Remain at Work Plan or Return to Work Plan;
- 3.2.3 modify the work or workplace, as outlined in the Remain at Work Plan or Return to Work Plan;
- 3.2.4 assign work or duties according to the employee's Remain at Work Plan or Return to Work Plan;
- 3.2.5 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 Disability and Wellness or designate.

### 3.3 The Employee:

- 3.3.1 engages in medical rehabilitation and/or treatment that can be expected to facilitate a timely return to work;

- 3.3.2 participates in development of their Remain at Work Plan or Return to Work Plan and recovery goals;
- 3.3.3 maintains regular contact, as identified in the Disability Management Program, with Disability and Wellness, or designate, to provide updates on status, changes in condition, and review progress through their Remain at Work Plan or Return to Work Plan;
- 3.3.4 must 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:

- 4.1.1 Identification of likely candidates for the Disability Management Program shall be made initially by the **Human Resources Officer – Disability and Wellness**, 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.
- 4.1.2 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
  - if it is determined that the employee cannot perform the essential duties of their current position, with accommodation then reassignment to another available position if the employee has the necessary skills and abilities to perform the essential duties of that position.
- 4.1.3 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 and/or cognitive demands analysis.
- 4.1.4 Modified work is provided within the employee's own school or service area, wherever possible.
- 4.1.5 While participating in the Disability Management Program, the employee's status will be monitored by Disability and Wellness, or designate, Principal/Vice-Principal or Immediate Supervisor, in consultation with the appropriate treating medical practitioner(s).
- 4.1.6 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 Plan.
- 4.1.7 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.
- 4.1.8 Disability and Wellness, or designate, and the employee will develop a Remain at Work Plan or Return to Work Plan based on the supported limitations or restrictions. A copy of the Plan will be distributed to all parties, as well as the WSIB for WSIB claims. The initial

meeting may include the employee's supervisor and/or 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.

- 4.1.9 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.
- 4.1.10 Should the employee not be able to participate in a Return to Work Plan, the employee and Disability and Wellness, 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.
- 4.1.11 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.
- 4.1.12 The Individualized Remain at Work Plan or Return to Work Plan may include the following information:
  - essential job duties/tasks
  - specific physical and cognitive requirements
  - restrictions and limitations
  - work schedule
  - follow-up work assessment date(s) by Disability and Wellness, 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, Disability and Wellness, or designate, Principal/Vice-Principal or Immediate Supervisor, appropriate treating medical practitioner(s) and union representative or association executive (if applicable)
  - next meeting date
  - conditions for withdrawal of the individual from the Program
- 4.1.13 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.
- 4.1.14 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. Normally, Return to Work or Remain at Work Plans will have a maximum duration of eight (8) weeks.

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