

RTW: WCB SUPPORT

The Saskatchewan Workers' Compensation Board recognizes the role that RTW plays in promoting the recovery of injured workers and in reducing the risk of chronic disability developing.

RTW options – i.e. the alternate or modified work offered by an employer to an injured worker must:

- be productive (contribute to the objectives or operations of the company)
- be within the medical capabilities of the injured worker
- be within the skills and abilities of the injured worker
- not endanger the health or safety of the injured worker or his/her coworkers

WCB Treatment Philosophy

The WCB does not coerce health care providers (HCPs) in sending injured workers back to work when it is not safe to do so – i.e. when RTW is beyond their medical capabilities. Nor does the WCB direct the medical treatment – HCPs direct the medical treatment of injured workers. However, RTW facilitation does involve encouraging both HCPs and injured workers to consider and recognize the benefits of RTW at the earliest possible opportunity.

HCPs will be challenged to provide interventions that are outcome focused and goal directed. Clinical interventions should be considered in relation to how they will achieve the end objective – i.e. return to work.

WCB Legislation

The WCB does not force any injured worker back to work. The WCB, however, is charged with legal responsibility and authority to make determination on fitness for employment, loss of earning capacity, and the extent and/or duration of wage loss compensation entitlement.

In other words, if a worker is medically fit for suitable (safe, productive etc.) alternate or modified work and the employer has suitable (safe, productive etc.) alternate or modified work, then time loss/ earning compensation benefits are not payable.

WCB Support

Return to work is a priority at the both the claims entitlement level (claims under 4 weeks) as well as case management level (claims 4 weeks or more).

In many cases, an employer with established RTW processes can successfully return its injured workers to suitable alternate or modified work in a timely manner. However, there can be a variety of RTW scenarios that may arise where WCB support is required. This can include (but is not

limited to) situations where an injured worker is not prepared to accept suitable RTW duties, an injured worker's HCP has not provided medical restrictions and/or provided a blanket "time off work" note, where more medical information is necessary in order to determine the suitability of proposed RTW job options, as well as those situations where an employer indicates its RTW job options are limited, given the current availability of suitable work and the medical limitations of a worker.

In any of these circumstances a WCB claims entitlement specialist (CES) or case manager (CM) will investigate in order to establish the suitability of RTW given the medical condition of the injured worker.

What would follow would depend upon the outcome of the investigation/s. For instance, the investigation/s could result in a RTW plan going forward, modifications being made to a proposed RTW plan, a RTW plan not going forward or in some circumstances may result in a suspension and/or termination of wage replacement benefits.

Process

The best RTW process begins prior to any workplace injury. If an injury does occur, a well-planned RTW process will help the worker heal and return to his or her pre-injury state as quickly and easily as possible. A plan like this requires the HCP, the worker, the employer and WCB to work together to create and monitor the alternate and modified work plan. Communication between all parties is the key to a success return to work plan.

Managing RTW

Having RTW processes at a workplace does not mean that every injured worker will be immediately returned to the workplace. Not every claim will follow a smooth path. What employers can do, however, is actively manage these situations and follow standard processes when faced with complicated situations.

In particular, this means prompt and frequent contact with the WCB whenever it is encountering problems with its own RTW efforts or requires more information about an injured worker's ability to perform RTW job duties. This can also include requesting a meeting with a WCB CES or CM in order to discuss the issue/s.

As with all other elements of effective RTW processes communication is the key to success.