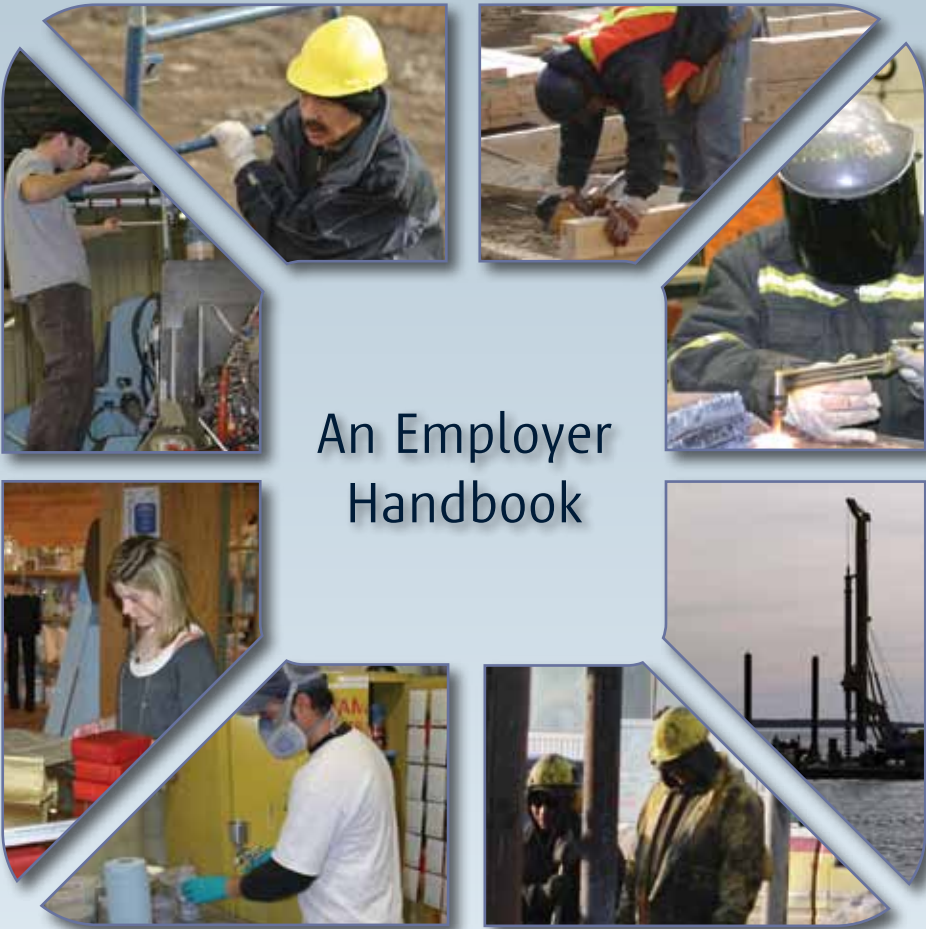


RETURN TO WORK PROGRAMS



An Employer Handbook



Workers' Safety
& Compensation Commission

Արեւմտահայաստանի Հանրապետության
Գործազուրկների Կենտրոնական Կոմիտե

Mission

**Promote workplace safety
and care for injured workers.**

Vision

**To be recognized as a caring,
efficient, and service-focused
organization and a model and
trusted partner in workplace
safety.**

Values

**Integrity
Concern for People
Collaboration and Engagement
Transparency and Openness**

Table of Contents

What is workers' compensation?	2
What are my safety responsibilities?	3
What are my incident reporting responsibilities?	4
What is a Return to Work (RTW) program?	5
Why create a RTW program?	6
Who's involved in a RTW program?	7
The RTW Process	8
What's in a RTW program?	10
What are the RTW Roles and Responsibilities?	11
Sample RTW Policy	13
Suitable Work Example	17
How does a worker get paid in a RTW program?	19
Common RTW Questions	22
Notes	24
RTW Support CD	

Don't get left in the cold.
Return to work.



What is workers' compensation?

Workers' compensation is insurance for both workers and employers that covers work related injuries and illnesses. Workers' compensation is the law. All employers doing business in the Northwest Territories and/or Nunavut MUST register with the Workers' Safety and Compensation Commission (WSCC) of the Northwest Territories and Nunavut.

