



# Effective Return to Work

Learner Handbook



*Work to live.*

## **Please note**

This publication does not replace the legislation. Please use the original legislation to find out exactly what requirements apply to your business.

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### Land acknowledgement

The Saskatchewan Workers' Compensation Board and its WorkSafe partners acknowledge that they operate within Treaties 2, 4, 5, 6, 8 and 10. These lands are home to and are traditional meeting grounds for many Indigenous peoples, including Plains Cree (Nêhiyawak), Saulteaux (Nahkawiniwak), Nakota (Assiniboine), Dakota and Lakota (Sioux), Denesuline (Dene/Chipewyan) and are also homeland to the Métis Nation.

We respect the Treaties that were made on all territories, and we are committed to moving forward in partnership with Indigenous Nations in the spirit of reconciliation and collaboration.

### Diversity and inclusion statement

The Saskatchewan Workers' Compensation Board and WorkSafe Saskatchewan believe in and work towards creating, preserving and encouraging a diverse and inclusive environment within the workplace and surrounding communities. We value both diversity and inclusion as a strength and work to unbiasedly support and respect all individuals. It is the belief of our establishment that all people deserve a healthy and safe work environment that ensures everyone's personal well-being. We believe that respecting diverse cultures and people with visible and non-visible disabilities can strengthen our community and create a healthier and safer world.

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There is a strong connection between the health and well-being of people and their work environments. When people feel valued, respected and satisfied in their jobs and work in safe, healthy environments, they are likely to be more productive and committed to their work. Everyone can benefit from a healthy workplace.

Having an effective return-to-work process prevents needless work disability and reduces the risk of costly disability-related human resource and financial losses, as well as ensures optimal engagement, workforce productivity and business continuity. Developing a practical and comprehensive return-to-work program can help your business maintain productivity, reduce lost days and provide your workers with the support they need.

Recovery at work is a collaborative process and every successful return-to-work program is based on productive and positive relationships in an organization. Working is good for physical and mental health and can be a valuable part of the recovery process.

For many people, recovering at work means doing different tasks or working a different schedule. Focusing on what a worker can do makes it easier to determine alternate duties. Workers don't have to be fully recovered before returning to the workplace. Actively participating in a return-to-work program can help workers get better faster.

“Return to work” is the term used for a worker returning to their place of work after a period of being away due to a workplace incident or illness. This process is important to establish for each place of employment. The ultimate goal is to ensure the best possible outcome for workers and employers. When there is an effective return-to-work program available at an organization it can benefit both workers and employers.

It can be difficult to even think about what happens after a workplace incident or illness. There may be additional stress for the worker, as well as for the employer trying to determine what needs to happen in order to get the worker back to work safely. Use this course and handbook as support for the process. This course can benefit all partners to obtain a better understanding of how to make an effective return-to-work program and how to navigate the legislative requirements.

This course is designed to focus on the return-to-work process. This includes gaining an understanding of the purpose and benefits, legislation focusing on return to work, the roles and responsibilities for employers and workers, management of the whole process and to provide additional support for employers and workers.

## This course will cover:

- ✓ What the purposes and benefits are for establishing an effective return-to-work program.
- ✓ Legislation that is applicable to return to work.
- ✓ The duty to accommodate and prohibition of discriminatory action.
- ✓ The importance of collaboration and communication with return to work.
- ✓ The roles and responsibilities for all partners in the return-to-work process.
- ✓ Confidentiality and handling of personal medical information.
- ✓ The management of an injury from the incident to staying at work or returning to work.
- ✓ The required documentation for the return-to-work process.
- ✓ Return-to-work program and plan monitoring.
- ✓ Barriers and challenges to return to work.

The Saskatchewan WCB was established in 1911 because of a historic compromise between Saskatchewan workers and employers. Under that compromise, workers injured on the job in covered industries do not have to pay for the benefits they receive or sue their employers to get them. Costs are paid entirely by Saskatchewan employers in covered industries. This is referred to as a no-fault insurance system, also referred to as the compensation system.

The WCB's vision is to eliminate injuries and restore abilities. This is the fundamental driver of all that we do on behalf of our customers – the workers and employers of the province. The WCB is governed by *The Workers' Compensation Act, 2013*.



## Learning objectives

Learners will have an understanding of:

- The purposes and benefits of establishing an effective return-to-work program.
- Legislation that is applicable to return to work.
- The duty to accommodate and prohibition of discriminatory action.
- The importance of collaboration and communication with return to work.
- The roles and responsibilities for all partners in the return-to-work process.
- Confidentiality and handling of personal medical information.
- The management of an injury, from the incident to staying at work or returning to work.
- The required documentation for the return-to-work process.
- Return-to-work program and plan monitoring.
- Barriers and challenges to return to work.



### Module 1: Introduction to return to work

- General understanding of return to work.
- Purpose behind a return-to-work program.
- Benefits of having a return-to-work program.



### Module 2: Return to work – roles and responsibilities

- General roles and responsibilities for workers, employers, unions, health-care providers and the WCB.
- Duty to accommodate – roles and responsibilities.
- Employer commitment and the WCB's “right care at the right time” principle.



### Module 3: The return-to-work program

- Overview of the return-to-work program and all of its components.
- Requirements of the return-to-work program.
- Development and management of the return-to-work program.



### Module 4: The return-to-work plan

- The contents of a worker package - details and sample documents.
- The return-to-work plan development, documentation and implementation.
- Psychological injury conversations - talking tips.



### Module 5: Return-to-work summary

- Barriers to, challenges with and principles of a successful return to work.
- Scenario roadmaps summarizing the journeys for staying at work and returning to work after injury or illness.
- Commonly asked employer return-to work questions.



# Module 1

## Introduction to return to work

Learner handbook



*Work to live.*



The concepts and value of returning a worker to work after a workplace injury or disease can be an area of uncertainty for both the worker and the employer. Maybe you are the worker and have never experienced a workplace injury. This can bring up anxiety and stress around loss of income, the nature of your injury and the ability to use your body or returning to a place where you were injured. Or maybe you are the employer and never had a workplace injury that resulted in lost time and had to accommodate a worker's needs before, or you did not know how to provide work

to a worker with medical restrictions. For both the worker and employer, there could be some fear around ensuring that the process is done right.

In the past, there was stigma associated with the return-to-work concept. However, bringing more awareness to return-to-work programs has helped many industries get a better grasp and understanding of why these programs are important and beneficial. Preventing needless work disability by using this proactive approach has a positive impact on both the worker and the employer.

This course is intended as a resource for the person(s) responsible for overseeing the development, implementation, revision and/or day-to-day functioning of an employer's documented return-to-work process.

Additionally, this course can benefit workers or occupational health committee members to get a better understanding of the employer's responsibilities and obligations in the matter.

This module will introduce the meaning of work disability prevention and return to work, as well as provide a quick overview of what it includes, discuss philosophy of why return to work is important and review the purpose and benefits of having a return-to-work process in place.

### This module will:

- ✓ Define return to work, work disability and work disability prevention.
- ✓ Introduce the elements of work disability.
- ✓ Discuss the philosophy and benefits of return to work.
- ✓ Explain the employer's duty to accommodate.
- ✓ Review the prohibition of discriminatory action.



