



ADMINISTRATIVE PROCEDURE 485	
SECTION: PERSONNEL AND EMPLOYEE RELATIONS	
Adopted / Original Date of Issue	2016
Last Review x Revised <input type="checkbox"/>	June 2018
Next Review Date	2023
Contact	HR

(Draft) Disability Management Program

Background

The District's Disability Management Program is an integrated partnership among employees, supervisors/administrators, unions, and health care providers to reduce the effect of impairment and support 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 District recognizes both its legal and moral duty to ensure a fair and consistent approach to supporting staff with a disability, whether it is permanent or temporary.

1. Purpose of the Program

- 1.1. The Disability Management Program provides employees with a safe and timely transition from illness/injury that allows them to remain at work or return to work.
- 1.2. 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.
- 1.3. When a permanent disability exists, the District will endeavour 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 District.

2. Temporary Disability

2.1 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 medical practitioner or specialist for assessment by the WSIB Supervisor or Disability Coordinator, 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.

3. Permanent Partial Disability

- 3.1 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 (which may include verification through a third party assessment).

3.2 The conditions for providing such work may be:

- 3.1.1. The employee provides current medical restrictions and limitations from the appropriate medical practitioner and/or by submitting a Functional Abilities Form;
- 3.1.2. The District will promote the retraining of injured employees as circumstances warrant;
- 3.1.3. 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);
- 3.1.4. 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.

4. Responsibilities

4.1. The WSIB Supervisor or Disability Coordinator, or designate will:

- 4.1.1. upon receipt, review medical documentation to determine if the employee requires accommodation in the workplace, or if additional information is required;
- 4.1.2. assess the employee's work duties in conjunction with medically supported restrictions and/or limitations provided by the appropriate medical practitioner(s);
- 4.1.3. work with the Supervisor, employees and/or Union Representative to assess restrictions and/or limitations and consider accommodation(s);
- 4.1.4. coordinate the return to work of all disabled employees with the employee, the appropriate medical practitioner, principal/vice-principal or immediate supervisor, and the union representative (at the employee's discretion);
- 4.1.5. notify the appropriate union(s) (if required) of an employee's participation in the Disability Management Program;
- 4.1.6. if required, assess the employee's work capabilities in conjunction with medically supported restrictions and/or limitations provided by the appropriate treating medical practitioner(s);

- 4.1.7. inform the employee's principal/vice-principal or immediate supervisor of the work restrictions/limitations and initiate the development of the Remain at Work Plan or Return to Work Plan;
 - 4.1.8. where required initiate 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; and where appropriate assess the need for change in location and/or assignment;
 - 4.1.9. coordinate 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 medical practitioner(s), the employee's union representative, Workplace Safety and Insurance Board (WSIB), Long Term Disability (LTD) Insurance Carrier, and Human Resources, as appropriate;
 - 4.1.10. distribute a copy of the Remain at Work Plan or Return to Work Plan to the above parties and the employee;
 - 4.1.11. maintain contact with the employee and/or his/her principal/vice-principal or immediate supervisor to ensure the Plan is moving forward and there are no setbacks;
- 4.2. The principal/vice-principal or immediate supervisor may:
- 4.2.1. be designated by the WSIB Supervisor or Disability Coordinator or designate 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 Plan or Return to Work Plan;
 - 4.2.2. participate in the development of the employee's Remain at Work Plan or Return to Work Plan;
 - 4.2.3. modify the work or workplace, as outlined in the Remain at Work Plan or Return to Work Plan;
 - 4.2.4. assign work or duties according to the employee's Remain at Work Plan or Return to Work Plan;
 - 4.2.5. closely monitor the progress of the employee through the Remain at Work Plan or Return to Work Plan and immediately report any problems or concerns to the Manager or WSIB Supervisor or Disability Coordinator, or designate.

4.3. The Employee:

- 4.3.1. engages in medical rehabilitation and/or treatment that can be expected to facilitate a timely return to work;
- 4.3.2. participates in the development of their Remain at Work Plan or Return to Work Plan;
- 4.3.3. maintains regular contact, as identified in the Disability Management Program, with the WSIB Supervisor or Disability Coordinator, or designate, and the principal/vice-principal or immediate supervisor to provide updates on status, changes in condition, and review progress through their Remain at Work Plan or Return to Work Plan;
- 4.3.4. Notify the Disability Coordinator, or designate, if leaving their primary residence for greater than three business days. The employee will provide updated contact information in a timely manner including a phone number, mailing address and treatment care providers and treatment care provider's contact information.*
- 4.3.5. must provide appropriate documentation as required.

5. Development of Individualized Remain at Work Plan or Return to Work Plan

5.1. Remain at Work or Return to Work:

- 5.1.1. Identification of likely candidates for the Disability Management Program shall be made initially by the WSIB Supervisor or Disability Coordinator, or designate, based on information received from the appropriate medical practitioner and, when appropriate, representatives of the WSIB and Long-term Disability (LTD) Insurance Carrier.
- 5.1.2. A Remain at Work Plan or Return to Work (RTW) Plan should include a clear RTW start date and end date, with a clear progression of hours and duties over a 1 to 8 week period as determined on a case-by-case basis. A Remain at Work Plan or Return to Work Plan may include 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.
- 5.1.3. 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 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 demands analysis.

- 5.1.4. Modified work is provided within the employee's own school or service area, wherever possible.
- 5.1.5. While participating in the Disability Management Program, the employee's status will be monitored by the WSIB Supervisor or Disability Coordinator, or designate, principal/vice-principal or immediate supervisor, in consultation with the appropriate medical practitioner(s).
- 5.1.6. 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 Program.
- 5.1.7. The District will endeavour 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 District.
- 5.1.8. The WSIB Supervisor or Disability Coordinator, 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 should include the employee's supervisor and union representative if desired. A written Remain at Work Plan or Return to Work Plan may also be shared with the employee's appropriate medical practitioner and/or immediate supervisor and/or union representative.
- 5.1.9. Should the employee not be able to participate in a Return to Work Plan, the employee and the WSIB Supervisor or Disability Coordinator, 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.
- 5.1.10. The employee may be required to participate in a third party assessment to determine limitations and/or restrictions and to assist in the development of an Individualized Remain at Work Plan or Return to Work Plan.
- 5.1.11. The Individualized Remain at Work Plan or Return to Work Plan may include the following information:
 - essential job duties/tasks,

- specific physical requirements,
- restrictions and limitations,
- work schedule,
- follow-up work assessment date(s) by the WSIB Supervisor or Disability Coordinator, 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, WSIB Supervisor or Disability Coordinator, or designate, principal/vice-principal or immediate supervisor, appropriate medical practitioner(s), union representative,
- next meeting date,
- conditions for withdrawal of the individual from the Program.

5.1.12 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.

5.1.13 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.

**The Disability Coordinator, or designate may require satisfactory medical evidence to confirm that the change in the employee's location will not interfere with his/her healthcare treatment and ability to return to work. If the relocation does delay the employee's ability to recover and/or return to work in a timely manner, eligibility for sick leave benefits may be reviewed.*

Legal References:

*Workplace Safety and Insurance Act
Ontario Human Rights Code
Administrative Procedure 486*