



ACCESSIBILITY:

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DISABILITY MANAGEMENT OPERATING PROCEDURES

Refer to Policy: Total Abilities Management Program – APS037
Program: Early Assistance, Return to Work and Workplace Accommodation

Also refer to:

APS042 - Confidentiality of Medical Records

HRS Procedure - Absence Reporting process (identified on Staffnet for each employee group)

1.0 BACKGROUND:

The Disability Management procedures of the WCDSB's Employee Attendance Support Program (EASP), Early Assistance, Return to Work, and Workplace Accommodation is designed to integrate a partnership among employees, supervisors/administrators, and health care providers that supports employees to attend work. The program and procedures are intended to present a widespread understanding that the way to reduce the incidence and duration of an employee's absences is through early intervention and support.

2.0 PURPOSE OF THE PROCEDURES:

2.1 The disability management procedures are a process that provides employees with a safe and timely transition from an illness/injury to allow them to remain at work or return to work.

2.2 When appropriate, the procedures may assist employees by providing assistive devices, appropriate workplace 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.

2.3 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 and ensures the employee can perform the core and essential duties of their position.

3.0 SHORT TERM, OR TEMPORARY DISABILITY:

3.1 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 healthcare practitioner or specialist for assessment by the Human Resources Officer, or designate. The Human Resources Officer, or designate, will determine whether the employee is a candidate for the Early Assistance, Return to Work and Workplace Accommodation program, and may review the restrictions and limitations with the Principal/Vice-Principal or Immediate Supervisor as part of this process. A Standard Medical Certificate (SMC) is available to initiate this process on the StaffNet, under Human Resources – Quick Links (forms and documents). You will need your StaffNet username and password.



3.2 An employee who is scheduled to undergo surgery, and an absence from work will result, is responsible for providing a completed Standard Medical Certificate (SMC) for surgery. The form is available in StaffNet, under Human Resources – Quick Links (forms and documents). You will need your StaffNet username and password.

4.0 LONG TERM, OR PERMANENT DISABILITY:

4.1 An employee, who becomes permanently disabled as a result of illness, injury or birth defect, 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. A permanent disability is identified by supporting documentation confirming a diagnosed medical condition or disability as defined in the Human Rights Code.

4.2 The conditions for providing such accommodations may be:

- The employee provides current medical restrictions and limitations from the appropriate treating healthcare practitioner and/or by participating in a Functional Abilities Evaluation (F.A.E.).
- The employee participates in a vocational assessment if required by the employer.
- Employees are accommodated on the basis of availability of positions, ability to perform the essential duties of the job, meeting the qualification requirements, and terms and conditions as outlined by the relevant collective agreement, and individual contract and/or relevant legislation.

5.0 RESPONSIBILITIES:

5.1 Human Resources Services Officer, or Designate may:

5.1.1 Ensure that a Standard Medical Certificate, or other medical documentation outlining an employee's restrictions and/or limitations, is received after five consecutive working days of absence due to illness, physical and/or mental disability, or where otherwise requested;

5.1.2 Review and assess the medical restrictions and/or limitations to identify whether the employee is a candidate for the Early Assistance, Return to Work and Workplace Accommodation program;

5.1.3 Contact the employee directly in one of two ways:

- Phone to discuss the Board's Early Assistance, Return to Work and Workplace Accommodation program; and/or
- Send a letter or email to the employee outlining the Board's Early Assistance, Return to Work and Workplace Accommodation program;

5.1.4 If the employee is identified as a candidate for the Early Assistance, Return to Work and Workplace Accommodation program, assess the employee's work capabilities in conjunction with the medically supported restrictions and/or limitations (this may include informing the employee's Principal/Vice Principal or Immediate Supervisor of the work restrictions/limitations to determine options for accommodation and/or return to work planning);

5.1.5 If warranted, arrange:

- A workplace assessment with the Principal/Vice-Principal or Immediate Supervisor and, as required, with the Health & Safety Officer, or designate, to ensure compatibility of work restrictions and the duties to be performed within the work environment;
- Modification of the work or workplace, as needed, in conjunction with medically-supported restrictions/limitations;
- review and instruction on proper body mechanics with the employee;

5.1.6 If warranted, assess the need for change in location and/or assignment based on medically supported restrictions and/or limitations;



5.1.7 Co-ordinate the development of an Accommodation or Return to Work Plan with the employee, his/her Principal/Vice-Principal or Immediate Supervisor, the employee's union representative (if requested by the employee), other WCDSB management staff if necessary and, when appropriate, representatives of the Workplace Safety and Insurance Board and LTD Insurance carrier;

5.1.8 Shall distribute a copy of the Accommodation or Return to Work Plan to the involved parties (as above) and the employee;

5.1.9 Maintain regular contact with the employee and his/her Principal/Vice-Principal or Immediate Supervisor for the duration of the Accommodation or Return to Work Plan;

5.1.10 Maintain an ongoing assessment of the Accommodation or Return to Work Plan;

5.1.11 Follow-up regularly during the Accommodation or Return to Work Plan to determine if modifications to the plan are in order.