Work disability occurs when a worker is unable to stay at work or return to work due to an injury or illness. Injuries and illnesses can be physical or psychological or both. Further, it is influenced by physical, psychological and social issues outside the work injury. These are known as psychosocial risk factors.

Work disability prevention is a proactive approach designed to support workers to remain in the workplace while they are recovering from injury or illness, as well as keeping workers connected to the workplace to get them back to work as early and safely as possible.

Having a return-to-work process is key to preventing work disability.



It is important when discussing return to work that all partners involved have a good understanding of what that means. “Return to work” can be referenced as either a noun or a verb.

Return to work is the term used for a worker returning to their place of work after a period of being away due to an injury or illness.

Injury or illness can:

- be physical **OR** psychological.
- occur at the workplace **OR** outside of work.

**When used as a noun**, “return to work” describes the suitable work tasks within the medical abilities and limitations of a worker who has not yet fully recovered from their injuries and is not yet able to return to their original job, but who is capable of some form of employment.

**When used as a verb**, “return to work” means the act of re-introducing the worker to safe and suitable, productive employment that eliminates or minimizes earnings loss as soon as medically safe.

**The key concepts in both of these definitions are:**

- The worker still has medical limitations and is not fully healed, but they are capable of working in some capacity.
- The employer is to provide suitable employment within medical abilities and limitations for the worker.

**Psychological injury:** Any psychological disorder or condition that meets diagnostic criteria and has arisen, or is presumed to have arisen, out of and in the course of employment.

**Psychological disability:** any mental health condition that restricts a worker’s ability to function in their job role.

### **Common causes of workplace psychological injury**

Psychological harm can occur in many ways, including by experiencing chronic or acute traumatic incidents (that is, assault, violence, threats, verbal assault, kicking/hitting).

Psychological harm can also occur from less obvious sources, such as:

- chronic stress
- workplace conflict
- excessive workload
- bullying/harassment
- high work demands and low control over those demands
- lack of support from co-workers/management
- interpersonal conflict



## Work disability

- Occurs when a worker is unable to stay at work or return to work due to an injury or illness.
- Can include physical and/or psychological injuries and illnesses.
- Is influenced by physical, psychological and social issues outside the work injury.

**Work disability prevention** is a proactive and strategic approach designed to support workers to remain in the workplace while they are recovering from injury or illness, as well as keeping workers connected to the workplace to get them back to work as early and safely as possible.

**Having a return-to-work program is key to preventing work disability.**

Shared goal – minimize loss	
Want	Don't want
Prevent further injury	Cause further injury
Facilitate recovery	Delay recovery
Restore function	Cause further loss of function

Goal – minimize financial impact of injury			
Worker	Health-care provider	WCB	Employer
Salary and benefits	Societal costs	Claim costs	Cost of replacing experienced worker, lost productivity, WCB premiums

**Four elements of work disability we want to prevent:**



### 1. Unnecessary delays

The WCB can partner with workers and employers to prevent unnecessary delays by:

- Sharing and gathering needed documents and information to register and adjudicate claims as quickly as possible.
- Having proactive contact and engagement with the employers and workers immediately following a work injury and establishing necessary interventions quickly.

### 2. Unnecessary duration

Workers can and do recover while working. Evidence supports that work can be part of the recovery process.

Unnecessary time away from work can be reduced by:

- Keeping workers at work unless there is a medical risk by:
  - Establishing collaborative return to work meetings
  - Encouraging workers who are not working to return to work as soon as it is medically safe and encouraging employers to provide suitable return-to-work accommodations.

### 3. Confusing process

Ensure everyone is aware of their roles, responsibilities and return-to-work processes by having clear processes and documentation.

The WCB plays a crucial role in preventing a confusing process by:

- Establishing early and ongoing proactive communication.
- Helping workers and employers understand the WCB's process by being clear and providing next steps, and communicating in plain language.
- Simplifying our processes.

### 4. Unclear return-to-work plans

Preventing unclear return to work plans takes a joint partner effort and includes:

- Working with the worker, employer and care provider to collaboratively create sustainable return-to-work plans.
- Ensuring all parties understand and agree with the plan.
- Following up throughout to ensure return to work is progressing well.



### Research indicates there are four primary elements of work disability:

1. Preventing unnecessary delays.
2. Preventing unnecessary durations.
3. Preventing confusing processes.
4. Preventing unclear return-to-work plans.

Return-to-work planning should be initiated and developed with these elements in mind. Return to work may be to full duties, light duties, accommodated duties, full hours or a graduated return to work. Each plan should be individualized to align with the worker's abilities and restrictions, taking into consideration their input. The plan should include steps to address their concerns. For example, if they are worried about the possibility of re-injury, the return-to-work co-ordinator or other leader can check in regularly to ensure the plan is followed and to adjust quickly if needed.

Employers should regularly communicate with the worker as part of supporting their recovery and return to work. A positive worker/employer relationship is critical to reduce unnecessary delays and durations, and to minimize confusing processes.



### **Why is staying at work and returning to work the right thing to do?**

Staying at work or returning to work supports the worker at a most vulnerable time: when they have become injured or ill and are unable to work at all or at their former ability.

Being away from work due to injury or illness has negative impacts on workers and employers. Workers are impacted financially, socially and emotionally. Employers are impacted by losing a valuable member of the team, not to mention the costs associated with an injury. Returning to work is healthy, both physically and emotionally, and should be part of the recovery process. Workers may not be able to perform aspects of their jobs; however, they can still make valuable contributions to the workplace while also returning to wellness.

The longer a worker is off work the more likely they will begin to identify themselves as an injured worker and see themselves as being disabled. Once this mindset takes hold, regardless of the actual medical concerns, their confidence and even motivation to return to work is compromised. Return to work, or staying at work, helps workers maintain their sense of self-worth, self-identity and confidence that they can overcome their injury and return to a state of wellness and normalcy.

### The cost of absenteeism

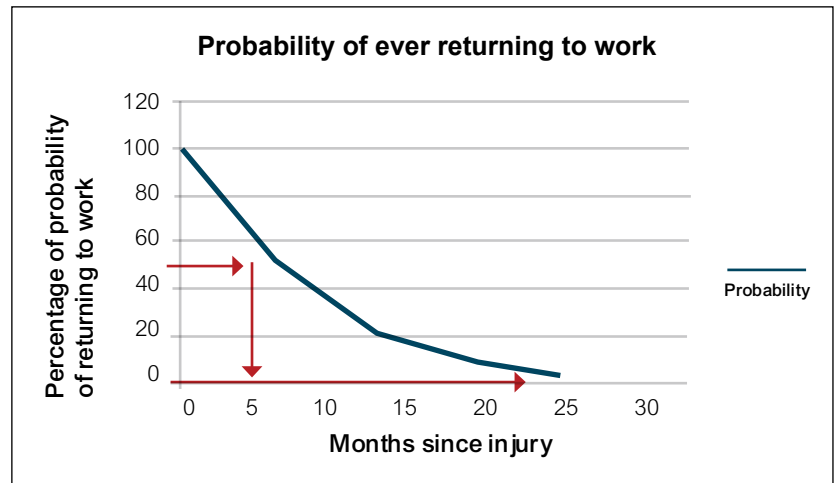
Many people believe that being away from work after an injury or illness is the right approach and that this can decrease stress and actually promote healing.