Contact:

WSCC Head Office

5th Floor, Centre Square Tower
Box 8888
Yellowknife, NT X1A 2R3
Tel: (867) 920-3888
Fax: (867) 873-4596
Toll Free: 1-800-661-0792
Toll Free Fax: 1-866-277-3677
www.wsc.nt.ca

WSCC Iqaluit Office

Baron Building/ 1091
Box 669
Iqaluit, NU X0A 0H0
Tel: (867) 979-8500
Fax: (867) 979-8501
Toll Free: 1-877-404-4407
Toll Free Fax: 1-866-979-8501
www.wsc.nu.ca

What are my safety responsibilities?

An Employer must:

- * provide a safe workplace;
- * provide equipment and machinery of safe design and in safe condition;
- * appoint competent supervisor(s) who set performance standards and ensure safe work procedures are followed;
- * inform workers of their rights, responsibilities, and duties;
- * provide adequate job training;
- * train workers on any potential hazards, how to safely use, handle, store, and dispose of hazardous substances, and how to handle emergencies;
- * supply personal protective equipment and make sure workers know how to use equipment safely and properly;
- * support, and participate in, Occupational Health and Safety Committee;
- * meet First Aid standards; and
- * report workplace incidents and injuries to the WSCC (as required by legislation).



What are my incident reporting responsibilities?

The following chart outlines your incident reporting responsibilities:

Incident Type	Workers' Compensation Acts	Safety Act: General Safety Regulations	Mine Health and Safety Act/ Regulations
Death	Within 3 days complete and submit <i>WSCC Claim: Employer's Report of Fatal Injury</i> form.	Immediately submit oral report to WSCC Chief Safety Officer. *35(2)	Immediately submit oral report to a WSCC Inspector of Mines. *16.02(1)
Incident Involving Serious Injury or Incident of a Serious Nature	Within 3 days complete and submit <i>WSCC Claim: Employer's Report of Injury</i> form. Worker completes and submits <i>WSCC Claim: Worker's Report of Injury</i> form.	Within 24 hours submit written or oral report to WSCC Chief Safety Officer. *35(3)	Immediately submit oral report to a WSCC Inspector of Mines. *16.02(1) Within 72 hours submit written report to WSCC Chief Inspector of Mines. *16.02(3)
Incident Involving Non-Serious Injury	Within 3 days complete and submit <i>WSCC Claim: Employer's Report of Injury</i> form. Worker completes and submits <i>WSCC Claim: Worker's Report of Injury</i> form.	Within 1 month submit incident report to WSCC Chief Safety Officer. Report must be signed by a First Aid Representative. *65(2)	Monthly submit written reports to WSCC Chief Inspector of Mines. *16.08
Incident with No Injury	No report required	See <i>Incident of a Serious Nature</i> above.	If the incident is deemed a dangerous occurrence: - within 24 hours submit oral report to a WSCC Inspector of Mines; and *16.02(2) - within 72 hours submit a written report to WSCC Chief Inspector of Mines. *16.02(3)

*As per the *Regulations*

*16.02(3)

To report a workplace incident call the WSCC 24-Hour Incident Reporting Line at 1-800-661-0792.

What is a RTW program?

A Return to Work (RTW) program helps get injured workers back to suitable work as soon as medically possible, and as safely as possible. It outlines the process of creating and implementing individualized RTW plans for injured workers.

A RTW plan is personalized to meet the specific needs of the injured worker and considers the type of injury, the recovery process, and the available suitable work.



Why create a RTW program?

The most important reason is to ensure your workers' healthy and safe recovery. By getting injured workers back to work, you're increasing their morale. Workers gain a sense of independence and feel productive. It reinforces a healthy mindset which goes a long way when recovering from an injury or illness.

Another benefit of getting injured workers back to work is it can speed up the recovery process (depending on the injury). Resting an injured body part isn't always the right approach to recovery. Sometimes, the best prescription is to go back to work. Injured workers need to talk with healthcare providers to determine their limitations and develop an appropriate recovery plan.