5.2 The Principal/Vice-Principal or Immediate Supervisor:

5.2.1 Report to the Human Resources Services Officer (Total Attendance Management), or designate, when information is obtained that an employee may be absent from work for ten (10) or more consecutive working days.

5.2.2 Inform the employee of the Board's commitment to assist them in staying at work and/or returning to work through the Early Assistance, Return to Work and Workplace Accommodation program;

5.2.3 Actively participate in the development of the employee's Accommodation or Return to Work Plan by identifying accommodation opportunities;

5.2.4 Modify the work or workplace, as outlined in the Accommodation or Return to Work Plan;

5.2.5 Assign work or duties according to the employee's Accommodation or Return to Work Plan;

5.2.6 Monitor the attendance and progress of an employee in an Accommodation or Return to Work Plan and immediately report any problems or concerns to the Human Resources Officer, or designate.

5.3 The Employee:

5.3.1 Provide appropriate medical documentation as outlined in the Employee Attendance Support Program, Section III (see also 3.1 and/or 3.2 of this procedure);

5.3.2 Comply with all medically recommended rehabilitation and/or treatment that can be expected to facilitate a timely return to work;

5.3.3 Participate in the development of their Accommodation or Return to Work Plan by assisting to identify barriers and find solutions;

5.3.4 Maintain regular contact with the Human Resources Officer, or designate, to provide updates on status, changes in condition, and review progress through their Accommodation or Return to Work Plan;

5.3.5 Attend to medical or functional exams at the employer's request to assist in providing clear information on medical restrictions and/or limitations.

6.0 DEVELOPMENT OF INDIVIDUALIZED ACCOMMODATION OR RETURN TO WORK PLAN:

6.1 Accommodation or Return to Work:

6.1.1 Identification of likely candidates for the Early Assistance, Return to Work and Workplace Accommodation program shall be made initially by the Human Resources Officer, or designate, based on the medically supported restrictions and/or limitations identified by an appropriate treating healthcare practitioner.



6.1.2 The Human Resources Officer, or designate, will review the medically supported restrictions and/or limitations and then contact the employee to discuss the employee's participation in an Individualized Accommodation or Return to Work Plan.

6.1.3 The Human Resources Officer, or designate, will develop an Accommodation or Return to Work Plan based on the supported restrictions and/or limitations, and in consultation with the employee, Principal/Vice Principal or Immediate Supervisor, and the employee's union representative (if requested by the employee).

6.1.4 The Accommodation or Return to Work Plan will be shared, in writing, with the employee and the Principal/Vice Principal or Immediate Supervisor, and any other appropriate parties involved in the development of the plan.

6.1.5 An Accommodation 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 including provision of assistive devices
- Removal of physical barriers and/or alteration of physical environment
- Reassignment to another position if the employee has the necessary skills, qualifications and ability to perform the core and essential duties of that position.

6.1.6 Any necessary changes to the work environment will take place prior to the employee's commencement of an Accommodation or Return to Work Plan.

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

6.1.8 The employee may be provided with a letter to be given to the appropriate treating healthcare practitioner that outlines the Accommodation or Return to Work Plan. The letter may also include information regarding the employee's job description and physical demands analysis. A release of medical information consent form will also be provided.

6.1.9 While participating in the Early Assistance, Return to Work and Workplace Accommodation program, the employee's status will be monitored by the Human Resources Officer, or designate, Principal/Vice-Principal or Immediate supervisor, in consultation with the appropriate treating medical practitioner(s).

6.1.10 Regular follow-up meetings may occur during the Accommodation or Return to Work Plan to ensure that the employee's needs are being met and to make any necessary amendments to the plan should there be a change in the employee's restrictions or limitations.

6.1.11 The employee continues to participate in their Accommodation 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.

6.1.12 Should the employee not be able to participate in a Return to Work Plan, the employee and the Human Resources Officer, 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.

6.1.13 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 Accommodation or Return to Work Plan. If necessary, the employee will be required to sign a release of information consent form before a third party assessment can take place.