



## Medical Accommodation Program

<b>Responsibility:</b>	Executive Manager Human Resource and Equity Services Senior Manager, Human Resource and Equity Services Manager, Employee Wellness, Human Resource and Equity Services
<b>Legal References:</b>	Health Information Privacy Act; Personal Information Protection and Electronic Documents Act (PIPEDA); Ontario Human Rights Code; Workplace Safety and Insurance Board Act; Ontarians with Disabilities Act.
<b>Related References:</b>	<a href="#">Administrative Procedure 3140 - Reporting &amp; Investigation of Employee Incidents, Accidents and Safety Concerns</a> <a href="#">Policy 1015 - Records Information Management</a>
<b>Revisions:</b>	February 2025
<b>Reviewed:</b>	January 2016

### 1. Preamble

The Board's Medical Accommodation Program is an integrated partnership among:

- Employees
- Supervisors/administrators
- Health care providers
- the Employee Wellness Office

This program supports employees who are injured, ill or requiring temporary or permanent accommodations under the Ontario Human Rights Code, to remain at work or return to work.

This individualized program fosters a widespread understanding through early intervention and support. It aims to reduce the number and duration of an employees' absences. It has been designed to provide supportive ways of allowing employees to remain at work when they are experiencing physical or cognitive health issues.

### 2. Purpose of the Program:

2.1 When medically supported, and/or as a temporary or permanent accommodation as required under the Ontario Human Rights Code, the program assists employees. This includes providing accommodations or modifications such as:

- i. Graduated hours
- ii. Part-time or occasional work

Either scenario includes access to sick leave benefits for the period of reintegration to work as per the individuals access to benefits.

This program is primarily designed to be a short-term rather than a permanent arrangement. A key requirement of this program is to ensure employees are able to safely perform the essential duties of their role without hindering their recovery.

- 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 employee. This is based on medically supported restrictions/limitations, provided that it both:
- i. Does not cause undue hardship to the Board
  - ii. Supports the employee meeting the essential duties of the role
- 2.3 The goal of this program is to support employees while recovering from a medical condition. The overall goal in returning an employee to work is, in priority order, as follows:
- i. Pre-injury/illness job
  - ii. Pre-injury/illness job with accommodations
  - iii. Comparable work within the bargaining unit (may affect compensable earnings)
  - iv. Alternative work for which an employee is capable and qualified to perform (may affect compensable earnings)

### 3. Roles and Responsibilities:

#### 3.1. The Employee:

- 3.1.1. Will provide medical documentation via the Medical Assessment Form (HR-11-405) to the Employee Wellness Office: via our 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** May at the request of the employer and in consultation with the Union/Association to sign a Consent to Release Medical Information form. This allows the employer to obtain the information necessary to:
    - Support facilitation of the return-to-work process
    - Determine if access to sick leave benefits should continue to be granted
- 3.1.2. Will engage in medical rehabilitation and/or treatment as recommended by their healthcare professionals to facilitate a timely return to work;
- 3.1.3. Will cooperate and participate in the development and implementation of their medical accommodation or return to work plan;
- 3.1.4. Will maintain regular contact with the Employee Wellness Office. They will provide updated medical documentation as required and review progress through their medical accommodation or return to work plan;
- 3.1.5. When participating in a medical 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 Employee Wellness Office
- This will ensure a continuance of sick leave benefits.
- 3.1.6. Will discuss, in consultation with the Union/Association, the level in which they may participate in ancillary duties:
- During any period when they are unable to perform their primary duties with the Waterloo Region District School Board, or
  - Until they have been discharged from the medical accommodation program.
- Ancillary duties includes:
- Committee work
  - Extra-curricular activities
  - Professional development
  - Union/Association duties, etc. for employees NOT on a full time Union leave

### 3.2. **Employee Wellness Office will:**

- 3.2.1. Provide information to the employee about the medical accommodation and return to work process;
- 3.2.2. On initial contact, inform the employee that, should they desire, they may have a union representative attend any meetings;
- 3.2.3. Will, as relevant, send a Medical Leave of Absence Confirmation Form to the employee via email. This outlines the Board's approval of the medical leave of absence;
- 3.2.4. Notify the appropriate union(s) of an employee's participation in the medical accommodation/return to work plan.
- 3.2.5. Will review the medical documentation provided to determine if a workplace accommodation plan can be facilitated. If the medical restrictions and limitations are not clearly provided, a member of the Employee Wellness Office:
  - Will clearly identify to the employee and the Union/Association representative why the information is not adequate.
  - May request additional medical information, or access to regular updated information, depending on the circumstances.
  - May request that the employee participate in either a:
    - Physician-to-physician consultation
    - Functional Abilities Assessment (FAE)
- 3.2.6. In accordance with the Collective Agreements, the board may request that the employee undergo an Independent Medical Examination (IME). If the employee fails to undergo the IME or does not participate in the process, the employee's wages or sick leave benefits may be discontinued.
- 3.2.7. Once medical information is reviewed and is satisfactory to move forward with the medical accommodation, the Employee Wellness Office will:
  - Inform the employee's Principal/Vice-Principal, Manager or Immediate Supervisor of the work restrictions/limitations
  - Initiate the development of the medical accommodation or return to work plan
- 3.2.8. Discuss a medical accommodation or return to work plan with the Principal/Vice-Principal, Manager, or Immediate Supervisor. This will ensure compatibility of work restrictions and the duties to be performed within the work environment.
  - Will coordinate the modification of the work or workplace, as supported with functional restrictions/limitations;
  - Will review proper ergonomics with the employee and provide instruction, as required.
- 3.2.9. Coordinate the development of an accommodation or return to work plan with, as appropriate:
  - The employee
  - Their 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
- 3.2.10. Distribute a copy of the medical accommodation plan or return to work plan to the above parties (as appropriate). The employee will:
  - Retain a copy of the plan in the employee's medical accommodation file
  - Instruct the supervisor to retain a copy in the employee's site file
- 3.2.11. As required, maintain contact with the employee and their Principal/Vice-Principal, Manager, or Immediate Supervisor for the duration of the medical accommodation plan or return to work plan;
- 3.2.12. Maintain an ongoing assessment of the medical accommodation plan or return to work plan;