Finally, a RTW program makes good business sense. Creating and implementing a RTW program saves you money by reducing or eliminating claims costs. A RTW program also helps you retain skilled workers. Training new workers takes time and money. Can you attach a price tag to years of experience walking out the door? RTW programs show workers your commitment to their healthy recovery. You care and appreciate them, and this positive safety culture gives workers peace of mind. The result is happy workers who are more likely to stay working for you!



Who's involved in a RTW program?

A RTW program brings together a team of people committed to getting the injured worker back to suitable work as soon as medically possible, and as safely as possible. The team includes you, the worker, healthcare providers, and the WSCC.

Communication is key to achieving RTW success. RTW team members must share information on a regular basis.

Everyone has defined RTW roles and responsibilities. Assigning responsibilities helps ensure the RTW process is followed every time a workplace incident occurs. Remember, RTW plans are personalized to meet the specific needs of each injured worker. While the process stays the same, certain elements at each step might change (i.e. recovery time, suitable work, etc). The more consistently you follow the RTW process, the better results you'll see with your RTW program.



The RTW Process

1. Get Help

- * Worker gets medical attention from a site medic or healthcare provider.
- * Employer provides transportation if needed.
- * Healthcare provider completes and submits the *WSCC First Medical Report* form.

2. Report Injury

- * Worker tells employer about injury.
- * Worker completes and submits *WSCC Claim: Worker's Report of Injury* form.
- * Employer completes and submits *WSCC Claim: Employer's Report of Injury* form.

3. Work Together

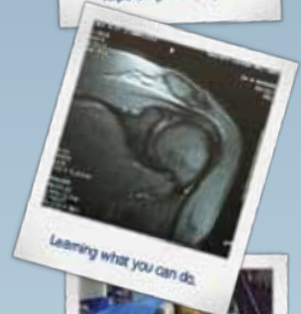
- * WSCC, employer, worker, and healthcare provider work together to create a RTW plan to get the worker back to work as quickly and safely as possible.

4. Suitable Work

- * Employer offers suitable work.
- * Worker accepts suitable work.

5. Maintain Contact

- * If worker can't go back to work immediately, employer and worker hold regular scheduled meetings to discuss recovery.



6. Check In

- * Worker returns to work and starts the suitable work.
- * Worker and employer meet regularly to discuss progress.
- * Worker's recovery is monitored and evaluated by healthcare provider.

7. Success

- * Worker is fully recovered.
- * Worker returns to pre-injury work.

8. Further Evaluation

- * Worker is not fully recovered.
- * Worker undergoes further medical evaluation.



RTW steps can happen fast. There are no time constraints and depending on the injury, you could avoid time loss claims by getting workers back to work right away!

What's in a RTW program?

There are four parts to a RTW program:

1. RTW Policy
2. RTW Coordinator/Committee
3. Suitable Work List
4. Communication

Part One: RTW Policy

A RTW policy is the most important part of a RTW program. It's the guiding principles for all elements of your effective RTW program.

A RTW policy must include:

1. RTW roles and responsibilities;
2. RTW process steps; and
3. a process for regular meetings between management and injured workers on RTW issues.

As an employer you must:

1. ensure the highest ranking official in your company signs the policy;
2. review the policy annually;
3. place it in your health and safety program manual; and
4. post it in a visible place in the workplace.

What are the RTW Roles and Responsibilities?

WSCC	<ul style="list-style-type: none"> * Explain to employers and workers their responsibilities in the RTW process. * Monitor activities, progress, and cooperation of all parties. * Determine if all parties are following the RTW process. * Resolve disputes when required.
Worker	<ul style="list-style-type: none"> * Contact employer as soon as possible after the injury happens. * Complete and submit a <i>WSCC Claim: Worker's Report of Injury</i> form. * Provide employer with updates on medical status and progress throughout the period of recovery. * Help employer identify suitable and available work, consistent with their functional abilities and, where possible, restores pre-injury earnings. * Inform healthcare provider of available suitable work. * Accept suitable work when identified. * Provide WSCC with information on their RTW plan.
Employer	<ul style="list-style-type: none"> * Contact worker as soon as possible after the injury happens. * Complete and submit a <i>WSCC Claim: Employer's Report of Injury</i> form. * Stay in touch with worker throughout the recovery period. * Provide suitable work consistent with worker's functional abilities and, where possible, restores worker's pre-injury earnings. * Provide WSCC with information concerning worker's RTW.