Medical evidence “however” supports that recovering at work can be better for most workers. Work is healthy, physically and psychologically, and is actually a part of the healing process and getting back to overall wellness.

In many ways, workplaces injuries and illness hurt workers and employers.

Workers lose financially, psychologically, socially and emotionally while employers lose valuable employees, organizational productivity, suffering relationships and costs.

The National Institute of Disability Management and Research estimates that at any given time, between eight and 12 per cent of Canada’s workforce is absent due to illness or injury. At just six months from the date of injury or illness, the probability of someone ever returning to gainful employment is only 50 per cent if they do not remain connected to the workplace. By two years, that number drops to less than five per cent.



Source: Dr. E. Rumack, Occupational Physician

### Employers are integral.

They:

- Keep in touch with workers who have been injured throughout the recovery process to show they are valued and connected to the workplace.
- Offer meaningful and productive modified duties or other suitable work that is safe and within the worker’s capabilities.
- Ensure that supervisors and co-workers support workers during recovery.
- Communicate the return-to-work program to workers.
- Communicate and collaborate with all return-to-work partners.

Return to work benefits – employer	
<b>Maintains skilled and stable workforce</b>	<ul style="list-style-type: none"> <li>• Safe and timely return to work improves workers' health outcomes and preserves a skilled and stable workforce.</li> <li>• Returning to work also prevents loss of valuable worker knowledge, skills and experience.</li> <li>• It also allows for cross-training and in-house transfer of worker knowledge, skills and experience.</li> </ul>
<b>Reduces costs</b>	<ul style="list-style-type: none"> <li>• Returning to work reduces the cost of replacing and hiring new staff (for example from job ads, interviews, intake and training). Workers who are satisfied with their employer's response to injury or illness return to work 50 per cent faster with 54 per cent lower cost.<sup>3</sup></li> </ul>
<b>Maintains productivity</b>	<ul style="list-style-type: none"> <li>• Returning to work minimizes disruptions to productivity.</li> </ul>
<b>Meets legislated return-to-work requirements</b>	<ul style="list-style-type: none"> <li>• Section 53 of <i>The Workers' Compensation Act, 2013, Duty of employer to co-operate to achieve worker's return to employment</i>, requires an employer to co-operate with the board and the worker to achieve the early and safe return of an injured worker to their employment.</li> </ul>
<b>Reduces WCB costs and premiums</b>	<ul style="list-style-type: none"> <li>• An employer's WCB premium is determined by the employer's claims history and the employer's rate code as a whole.</li> <li>• Returning to work positively impacts an employer's claims cost experience by reducing costs as the worker is returned to alternate or modified work as soon as medically able.</li> <li>• Over time, lower claim costs decrease the likelihood of the employer being surcharged and increase the likelihood of the employer receiving a discount.</li> <li>• Over time, decreased claim costs increase the likelihood of reduction in the industry rate code premium.</li> </ul>
<b>Promotes fair and consistent treatment of all workers</b>	<ul style="list-style-type: none"> <li>• All workers will know that they are treated the same as their co-workers and feel protected, resulting in a happier workplace.</li> </ul>
<b>Maintains chain of communication among all partners involved in the return-to-work process</b>	<ul style="list-style-type: none"> <li>• All partners will know what to expect throughout the process.</li> <li>• Facilitates open and transparent communication among all partners and prevents having the employer work against the worker or vice versa.</li> </ul>

Workers also benefit from returning to work by shifting the focus to what the worker can do from what they can't do.

Return-to-work benefits – worker	
<p><b>Supports psychological, physical and social well-being</b></p>	<ul style="list-style-type: none"> <li>• Prolonged absence from the workplace is detrimental to a person's mental, physical and social well-being. Studies show that return to work often results in better health outcomes than if the worker recovers entirely at home.</li> </ul>
<p><b>Keeps the worker active and provides a sense of purpose</b></p>	<ul style="list-style-type: none"> <li>• The longer a worker is away from work, the less likely the worker will ever return. Statistics show that the likelihood is:                             <ul style="list-style-type: none"> <li>• Fifty-five per cent after six months.<sup>2</sup></li> <li>• Thirty-two per cent after one year.<sup>2</sup></li> <li>• Five per cent after two years.<sup>2</sup></li> </ul> </li> </ul> <p>Research confirms that workers <b>who never lose time from work</b> have better outcomes than workers who lose time from work.</p>
<p><b>Preserves self-identity, self-worth and confidence</b></p>	<ul style="list-style-type: none"> <li>• A person's self-identity and self-worth are influenced by their view of themselves as a working and contributing member of their family unit and community. When this role is taken away, a person's confidence and self-worth can be weakened.</li> <li>• A worker can begin to view themselves as an extension of their injury. Once a worker views themselves as disabled, regardless of actual medical concerns, the confidence and motivation to return to work is reduced. Return to work helps a worker maintain self-identity and self-worth.</li> </ul>

### Return-to-work benefits – worker

#### Keeps the worker in touch socially and physically with their workplace

- A workplace changes over time, for example in personnel, procedures, policies, tools and equipment. It can be intimidating for a worker to return to the workplace after an extended absence. Return to work keeps a worker on site, doing productive work and part of the workplace.
- Return to work helps the worker maintain social relationships with co-workers. Social interaction contributes to psychological health, which in turn contributes to physical health and the recovery process.

#### Minimizes the impact of an injury on the worker and their family

- Family members are generally very supportive when a worker is first injured, but this can change if the worker's recovery is prolonged or not advancing as expected. Return to work benefits the worker and their family by facilitating recovery, protecting against development of secondary conditions and reducing disability.



The worker, employer, the health-care provider and the WCB all share the mutual goal of supporting return to work and minimizing loss associated with a workplace injury.

Mutual goals include:

- Preventing further injury.
- Facilitating recovery.
- Maintaining current capabilities/function.
- Restoring function.
- Maintaining connections and workplace relationships.
- Retaining skills of experienced workers.
- Maintaining financial stability.



The return-to-work process is bridged between different sets of legislation that are both provincially and federally regulated. Typically, most workplace health and safety concerns fall under Saskatchewan occupational health and safety legislation, which sets the minimum standards for health and safety in the workplace. When it comes to occupational health and safety, every provincially regulated workplace in Saskatchewan must comply with:

- *The Saskatchewan Employment Act*
- *The Occupational Health and Safety Regulations, 2020*

Familiarity with the legislation is useful in assisting the employer to resolve concerns and reach compliance.

However, when it comes to return to work, there are additional legislative components that employers must be familiar with and abide by. Such as:

- *The Workers' Compensation Act, 2013*
- *The Saskatchewan Human Rights Code, 2018*
- *Canadian Human Rights Act (CHRA)*

This module will help you learn about the legislative requirements for the return-to-work process and review the legislation from the different governing bodies and boards, such as *The Saskatchewan Employment Act*, *The Workers' Compensation Act*, *The Saskatchewan Human Rights Code* and the *Canadian Human Rights Act*. And finally, a list of the employer's legal obligations for the return-to-work process is included, which introduces information on the duty to accommodate, undue hardship and due diligence.

