



Workplace Accommodation Programme

<i>Responsibility:</i>	<i>Superintendent, Human Resource Services Senior Manager, Human Resource Services Employee Wellness Coordinator, Human Resource Services</i>
<i>Legal References:</i>	<i>Health Information Privacy Act; Personal Information Protection and Electronic Documents Act; Human Rights Code; Workplace Safety and Insurance Board Act; Ontarians with Disabilities Act.</i>
<i>Related References:</i>	<i>Incident/Accident Reporting Investigations Administrative Procedure 3140 Confidentiality of Medical Records Administrative Procedure 3830</i>
<i>Revisions:</i>	
<i>Reviewed:</i>	<i>January 2016</i>

1. Preamble

The Board's Workplace Accommodation Programme is an integrated partnership among employees, supervisors/administrators, and health care providers that supports injured or ill employees to remain at work or return to work. This individualized programme fosters a widespread understanding with respect to reducing the number and duration of an employee's absences through early intervention and support.

2. Purpose of the Programme:

- 2.1 When medically supported, the programme assists employees by providing rehabilitation support, accommodations or modifications to work or the workplace by providing graduated hours, part-time or occasional work with access to sick leave benefits for the period of reintegration to work;
- 2.2 When a permanent disability exists, the Board will endeavor to modify the work and/or 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;
- 2.3 The goal of this programme is to support employees while recovering from injury and/or illness. The overall goal in returning an employee to work is, in priority order, as follows:
 - 2.3.1 Pre-injury/illness job
 - 2.3.2 Pre-injury/illness job with accommodations
 - 2.3.3 Comparable work within the bargaining unit (may impact compensable earnings)
 - 2.3.4 Alternative work for which an employee is capable and qualified to perform (may impact compensable earnings).

3. Roles and Responsibilities:

- 3.1. The Employee requesting a workplace accommodation:

- 3.1.1. Will provide medical documentation to the Health, Disability and Wellness Coordinator, or designate, via confidential fax at 519-570-5573 or hand delivery to the Education Centre or by mail. Please note: Inter Office Courier is not recommended for confidentiality reasons. The medical documentation must outline:
 - Confirmation of an active treatment plan
 - Indication if a referral to another medical practitioner has been made
 - Delineation of limitations and restrictions
 - Indication of reassessment date **or**
 - The employee may contact the Health, Disability and Wellness office to obtain a Medical Assessment Form to be completed by the treating healthcare provider.
- 3.1.2. Will, at the request of the employer and in consultation with the Union/Association, be required to sign a Consent to Release Medical Information form in order for the employer to obtain the information necessary to support facilitation of the Return to Work process and to determine if access to sick leave benefits should continue to be granted;
- 3.1.3. Will engage in medical rehabilitation and/or treatment as recommended by their healthcare professionals to facilitate a timely return to work;
- 3.1.4. Will cooperate and participate in the development and implementation of their Accommodation Plan or Return to Work Plan and recovery goals;
- 3.1.5. Will maintain regular contact with the Health, Disability and Wellness Coordinator, or designate, to provide medical status and review progress through their Accommodation Plan or Return to Work Plan;
- 3.1.6. When participating in an Accommodation or Return to Work Plan and is absent in regard to a medical accommodation, will notify their Principal/Vice Principal, Manager or Immediate Supervisor, and the Health, Disability and Wellness Coordinator, or designate, to ensure a continuance of sick leave benefits;
- 3.1.7. Will discuss, in consultation with the Union/Association, the level in which they may participate in ancillary duties (committee work, extra curricular activities, professional development, Union/Association duties, etc.) during any period of time when they are unable to perform their primary duties with the Waterloo Region District School Board, or until they have been discharged from the Workplace Accommodation Programme.

Note: The Health, Disability and Wellness Coordinator, or designate, will review the documentation provided by the employee to determine if a workplace accommodation plan can be facilitated. If the Health, Disability and Wellness Coordinator, or designate, is not satisfied with the adequacy of the medical information provided, the Health, Disability and Wellness Coordinator, or designate:

- Will clearly identify to the employee and Union/Association representative why the information is not adequate.
- May request additional medical information, or access to regular updated medical information, depending on the circumstances.
- May request that the employee undergo an Independent Medical Examination (IME). If the employee fails to undergo the IME or does not, prior to the IME, provide the Health, Disability and Wellness Coordinator, or designate, with further medical information to reasonably permit the Health, Disability and Wellness Coordinator, or designate, to determine whether the employee should return to work or remain off of work, the employee's wages and/or Sick Leave Benefits may be discontinued.

3.2. Health, Disability and Wellness Coordinator, or designate will:

- 3.2.1. On initial contact, inform the employee that, should they desire, they may have a union representative attend any meetings;
- 3.2.2. Contact the employee directly in one of three ways:

- phone to discuss the Board's Workplace Accommodation Programme; and/or
 - send information regarding the Workplace Accommodation Programme to the employees' Board email account (Waterworks) or home address and/or
 - send a Medical Leave of Absence Confirmation Form to the employee outlining the Board's approval of the medical leave of absence.
- 3.2.3. Notify the appropriate union(s) of an employee's participation in the Workplace Accommodation Programme;
- 3.2.4. Work with employees and the appropriate treating medical practitioner(s) to obtain restrictions and/or limitations;
- 3.2.5. Assess the employee's working capabilities in conjunction with medically-supported restrictions and/or limitations provided by the appropriate treating medical practitioner(s);
- 3.2.6. Inform the employee's Principal/Vice-Principal, Manager or Immediate Supervisor of the work restrictions/limitations and initiate the development of the Workplace Accommodation Programme or Return to Work Plan;
- 3.2.7. Perform a workplace assessment with the Principal/Vice-Principal, Manager 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:
- Will co-ordinate the modification of the work or workplace, as needed, in conjunction with medically-supported restrictions/limitations;
 - Will review proper ergonomics with the employee and provides instruction, as required;
 - Will assess the need for change in location and/or assignment;
- 3.2.8. Co-ordinate the development of an Accommodation or Return to Work Plan with the employee, his/her Principal/Vice-Principal, Manager 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 Education Superintendents, as appropriate;
- 3.2.9. Distribute a copy of the Accommodation Plan or Return to Work Plan to the above parties (as appropriate) and the employee;
- 3.2.10. Maintain regular contact with the employee and his/her Principal/Vice-Principal, Manager or Immediate Supervisor for the duration of the Accommodation Plan or Return to Work Plan;
- 3.2.11. Maintain an ongoing assessment of the Accommodation Plan or Return to Work Plan;
- 3.2.12. Arrange regular follow-up during the Accommodation Plan or Return to Work Plan to modify the Plan, as required.
- 3.3. The Immediate Supervisor (Superintendent/Principal/Vice-Principal or Manager) will:
- 3.3.1. Participate in the development of the employee's Accommodation Plan or Return to Work Plan;
- 3.3.2. Modify the work or workplace as outlined in the Accommodation Plan or Return to Work Plan;
- 3.3.3. Assign work or duties according to the employee's Accommodation Plan or Return to Work Plan;
- 3.3.4. Work with the employee to support and assess the progress of the employee through the Accommodation Plan or Return to Work Plan and immediately report any problems or concerns to the Health, Disability and Wellness Coordinator, or designate.
- 3.3.5. Arrange supply coverage, if required, as per the Accommodation or Return to Work Plan and submit appropriate notification to Human Resource Services.
- 3.3.6. Enter absences in SubFinder accordingly. Questions about entering employee absences should be directed to the SubFinder Operator or respective Human Resource Services representative.

- 3.3.7. Notify the Health, Disability and Wellness Coordinator of any other ancillary duties the employee is performing or has performed.
- 3.3.8. Share the accommodation plan with any other appropriate parties, as required.

4. Development of Individualized Workplace Accommodation or Return to Work Plan:

4.1. Accommodation or Return to Work:

- 4.1.1. Identification of likely candidates for the programme shall be made initially by the Health, Disability and Wellness Coordinator, or designate, based on the medically supported restrictions/limitations identified by the appropriate treating medical practitioner and, when appropriate, representatives of the Workplace Safety and Insurance Board, Long Term Disability (LTD) Insurance, other Board officials and Union Representatives.
- 4.1.2. The Health, Disability and Wellness Coordinator, or designate, will review the medically supported restrictions and/or limitations and contact the employee to discuss the employee's participation in an individualized Accommodation or Return to Work Plan.
- 4.1.3. The Health, Disability and Wellness Coordinator, 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, the employee's Principal/Vice Principal, Manager or Immediate Supervisor, and the employee's union representative.
- 4.1.4. The Accommodation or Return to Work Plan will be shared, in writing, with the employee and their Principal/Vice Principal, Manager or Immediate Supervisor, their Union/Association, and any other appropriate parties involved in the development or implementation of the plan.
- 4.1.5. The Accommodation and 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
 - relocation to an alternate worksite on a temporary or permanent basis
- 4.1.6. Any necessary changes to the work environment will take place prior to the employee's commencement of an Accommodation or Return to Work Plan.
- 4.1.7. Modified work is provided within the employee's own school or service area, wherever possible (see 2.3).
- 4.1.8. 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. A medical information consent form may include information regarding the employee's job description and a physical and/or cognitive demands analysis. A release of medical information consent form will also be provided.
- 4.1.9. While participating in the Workplace Accommodation Programme, the employee's progress will be monitored by the Health, Disability and Wellness Coordinator, or designate, Principal/Vice-Principal, Manager or Immediate supervisor, in consultation with the appropriate treating medical practitioner(s).
- 4.1.10. Regular follow-up may occur during the Accommodation or Return to Work Plan to ensure that employee's needs are being met and make any necessary amendments to the plan should there be any change in the employee's restrictions and limitations.
- 4.1.11. The employee continues to participate in their Accommodation or Return to Work Plan until they have fully recovered from their injury or illness. If an employee

has permanent restrictions or limitations and improvement is not expected, the Workplace Accommodation Plan will be reviewed annually to ensure they remain in the Workplace Accommodation Programme.

- 4.1.12. Should the employee not be able to participate in an Accommodation or Return to Work Plan, the employee and the Health, Disability and Wellness Coordinator, or designate, will maintain regular contact. Ongoing, updated documentation will be obtained to determine when participation in the Accommodation or Return to Work Plan might be feasible.
- 4.1.13. The employee may be required to participate in a Functional Abilities Evaluation and/or Independent Medical Evaluation, as per collective agreements, conducted by a third party assessor, to determine restrictions and/or limitations 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 may take place. Refusal to sign a release of information consent form will constitute non-cooperation and will generate an automatic leave of absence without pay for the employee until such time as an action plan for moving forward can be developed.
- 4.1.14. If the Workplace Safety & Insurance Board (WSIB) rules an accommodation or Return to Work Plan suitable and the employee continues to be absent as a result of the workplace injury, the employee may not be eligible for sick leave benefits and could be immediately placed on a leave of absence without pay and will be paid directly by WSIB.
- 4.1.15. If a Return to Work Plan has been deemed suitable by the employer and Healthcare Practitioners and the employee continues to be absent, eligibility for sick leave benefits will be reviewed.