<p>Healthcare Providers</p>	<ul style="list-style-type: none"> * Diagnose and treat illness or injury. * Submit completed <i>WSCC First Medical Report</i> within 3 days of treating worker. * Provide worker with continued medical advice and support. * Provide and communicate appropriate medical advice and information to worker, employer, and WSCC. * Work closely with other healthcare professionals to facilitate worker's safe and timely return to the most productive employment possible.
<p>Union (when applicable)</p>	<ul style="list-style-type: none"> * Help employer, worker, and WSCC identify suitable work. * Help employer, worker, and WSCC identify temporary and, where required, permanent accommodation measures. * Support reasonable re-employment or accommodation offers. * Openly share RTW concerns with employer, worker, and WSCC.



Sample RTW Policy

COMPANY A is committed to preventing workplace injuries and illnesses. In the event an employee is injured/ill due to a workplace incident, **COMPANY A** is committed to ensuring their successful transition back to work through a Return To Work (RTW) program.

If employees are unable to perform their regular full duties as a result of an illness or injury, we:

- * take all reasonable steps to return the employee to their pre-injury/illness position in a timely manner; and
- * return the employee to suitable work which is safe and consistent with their functional abilities, if they are unable to return to their pre-injury/illness position.

Employee and employer RTW roles and responsibilities are as follows:

Employees will:

- * contact employer as soon as possible after the injury or illness occurs, and maintain communication;
- * assist with identifying suitable and available employment;
- * accept suitable employment when identified;
- * provide updates on medical status and progress throughout recovery period;
- * inform healthcare provider of available suitable work when identified; and
- * provide any appropriate information requested to the employer and the Workers' Safety and Compensation Commission during the Return To Work process.

The employer will:

- * contact employee as soon as possible after the injury or illness occurs, and maintain communication;
- * provide suitable and available employment;
- * stay in touch with employee throughout the recovery period; and
- * provide the Workers' Safety and Compensation Commission with any appropriate information requested concerning the employee's return to work.

COMPANY A will develop individualized RTW plans for injured/ill employees that include processes for RTW recovery and ensure regular communication between employees and the employer. Communication can be in the form of in-person meetings, via telephone conversations, by emails, or written correspondence. **COMPANY A** is committed to ensuring the success of their safe RTW program.

Owner's Signature _____

Date _____

Part Two: RTW Coordinator/Committee

Next up is assigning responsibility for your RTW program. Just like when you created a committee to coordinate your health and safety program, you need to do the same for your RTW program. Depending on your company's size, either select a RTW Coordinator or create a Committee. The Committee can include managers, supervisors, union representatives, and workers. Your employees have the *right to participate* in workplace health and safety, so here's another chance to get them involved.

The Coordinator/Committee manages your RTW program. When a worker is injured, the Coordinator/Committee helps create and implement a personalized RTW plan to meet the injured worker's specific needs. The Coordinator/Committee also ensures your RTW program evolves to meet your workplace's changing needs.

Following a workplace incident, an injured worker is vulnerable. No one likes getting hurt. Having someone to talk to face-to-face helps ease some discomfort. A RTW Coordinator/Committee offers a personal touch to the recovery process.

Part Three: Suitable Work List

Be proactive not reactive! Don't wait until a worker is injured to come up with suitable work: do it now and save time later.

It starts with understanding the specific tasks attached to jobs in your workplace. Conduct a job task analysis and create detailed descriptions for each job. List tools, equipment, or machinery used. Include information on the specific postures and physical demands of the job. When possible, reference measurements of objects being lifted or moved regularly (i.e. height and weight).

Don't do it alone! Enlist help from your workers. Who knows more about what they do than the workers themselves? This is yet another way to encourage their participation in workplace health and safety.

Once you finish completing the job task analysis, you develop a list of suitable work that workers can do in the event of an injury or illness.