### *The Saskatchewan Employment Act*

#### Duty to inquire

When something affects a worker's performance, employers have the responsibility to determine if the issue stems from a disability (physical or psychological). This is the duty to inquire.

If a disability exists, the employer must accommodate the disability.

An employer must inquire about the existence of a psychological disability to prevent discriminatory termination or disciplinary action.

An employer should inquire when:

- The worker is exhibiting behaviour changes, performance issues and/or persistent interpersonal conflict.
- The worker requests accommodation or a leave of absence.
- The worker informs management of the existence of a disability.

#### **Psychological health issues often present as performance issues, such as:**

- Issues with concentrating or problem-solving.
- Avoidance of co-workers.
- Feeling fatigued.
- Acting withdrawn or disengaged from work.
- Increased conflict with co-workers.
- Reduced productivity.

#### **Psychological health issues can also manifest as physical symptoms, including:**

- Musculoskeletal disorders, chronic pain.
- Headaches, gastrointestinal issues.
- Sleep dysfunction.
- Cardiovascular disease.
- Diabetes, hypertension.



### Duty to accommodate

Duty to accommodate is a legal obligation defined by case law, labour standards and human rights legislation. It can be found in *The Saskatchewan Human Rights Code* and *The Saskatchewan Employment Act*. Duty to accommodate requires an employer to make every reasonable effort, short of undue hardship, to accommodate a person protected against discrimination by human rights legislation.

In Canada, an employer cannot discriminate on the basis of prohibited grounds, which includes temporary or permanent disability, whether occupational or non-occupational.

Duty to accommodate is not a WCB regulation. The WCB cannot say, in any given case, whether the duty applies or whether an employer's legal obligations have been met to the point of undue hardship.

It is important that the employer or union must inquire and familiarize itself with these principles outside of WCB assistance.

In the event of a duty to accommodate dispute involving a worker, the courts or a Saskatchewan Human Rights Tribunal would determine whether the duty to accommodate had been met.

### An employer has the right to request medical documentation that:

- Confirms of the existence of a psychological health condition and the need for accommodation or a leave of absence.
- Describes the limitations resulting from the psychological health condition.
- Outlines accommodation strategies that may help.

### What information **CAN'T** an employer ask for?

- Details about the psychological health diagnosis
- Test results, treatment plan, prescriptions and medical history

To have the right for disability accommodation, the worker must provide this information from their health-care provider.



### Employer must reassign employee or modify employee's duties

**2-41** (1) An employer shall modify an employee's duties or reassign the employee to other duties if:

- (a) the employee becomes disabled and the disability would unreasonably interfere with the performance of the employee's duties; and
- (b) it is reasonably practicable to do so.

2013, c.S-15.1, s.2-41.

### Duty to accommodate and union involvement

In a unionized workplace, an employer is required to work with the union(s) in defining accommodations:

- If the proposed accommodation will affect the rights (for example, seniority rights) of other workers under collective bargaining agreements, and/or
- If the worker tells the employer they want union representation present during accommodation option discussions.

The courts have ruled that a union has a legal responsibility:

- To ensure the collective agreement does not prevent accommodation.
- To become involved in facilitating accommodations for disabled workers.
- To support accommodations regardless of what is specified in collective agreements.
- To expend substantial and serious efforts to reach an agreement on amending the collective agreement to accommodate the needs of disabled workers.

A union may be liable:

- If there is a discriminatory clause in the collective agreement.
- If the union does not co-operate with an employer's reasonable efforts to accommodate a disabled worker, and/or;
- If the union cannot prove it made reasonable efforts to compromise.

### Duty to accommodate and disabled worker's responsibility

Supreme Court decisions have ruled that a disabled worker's refusal of reasonable offers of accommodation may have an impact on the extent of the employer's duty to accommodate.

### *The Saskatchewan Human Rights Code*

While the employer has a duty to accommodate, this does not mean that this is unlimited. There needs to be a balance between the worker's rights to equality and the employer's right to run a productive workplace.

The *Canadian Human Rights Act* states that “employers should look at situations involving the duty to accommodate on a case-by-case basis, since each will have unique circumstances.” This can be done by incorporating good communication practices and implementing due diligence (which will be defined below).

One of the reasons why an employer may not be required to provide accommodation is in cases of undue hardship.



### Undue hardship

An employer is legally required to accommodate a disabled worker up to the point of undue hardship.

Undue hardship refers to the limit of an employer's capacity to accommodate without experiencing an unreasonable amount of difficulty, based on health, safety and/or financial considerations. Typically, undue hardship occurs when an employer cannot sustain the economic or efficiency costs of an accommodation.

There is no standard formula for determining undue hardship. Each worker's accommodation situation is unique and must be evaluated individually.

The Supreme Court of Canada has provided guidelines as to what might constitute undue hardship. A court or human rights tribunal takes these guidelines into consideration when making a determination.

An employer cannot just investigate whether an existing job is a suitable accommodation option. An employer must look at all other reasonable alternatives, including, but not limited to:

- Modifying job descriptions, hours of work, work speed required, workstations and work environments.
- Providing technical and mechanical aids, ergonomic enhancements and training.

An employer is required to carefully review all options before deciding that accommodation would cause undue hardship. An employer cannot claim undue hardship based on assumption or opinion; the employer must provide evidence to prove undue hardship.



Generally, a worker who needs workplace accommodation is responsible for requesting it, but in some situations the employer may have a responsibility to initiate the accommodation process. A worker may not be able to identify and/or express their need for accommodation. In such circumstances, a failure to accommodate complaint may be successful, even if the worker did not clearly request accommodation, if it can be argued that the employer should reasonably have known of the need but failed to act.

If an employer is unsure as to whether they have gone far enough in attempting to accommodate a worker with the request, the employer should seek legal advice.

A documented return-to-work process can assist an employer in meeting the duty to accommodate. A documented return-to-work process provides a structured process to follow for identifying and providing alternate or modified work, and the tools to document the accommodation process.

### Discrimination prohibited

An employer cannot discriminate on the basis of prohibited grounds, which includes temporary or permanent disability, whether occupational or non-occupational.

Section 16 of the Saskatchewan Human Rights Code contains information regarding discrimination in employment. This legislation includes employers discriminating against a person, as well as employees discriminating against an employer.

A return-to-work program can assist an employer in meeting legal duty to accommodate obligations. A return-to-work program provides a workplace with a planned process and policies to follow and the tools necessary to document its return-to-work practices.

#### Definitions

**2(1)** In this Act:

“prohibited ground” means one of the following prohibited grounds of discrimination:

- |                         |                                   |
|-------------------------|-----------------------------------|
| (a) religion;           | (h) age;                          |
| (b) creed;              | (i) colour;                       |
| (c) marital status;     | (j) ancestry;                     |
| (d) family status;      | (k) nationality;                  |
| (e) sex;                | (l) place of origin;              |
| (f) sexual orientation; | (m) race or perceived race;       |
| (g) disability;         | (n) receipt of public assistance; |
|                         | (o) gender identity;              |

### Protection from discrimination

#### *The Saskatchewan Employment Act*

##### **Prohibition on discriminatory action**

**2-8(1)** Unless authorized by this Part, no employer shall take discriminatory action against an employee because the employee:

- (a) requests or requires the employer to comply with any right or benefit conferred on employees by this Part, the regulations made pursuant to this Part or an authorization issued pursuant to this Part;
- (b) requests or requires the employer to comply with any restriction or prohibition imposed on the employer by this Part, the regulations made pursuant to this Part or an authorization issued pursuant to this Part;
- (c) is pregnant or is temporarily disabled because of pregnancy;
- (d) has applied for or taken an employment leave or is otherwise absent from the workplace in accordance with this Part;
- (e) has requested a modification of the worker's duties or a reassignment to other duties for reasons set out in section 2-41 or subsection 2-49(4).
- (f) seeks or has sought the enforcement of any provision in this Part or the regulations made pursuant to this Part; or
- (g) has had his or her wages seized or attached.