- 3.2.13. Arrange regular follow-up during the medical accommodation 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 medical accommodation plan or return to work plan;
- 3.3.2. Modify the work or workplace as outlined in the medical accommodation plan or return to work plan;
- 3.3.3. Assign work or duties according to the employee's medical accommodation plan or return to work plan;
- 3.3.4. Work with the employee to support and assess the effectiveness or suitability of the medical accommodation plan or return to work plan. They must immediately report any problems or concerns to the Employee Wellness Office.
- 3.3.5. Arrange supply coverage, if required, as per the medical accommodation or return to work plan and submit appropriate notification to Human Resource Services.
- 3.3.6. Enter absences in Easy Connect accordingly. Questions about entering employee absences should be directed to the Easy Connect Operator or respective Human Resource Services representative.
- 3.3.7. Notify the Employee Wellness Office of any other ancillary duties the employee is performing or has performed.
- 3.3.8. Share the medical accommodation plan with any other appropriate parties, as required (i.e. VP, Manager)
- 3.3.9. Notify the Employee Wellness Office if the employee is visiting the workplace or attempting to volunteer while on an approved sick leave.

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

**4.1. Accommodation or Return to Work:**

- 4.1.1. The Employee Wellness Office will review the medically supported restrictions and/or limitations. They will contact the employee to discuss the employee's participation in an individualized Accommodation or Return to Work Plan. They will:
- Request preliminary medical documentation to confirm and validate the need for an accommodation;
  - Review and assess the request for the medical accommodation and request clarification or additional medical information is required;
  - Determine whether the requested medical accommodation is reasonable. The Board will consider:
    - The employee's role
    - The impact of their disability of the key essential duties of the position
    - The work environment
  - Work with the employee, their supervisor, and other stakeholders (as appropriate) to find the most appropriate accommodation(s) that allow them to perform essential job functions.
- 4.1.2. The Employee Wellness Office will develop a medical accommodation or return to work plan based on the supported restrictions and/or limitations.
- 4.1.3. The medical accommodation or return to work plan will be shared, in writing, with:
- The employee
  - Their Principal/Vice Principal, Manager or Immediate Supervisor
  - Their Union/Association
  - Any other appropriate parties involved in the development or implementation of the plan

- 4.1.4. The medical accommodation and return to work plan, in general, may include, but is not restricted to, some or all of the following:
- Reduced work hours
  - Modification of duties
  - Workplace modifications
  - Removal of physical barriers
  - Relocation to an alternate worksite on a temporary or permanent basis
- 4.1.5. Any necessary changes to the work environment may take place prior to the employee's commencement of a medical accommodation or return to work plan.
- 4.1.6. Modified work is provided within the employee's own school or service area, wherever possible.
- 4.1.7. While participating in the Medical Accommodation Program, the employee's progress will be monitored in consultation with the appropriate treating medical practitioner(s) by the:
- Employee Wellness Office
  - Principal/Vice-Principal, Manager or Immediate supervisor
- 4.1.8. Regular follow-up may occur during the medical accommodation or return to work plan to:
- Ensure that employee's needs are being met
  - Make any necessary amendments to the plan should there be any change in the employee's restrictions and limitations
- 4.1.9. The employee continues to participate in their medical 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 medical accommodation plan will be reviewed annually. This is to ensure they remain in the Medical Accommodation Program.
- 4.1.10. Should the employee not be able to participate in a medical accommodation or return to work plan, the employee and the Employee Wellness Office, will maintain regular contact. Ongoing, updated documentation will be obtained to determine when:
- Participation in the medical accommodation or
  - Return to work plan might be feasible.
- 4.1.11. The employee may be required to participate in a Functional Abilities Evaluation and/or Independent Medical Evaluation, as per collective agreements. This is conducted by a third-party assessor, to:
- Determine restrictions and/or limitations
  - Assist in the development of an individualized medical accommodation 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. This 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.
- 4.1.12. If the Workplace Safety & Insurance Board (WSIB) rules an accommodation or offer to return to work plan suitable and the employee continues to be absent as a result of the workplace injury, the employee:
- Will not be eligible for sick leave benefits
  - Will immediately be placed on a leave of absence without pay
- 4.1.13. If a medical accommodation/ 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.