There are two parts to suitable work:

1. Suitable work must be work:
 - * the worker can do (and that is within their functional abilities);
 - * the worker already has the skills to do, or can be safely trained to do;
 - * that does not pose a health or safety risk to the worker or their co-workers; and
 - * that restores pre-injury earnings, where possible.

2. Suitable work must be meaningful and promote the worker's healthy recovery. You, the worker, and the WSCC must agree it serves a valuable function or purpose. If the worker doesn't agree, the WSCC will mediate the situation and decide whether the suitable work is meaningful. If the WSCC thinks it is meaningful, the worker must accept it. If the WSCC thinks it isn't meaningful, you must provide alternate work. By planning ahead, you can avoid potential disagreements. Have your workers take part in developing the list of suitable work. You'll gain their buy-in and support.

The most common RTW options are:

- * **Modified Duties** – These duties may include, but are not limited to, the injured worker's regular duties. Modified duties usually require less physical exertion than the injured worker's regular job. The duties are modified according to their healthcare provider's recommendations.

- * Alternate Duties – This option allows the injured worker to perform duties you have available that are within the injured worker’s skills and abilities. The need for alternate duties is usually temporary and depends on the injury.

- * Graduated Return to Full Duties – This option allows the injured worker to return to their regular duties while building their strength and tolerance for work. Usually the work hours are reduced and duties are modified to match the injured worker’s tolerance level. The goal is to allow a steady progression of hours or duties with the end result being a return to full duties, full-time.

Suitable work is not limited to the above options. Don’t be afraid to think outside the box and great creative.

There is a specific process to follow to find suitable work. It is a process of elimination that always starts with keeping the injured worker in their pre-injury position. You want them working their regular job, during their regular hours. If this option isn’t possible, consider the next option, and so on and so forth. Look for ways to modify your workplace to accommodate the injured worker. The injured worker should not accommodate your workplace because of their injury.

Here is the list of questions to answer every time a worker is injured in the workplace:

Can the worker return to:

1. their own job unmodified?
2. their own job with modifications?
3. their own department unmodified?
4. their own department with modifications?
5. another department with modifications?

Suitable Work Example

A welder sustains a knee injury

Question	Answer	Suitable Work Option
Can the welder return to their own job unmodified?	NO	
Can the welder return to their own job with modifications?	YES	<ul style="list-style-type: none"> * You provide the welder with a stool. * You provide the welder with alternate tools to complete essential job tasks. * You provide the welder with a tool chest on wheels for easier mobility. * Welder works reduced hours. * Welder alternates between different job tasks. * Welder works with a "buddy" to make sure he doesn't exert himself.
Can the welder return to their own department unmodified?	NO	
Can the welder return to their own department with modifications?	YES	<ul style="list-style-type: none"> * Welder supervises and mentors new workers. * You move equipment and/or supplies closer to the welder's workstation to reduce the distance he has to walk. * You give the welder an ATV to avoid walking distances on uneven ground when working in an outpost camp situation. * You order heavy products in smaller quantities to reduce heavy lifting.
Can the worker return to another department with modifications?	YES	<ul style="list-style-type: none"> * Welder completes inventory of supplies. * Welder completes work orders, job quotes, and prepares proposals. * Welder transfers to purchasing department and completes supply orders. * Welder works reduced hours. * Welder is an instructor for new staff. * Welder conducts a hazard assessment of equipment and work areas.

Part Four: Communication

There are two parts to effectively communicating your RTW program to workers:

1. Education

Workers have the *right to know* about workplace health and safety, this includes your RTW program. Workers need to know where to get RTW help and how the process works. From newsletters, to emails, to meetings, there are lots of ways to share this information. You can use your existing methods of communication or develop new ways to educate workers.

Regardless of how you plan to tell workers about your RTW program, it must include:

- * posting the most recent copy of your RTW policy in highly visible places throughout your workplace; and
- * posting your RTW coordinator/committee contact information in highly visible places throughout your workplace.

The WSCC can also help! The WSCC has lots of FREE health and safety materials available to you and your workers.

2. Evaluation

Your RTW program is not a static document. It must evolve to meet the changing needs of your operations. Evaluation is a key part of its evolution.