(2) In any prosecution alleging a contravention of subsection (1), the onus is on the employer to prove that any discriminatory action taken against the worker was taken for good and sufficient cause.

*2013, c.S-15.1, s.2-8.*

### Discrimination in employment prohibited

- 16(1)** No employer shall refuse to employ, refuse to continue to employ or otherwise discriminate against a person or class of persons with respect to employment, or a term or condition of employment, on the basis of a prohibited ground.
- (2) No employee shall discriminate against another employee on the basis of a prohibited ground.
  - (3) No employment agency shall discriminate on the basis of a prohibited ground against a person or class of persons:
    - (a) in receiving, classifying, disposing of or otherwise acting on applications for the agency's services; or
    - (b) in referring a person to an employer.
  - (4) No employer, in the hiring or recruitment of persons for employment, shall use an employment agency that discriminates on the basis of a prohibited ground against a person or class of persons seeking employment.
  - (5) No provision of this section relating to age prohibits the operation of any term or condition of:
    - (a) a bona fide retirement, superannuation or pension plan;
    - (b) a bona fide group or employee insurance plan; or
    - (c) any bona fide scheme based on seniority.
  - (6) Nothing in this section deprives a college established pursuant to an Act, a school, a board of education or the Conseil scolaire fransaskois of the right to employ persons of a particular religion or religious creed if religious instruction forms or may form the whole or part of the instruction or training provided by the college, school, board of education or Conseil scolaire fransaskois pursuant to The Education Act, 1995.
  - (7) The provisions of this section relating to any discrimination, limitation, specification or preference for a position or employment based on sex, disability or age do not apply if sex, ability or age is a reasonable and bona fide occupational qualification and requirement for the position or employment.
  - (8) This section does not prohibit an employer from refusing to employ or refusing to continue to employ a person on the basis of any prohibited ground if the employee is:
    - (a) employed in a private home; or
    - (b) living in the employer's home.
  - (9) The provisions of this section shall not be construed to prohibit distinctions in terms or conditions of employment if those distinctions are permitted by virtue of Part II of The Saskatchewan Employment Act or the regulations made pursuant to that Act.
  - (10) This section does not prohibit an exclusively non-profit charitable, philanthropic, fraternal, religious, racial or social organization or corporation that is primarily engaged in serving the interests of persons identified by their race, creed, religion, colour, sex, gender identity, sexual orientation, family status, marital status, disability, age, nationality, ancestry, place of origin or receipt of public assistance from only employing, or from giving preference in employment to, persons similarly identified if the qualification is a reasonable and bona fide qualification given the nature of the employment.
  - (11) This section does not prohibit an employer from:
    - (a) granting employment to, continuing to employ or advancing a person who is the parent, child or spouse of another employee of the employer if a reasonable and bona fide cause exists for the employer's action; or
    - (b) refusing to employ, to continue to employ or to advance a person who is the parent, child or spouse of another employee of the employer if a reasonable and bona fide cause exists for the employer's refusal.

2018, c S-24.2, s.16.



1. Which of the following legislative components do employers need to be familiar with and abide by when it comes to return-to-work?
  - a. *The Workers' Compensation Act, 2013.*
  - b. The Saskatchewan Human Rights Code.
  - c. The Canadian Human Rights Act.
  - d. All of the above.

2. What are the four primary elements of work disability?

- |  |   |
|--|---|
| <input type="checkbox"/> Preventing unnecessary durations. | <input type="checkbox"/> Preventing fatigue.                      |
| <input type="checkbox"/> Preventing extra workload.        | <input type="checkbox"/> Preventing unclear return-to-work plans. |
| <input type="checkbox"/> Preventing unnecessary downtime.  | <input type="checkbox"/> Preventing unnecessary delays.           |
| <input type="checkbox"/> Preventing confusing processes.   | <input type="checkbox"/> Preventing frustration.                  |

3. The duty to accommodate requires an employer to make every reasonable effort, short of undue hardship, to accommodate a person protected against discrimination by human rights legislation:
  - a. True.
  - b. False.



# Module 2

## Return to work – roles and responsibilities

Learner handbook



*Work to live.*



#### **This module will:**

- ✓ Introduce the importance of collaboration and communication in the return-to-work process.
- ✓ Establish general roles and responsibilities of workers, unions, employers, health-care providers and the WCB.
- ✓ Introduce the “right care at the right time” principle.
- ✓ Explain the legal requirements for the confidentiality of private health information.

So far, the information in this guide has discussed the fundamental understanding of what return to work is and its purpose and benefits. Now it is important to understand further each partner’s specific roles and responsibilities.

Just like occupational health and safety, the WCB, employers and workers have roles and responsibilities that are expected of them. Proper completion and follow-through with these responsibilities are key to achieving effective return-to-work outcomes.



### Communication

Proper communication goes a long way in the return-to-work process. All involved partners – the employer, the worker, the WCB and health care providers – are responsible for ensuring they are communicating with each other. Open communication that supports a productive and encouraging environment is the best way to engage and activate the partners.

Sometimes it's hard for the worker or employer to openly discuss the challenges or barriers to return to work. The WCB plays an important role in facilitating the conversation, supporting each partner to ensure collaboration and the best possible outcome for all involved.



Successful return to work requires a co-ordinated effort among all partners involved in the process – the worker, the union (if applicable), the employer, the health-care provider(s) and the WCB.

The success of a worker's return-to-work plan depends not just on each partner fulfilling return-to-work responsibilities, but also on establishing and maintaining timely communications among all partners.

All partners share in the responsibility of finding solutions in the return-to-work process.

Under *The Workers' Compensation Act, 2013*, an employer has a legal obligation to co-operate in facilitating a timely return to work of a worker.

The employer should take a proactive approach in return-to-work planning, working in partnership with the worker, the WCB and the health-care provider (as needed).

### **Duty of employer to co-operate to achieve worker's return to employment**

**53** An employer shall co-operate with the board and the worker to achieve the early and safe return of an injured worker to his or her employment.

2013, c.W-17.11, s.53.

### **It is the employer's responsibility to:**

- Initiate collaborative return to work planning with all partners.
- Identify suitable alternate or modified work in collaboration with the worker that meets the worker's abilities and restrictions.
- Provide the worker with a modified work offer or return-to-work plan outlining modified or alternate duties to take to their health-care provider to confirm safety or identify risk(s) of harm.
- Provide the worker with an abilities and restrictions form to take to their health-care provider (if necessary).
- Monitor the worker's return-to-work plan.
- Adjust the worker's alternate or modified work as their condition changes.
- Contact the WCB for help and support if barriers or risks to the return-to-work plan emerge.