By opening the lines of communication with your workers, you're building a strong foundation for your RTW program. You're creating an excellent avenue for workers to give feedback on the program's effectiveness. This input helps you evaluate the success of your RTW program.

How does a worker get paid in a RTW program?

It depends on the situation. There are several possible scenarios:

1. If you pay the worker their full regular wages for the suitable work and the worker is working regular hours, the worker won't receive WSCC wage loss payments.
2. If you pay the worker their full regular wages for the suitable work but the worker is working reduced hours, the worker will receive WSCC wage loss payments.
3. If you pay the worker reduced wages for the suitable work and the worker is working regular hours, the worker will receive WSCC wage loss payments.
4. If you pay the worker reduced wages for the suitable work and the worker is working reduced hours, the worker receives WSCC wage loss payments.

The WSCC wage loss payments workers receive under a RTW program are called temporary partial disability (TPD) benefits. TPD benefits are based on the amount you pay the worker for the suitable work they're doing and the amount the WSCC would have paid the worker if they were totally disabled from working. TPD benefits are subject to the Year's Maximum Insurable Remuneration (YMIR). YMIR is a cap on benefits that is set every year.

This is an example of a TPD benefits calculation:

Charlie works for 8 hours a day, five days of the week. His hourly rate is \$20. His annual gross earnings are \$41,600 and his total weekly gross earnings are **\$800.00**.

On April 15, 2008, Charlie is injured at work. The extent of Charlie's injuries force him to lose time from work. Because Charlie misses work, he is entitled to WSCC total temporary disability (TTD) benefits.

Charlie's TTD benefits start the day after the incident. Charlie receives TTD benefits while he is medically incapable of working which, according to his doctor, is until April 22, 2008.

Charlie's TTD benefits are calculated based on 90% of his net salary (after deductions).

$$\$37,717.55 \text{ (net salary after deductions)} \times 90\% = \$33,945.79$$

$$\$33,945.79 / 12 \text{ months} = \$2,828.82$$

While receiving TTD benefits, Charlie is paid an hourly rate of \$16.32 for every scheduled day of work he misses. His TTD benefits monthly net pay is \$2,828.82, his weekly TTD net pay is \$707.21.

Charlie's RTW plan has him back at work on April 22, 2008. Charlie can't immediately go back to his full regular duties so he accepts the suitable work offered by his employer. Charlie's employer pays him an hourly rate of \$15 for the suitable work. Charlie works 8 hours a day, five days of the week and his suitable work weekly gross pay is \$600.00.

Because the hourly rate is less than Charlie's pre-injury earnings of \$20, Charlie is entitled to WSCC temporary partial disability (TPD) benefits. TPD benefits are paid bi-weekly and based on the amount the worker would earn on TTD, multiplied by the loss of earnings percentage (LOE). The LOE percentage is the difference between the maximum amount a worker would be paid if they were totally disabled (TTD benefits) and what they are paid for the suitable work.

See one week calculation example on next page...

Charlie's LOE percentage calculation is:

$$\frac{\text{Suitable Work Weekly Gross Earnings } (\$600.00) - \text{Pre-Injury Weekly Gross Earnings } (\$800.00)}{\text{Pre-Injury Weekly Gross Earnings } (\$800.00)} = \text{LOE \% } (25\%)$$

Charlie's TPD benefits calculation is:

$$\text{TTD Benefits Weekly Pay } (\$707.21) \times \text{LOE \% } (25\%) = \text{TPD Benefits Weekly Pay } (\$176.80)$$

Common RTW Questions:

What is a RTW plan?

A RTW plan helps get injured workers back to suitable work as soon as medically possible, and as safely as possible.

Who develops the RTW plan?

A RTW plan is a team effort involving you, the worker, healthcare providers, and the WSCC. The plan varies worker to worker and takes into consideration the type of injury, the recovery process, and the available suitable work.

What are some of the RTW options?

The most common RTW options are:

- * Modified Duties – These duties may include, but are not limited to, the injured worker’s regular duties. Modified duties usually require less physical exertion than the injured worker’s regular job. Their duties are modified according to their healthcare provider’s recommendations.
- * Alternate Duties – This option allows the injured worker to perform duties you have available within their skills and abilities. The need for alternate duties is usually temporary and depends on the injury.
- * Graduated Return to Full Duties – This option allows the injured worker to return to their regular duties while building their strength and tolerance for work. Usually their work hours are reduced and duties are modified to match their tolerance level. The goal is to allow a steady progression of hours of duties with the end result being a return to full duties, full-time.

Does an injured worker have to accept the suitable work?

If an injured worker refuses the suitable work, they need to give reasons why. The WSCC will consider their reasons. If the WSCC agrees with the injured worker, you need to present alternate suitable work. If the WSCC disagrees with the injured worker and believes the work is suitable, the injured worker will be expected to return to work.

If the worker still chooses to not accept the work, their benefits could be suspended or terminated.

Who decides when an injured worker should RTW?

The injured worker’s healthcare providers regularly send progress reports on their recovery to the WSCC. The WSCC adjudicator or case manager uses these reports, and other information, to determine when they are fit to safely return to work.

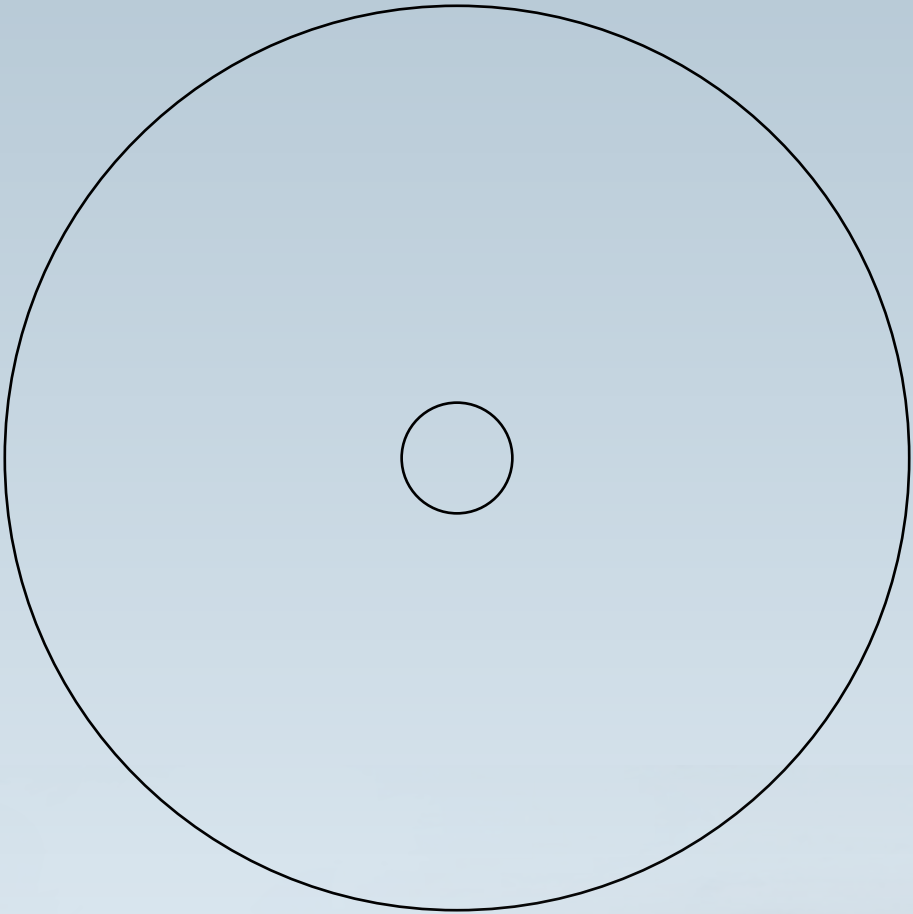
Can an injured worker RTW before they are fully recovered?

Yes! At some point during their recovery the injured worker may be medically fit for some type of work. The injured worker might be capable of doing some of their regular duties or suitable work. Some workers are even able to return to all of their regular work duties full time, before they completely recover from their injury.



RTW Support CD

Pop this interactive CD in your computer for more information on the RTW process. It leads you through the process of creating and implementing a RTW program. It includes WSCC reporting forms and samples of completed documents for easy reference.



Don't get left in the cold.
Return to work.