Under *The Workers' Compensation Act, 2013*, an employer must report the workplace injury to the WCB within five days of being notified.

Prompt reporting is legislated in *The Saskatchewan Employment Act*.

Timely reporting also allows faster adjudication of the claim and support provided to the worker and employer.

Every day matters – proactive timely reporting reduces the negative impacts for both the worker and employer- costs durations /health and wellness of the worker etc.



### Duty of employer to notify board of injury

**52** Within five days after the date on which an employer becomes aware of an injury that prevents a worker from earning full wages or that necessitates medical aid, the employer shall notify the board in writing of:

- (a) the nature, cause and circumstances of the injury;
- (b) the time of the injury;
- (c) the name and address of the injured worker;
- (d) the place where the injury happened;
- (e) the name and address of any physician who attends the worker for his or her injury; and
- (f) any further particulars of the injury or claim for compensation that the board may require.

2013, c.W-17.11, s.52.

Failure to report a workplace injury can result in a fine.

### Offence for failure to report injury

**54** Unless excused by the board, an employer who contravenes section 52 or 53:

- (a) is guilty of an offence and liable on summary conviction to a fine of not more than \$1,000; and
- (b) if the board so orders, shall pay to the board any part of the amount of compensation and medical aid that the board awards for that injury, whether or not the employer has been convicted of an offence.

2013, c.W-17.11, s.54.

When any person intentionally provides false information or fails to notify the WCB of a worker's return to work, the WCB has the right to seek penalty against that person.

### Offences and penalties

**180** (1) No person shall:

- (a) knowingly provide false or misleading information to the board;
  - (b) fail to report to the board, without lawful excuse, the person's return to work;
  - (c) fail to inform the board of a material change in the person's circumstances that may affect the person's entitlement to compensation or other benefits pursuant to this Act or the amount of that compensation or those benefits; or
  - (d) contravene any other provision of this Act or the regulations for which a penalty is not otherwise provided for in this Act.
- (2) Every person who contravenes a provision of this Act or the regulations for which no penalty is otherwise provided for in this Act is guilty of an offence and liable on summary conviction to a fine of not more than \$1,000.
- (3) The fines and monetary penalties imposed pursuant to this Act, including any penalties imposed pursuant to Section 183, are the property of the board and are to form part of the fund.

2013, c.W-17.11, s.180.

An employer cannot attempt to persuade a worker to not report a workplace injury or illness to the WCB.

As an employer, you cannot tell the worker not to report to the WCB, not to fill out the Worker's Initial Report of Injury (W1) form, or to say the injury didn't happen at work.

### Waiver of Act prohibited

**163** (1) Every agreement between a worker and his or her employer to waive or forego any of the compensation to which the worker or the worker's dependents are or may become entitled pursuant to this Act is void.

- (2) No employer or person acting on behalf of an employer shall compel, induce or attempt to compel or induce a worker by intimidation, coercion, promise, the imposition of a pecuniary or other penalty, threat, including a threat of dismissal, or any other means:
  - (a) not to apply for or pursue an application that has been made for compensation; or
  - (b) not to receive compensation.
- (3) No employer or person acting on behalf of an employer shall take or threaten to take discriminatory action against a person for reporting or attempting to report an alleged contravention of this section to the board.
- (4) Every person who contravenes subsection (2) or (3):
  - (a) is guilty of an offence and liable on summary conviction to a fine of not more than \$1,000; and
  - (b) if the board so orders, shall pay to the board the amount of any compensation that the worker is entitled to, whether or not the employer has been convicted of an offence.

2013, c.W-17.11, s.163.



### Supervisor return-to-work responsibilities

Supervisors are generally the first to know of an incident or illness. Supervisors must know their roles and responsibilities in return to work.

#### Supervisors:

- Participate in development, implementation and monitoring and adjustment of the modified work offer and return-to-work plan.
- Communicate return-to-work process to workers.
- Identify suitable alternate or modified work.
- Communicate with return-to-work participants.
- Provide a positive and supportive work environment for the worker.

#### Worker return-to-work roles and responsibilities

Workers' roles and responsibilities are to:

- Seek medical aid upon injury, where required, and follow the prescribed treatment plan.
- Report the injury and any medical abilities and restrictions to the employer and the WCB.
- Collaborate with their employer and the WCB in the development of the return-to-work plan.
- Return to work as soon as suitable alternate or modified work is arranged.
- Provide the employer and the WCB with any changes in medical abilities and restrictions.
- Report any concerns with the modified work offer or return-to-work plan to their employer and the WCB immediately.
- Work in partnership with health-care provider(s), the employer and the WCB.
- Maintain regular communication with the employer and the WCB.

Under *The Workers' Compensation Act, 2013*, a worker is expected to co-operate in return-to-work measures.

The worker must do what they can to return to work as soon as safe and not take advantage of the injury or illness in any way.

#### Duties of worker

**51** A worker shall:

- (a) take all reasonable action to mitigate the worker's loss of earnings resulting from an injury; and
- (b) if the circumstances require, co-operate with the board in the development of a rehabilitation plan that is intended to return the worker to a position of independence in suitable productive employment.

2013, c.W-17.11, s.51.

#### Union return-to-work roles and responsibilities

When a union is involved and acts as a representative of a worker, its responsibilities are to:

- Suggest suitable alternate or modified work options.
- Participate in return-to-work planning meetings.
- Assist in resolving barriers to and/or problems with a worker's return-to-work plan.

#### Primary health-care provider return-to-work roles and responsibilities

The term “primary health-care provider” means the main health-care provider for the worker’s claim. In cases in which the worker has multiple health-care providers, it is important that the primary health-care provider is aware of their roles and responsibilities in the process.

The health-care provider’s roles and responsibilities are to:

- Support their patients in timely, safe and suitable return-to-work as part of the recovery process. Work in partnership with the worker, other health-care provider(s), the employer and the WCB.
- Provide objective, accurate and timely medical information.
- Provide any abilities and restrictions to facilitate early return to work. Keep the partners informed as the worker’s abilities change.
- Provide restrictions to any activities of concern and refer the worker to a physiotherapist or other biomechanical provider for functional testing if the health-care provider is unclear on a worker’s range of abilities.
- Review modified work offers and/or return-to-work plans to confirm or identify risk(s) of harm that require adjustments.
- Educate workers on their injury and how work can support recovery.
- Encourage the worker to remain active and productively engaged in life for their benefit of themselves and their family.



Primary health-care providers may include the following disciplines:

- physician
- nurse practitioner
- chiropractor
- physical therapist
- occupational therapist
- psychological health provider



At the WCB, we strive to balance the needs of employers and workers to ensure everyone's needs are met. Every single day, we work to make things better for employers and workers. We want to deliver the best services possible to our customers.

#### WCB roles and responsibilities

The WCB is responsible for the appropriate adjudication and management of the claim to achieve the best health and return-to-work outcome for the worker and the employer.



#### Responsibilities of WCB claims staff include:

- Proactively work in partnership with the worker, employer and health-care provider(s).
- Facilitate collaborative return-to-work planning as needed to resolve concerns or barriers that could impact the progress of the return to work.
- Monitor and support the worker's recovery and return to work progress and address any issues with the appropriate partners.
- Arrange for vocational services<sup>1</sup>, when required.



#### <sup>1</sup>Vocational services:

If a worker's injury requires specialized return-to-work services or leaves the worker with work restrictions where a job change may be needed, the WCB can provide vocational services.

These services may include:

- career counselling
- job-finding skills development
- help with job searches
- opportunities for on-the-job training
- formal vocational training

#### Responsibilities of WCB health-care services staff include:

- Facilitate health-care services and arrange special medical appointments and treatment upon request from the worker's health-care provider.
- Act as a liaison between treatment teams and WCB claim staff.

#### The WCB and the collaborative return-to-work process

Collaborative return to work starts with understanding work disability and how the WCB helps with engaging the worker and employer early to be partners in recovery and return-to-work planning.

While recovery and return to work are linked, medical disability and work disability are unique conditions and need different processes and individualized interventions to resolve.

The WCB facilitates the collaboration of the employer, the worker and the health-care provider to resolve return-to-work concerns or issues and develop a return-to-work plan.

In many cases, this may be:

##### 1. Engaging the worker in return-to-work discussions.

Have the worker help to identify possible light duty tasks and identify any concerns or barriers to return to work and possible tasks they can do.

##### 2. Engaging the employer in return-to-work discussions.

Have the employer involved in discussions about any concerns or barriers to return to work. Align the identified tasks with the employer's return-to-work options and job site.

##### 3. Engage the health-care provider in return-to-work discussions.

As needed, review with the health-care provider to identify any risk of harm or safety concern.

Even if an employer has an established return-to-work process and policies, there may be difficulties in returning a worker to suitable alternate or modified work in a timely manner.

In other instances, there are barriers or complications the WCB can support the partners to work through. For example, when:

- The employer has questions or concerns about a worker's ability to perform certain functions or tasks that have been identified for a return-to-work plan.
- The medical restrictions or abilities from the health-care provider seem unreasonable or inconsistent considering the injury.
- The health-care provider changes the worker's abilities, removing them from a light-duty job or otherwise altering the return-to-work plan.
- The employer has an established return-to-work process but does not believe the worker's restrictions or abilities align with available alternate or modified work.

### When will the WCB claims professional first contact the employer and worker?

#### The WCB will:

- Contact the employer and worker early following the submission of a worker's report of injury or employer's report of injury.
- Continue to contact both partners regularly to discuss the claim and return to work.

### Engaging in return to work

The WCB's discussions with the employer about return to work should include any concerns the employer and worker may have.

The conversations should also consider ways to appropriately address unique needs of the worker based on what the WCB and/or the employer are learning about the worker from regular contact with them.

By knowing the concerns and expectations of the worker and employer as soon as possible, a successful return to work is more likely.

Common concerns of workers, and sometimes supervisors or employers, include:

- Relationships with a supervisor and whether light-duty tasks will be followed.
- Reactions of co-workers to the worker not being on full duty or full hours, requiring others to pick up more work.

These can often be resolved early through conversations between the worker, employer and, when necessary, health-care provider to facilitate return to work. Solutions can include:

- Identifying possible light-duty tasks or jobs, particularly if the employer already has a bank of job descriptions available.
- Aligning a job or jobs to the worker's abilities and restrictions if known. If the health-care provider has not yet outlined these details, use potential jobs or tasks identified by the worker and employer to obtain feedback from the health-care provider on any risk of harm to the worker or others.

This approach may feel different to an employer who had claims in the past in which the health-care provider led or started the return-to-work process. However, understanding that work disability and medical disability are not the same and can require different solutions or interventions, health-care providers are not always in the best position to initiate or lead a return to work.

Consistent with elements of work disability prevention, the path to return to work can be easier for all partners if the process starts with identifying the worker's motivations, fears and concerns, working with the employer to gain their perspectives and to partner with them to resolve the worker's issues, and then offering options to the health-care provider so they can comment on any risk of harm to the worker or others.

**IMPORTANT: The goal is to stay at work or have an early return to work.**

The employer and worker do not need to wait for the WCB to adjudicate a claim to start the return-to-work process. In situations where the employer is unable to facilitate the return to work, the WCB can then support facilitation of the collaborative return-to-work process.

#### The WCB's role in return to work

The WCB supports and works with the health-care provider(s) in facilitating access to the right medical care at the right time. The WCB also supports the worker, employer and health-care provider in identifying and incorporating suitable alternate/modified work, with the objective of an optimal recovery and safe return to work. The WCB does not direct the medical treatment of a worker. The worker's health-care provider(s) direct the worker's medical treatment.

The WCB claims staff will start discussions with the employer to determine if they have a return-to-work program and/or whether they are able to provide alternate or modified work for the worker. If this work is available, the WCB can help ensure the return-to-work plan is successful.

If an employer has returned a worker to alternate or modified work before the WCB accepts the claim, the employer should let the WCB know.

Having a return-to-work program or processes in place doesn't mean every individual can immediately return to work or that all return-to-work plans will go smoothly. Employers should actively manage the situation when complications occur.

The WCB is here to help and support all our partners in achieving safe and sustainable return-to-work outcomes. Our goal is to make it easy for workers to choose to return to work, for employers to provide return-to-work options and for health-care providers to support return to work.

The most complete and quickest recoveries occur when the worker receives **the right care** at the **right time**.

#### Right care

The right care, as determined by the health-care provider, may include testing, medication, therapy, referral, surgery and modified work. Often the worker may have several types of care going on at the same time.

#### Right time

The right time is any time care is needed, at any stage of recovery. It is important to monitor the worker's progress. This way the health-care provider can anticipate when more testing and specialized treatment may be needed. The WCB can arrange to have the right care available as soon as possible or when needed.

#### Results

Receiving the right care at the right time can result in an effective and timely return to work, which is key to the best outcome for the worker, the employer and the WCB. Receiving the right medical care and safe stay-at-work or return-to-work plans can often run parallel to each other and are key to the best outcome for the worker.





The most important elements of successful return-to-work programs and outcomes are collaboration and communication.

The employer has the ultimate responsibility for providing a safe and healthy workplace. A joint effort between the employer and worker is the key to a successful workplace safety system – similarly, return to work is best accomplished in partnership.

Despite the best safety efforts, there are still injuries and illnesses that occur at work and, once these happen, it's important to have an effective return-to-work program. Understanding the return-to-work process, and roles and responsibilities for administering the program are just as critical to reducing work disability as the health and safety program is to reducing incidents. The most important responsibility is proper communication.

An employer will benefit from a collaborative approach with their workers. This approach:

- Allows the employer to recognize that the workers have ideas for how jobs and tasks can be modified to accommodate.
- Facilitates organizational buy-in.
- Demonstrates a commitment to an open and transparent process.

Through collaboration and partnership, the employer can recognize that workers often have the best ideas for how jobs and tasks can be modified to accommodate work during their recovery.



We know that work is healthy and fundamental to our sense of health and well-being. Most people do recover at work.

Any work disability that causes needless time away from work has negative impacts and consequences on workers and employers.

We know there are significant human, social and economic costs related to unnecessary work disability.

We are shifting the ways in which we support and interact with our customers by:

- Partnering for better outcomes.
- Building collaboration and partnership in all of our processes.

By working together proactively and collaboratively, we are better able to address the unique needs of each individual. We can support safe, sustainable and timely return to work and ultimately prevent and mitigate unnecessary work disability.

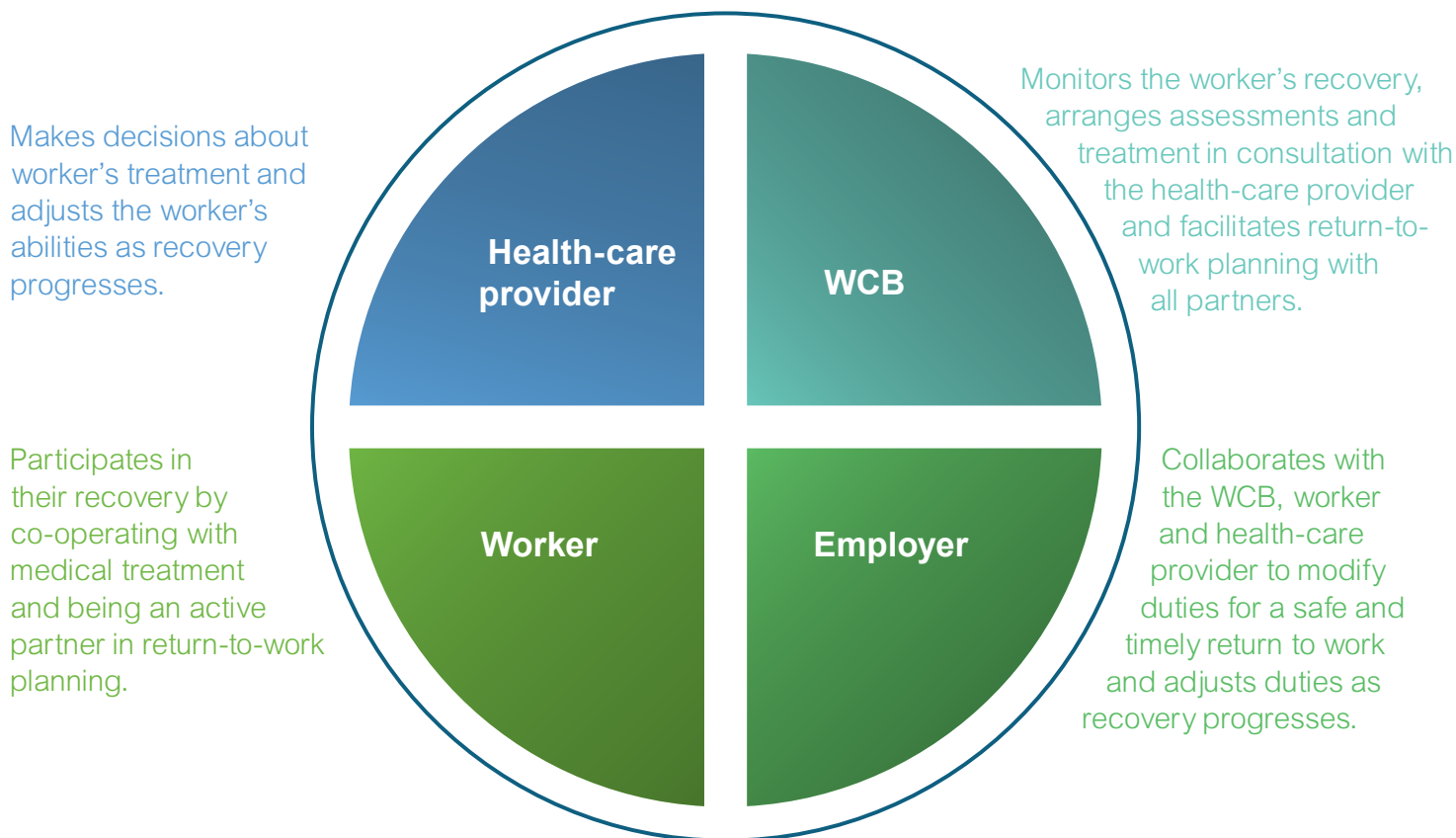
Partnering together is the key for better outcomes and the key for better overall customer experiences.

#### Confidentiality

Medical restrictions, medical diagnoses and medical treatments are a worker's private health information. **An employer must protect the confidentiality of a worker's private health information and ensure records containing this information are stored in a secure manner.**

- An employer must not share a worker's medical restrictions with others in the organization without the worker's prior authorization.
- If a worker takes the medical abilities and restrictions form to a health-care provider for completion and returns it to their employer themselves, the worker's signature is not required, as this process demonstrates implied consent.
- If an employer needs to fax a blank medical abilities and restrictions form to a health-care provider's office after the worker's visit, a signature and/or some other release form signed by the worker is required to enable the health-care provider to complete and return the form.
- If a health-care provider is to fax a completed medical abilities and restrictions form to the employer or another authorized destination, it must be sent to a dedicated fax machine only accessible to workers authorized to know the worker's medical restrictions.
- Although a medical abilities and restrictions form does not ask for a worker's medical diagnosis, sometimes a health-care provider includes medical diagnosis on the form. Medical diagnosis information must not be shared with co-workers, or anyone participating in a return-to-work planning meeting, unless the worker has provided informed written consent to do so.
- An employer must ensure completed medical abilities and restrictions forms and other return-to-work records that contain a worker's private medical information are stored in a secure location.
- If a worker shares medical information, whether during a return-to-work planning meeting or other means, this does not mean the worker is giving permission for the information to be shared with others outside of that meeting or encounter.
- An employer should not directly contact a health-care provider to ask for a worker's medical abilities and restrictions. If an employer is unable to procure the medical restrictions via the worker and a completed medical abilities and restriction form, the employer should immediately call the WCB to support facilitation of obtaining abilities and restrictions, facilitate the collaborative return-to-work process and support removal of any barriers.
- An employer representative may be privy to a worker's medical information through their role in the development of the worker's return-to-work plan or because the worker self-disclosed the information to the representative. Regardless of how the employer representative became aware of the worker's medical information, the information must not be shared with others, unless the worker has given written permission for the employer representative to do so.

#### Roles in building a partnership



In this partnership, everyone does what needs to be done to provide the right care, which includes return to work, at the right time.



1. In terms of return to work, which of these is not confidential information?
  - a. Medical diagnosis.
  - b. Medical treatment.
  - c. Incident summary.
  - d. Prescriptions.
  
2. What is not a responsibility of the worker in the return-to-work process?
  - a. Participate in the development of their return-to-work plan.
  - b. Report the injury or illness to their employer and the WCB.
  - c. Disclose to co-workers their medical diagnosis.
  - d. Return to work as soon as suitable alternate or modified work is arranged.
  
3. What are some of the responsibilities of the employer in the return-to-work process?
  - a. Report the injury to the WCB within five days of becoming aware of the injury.
  - b. Work in partnership with the worker, health-care provider(s) and the WCB.
  - c. Identify suitable alternate or modified work in consultation with the worker that meets the worker's medical abilities and restrictions.
  - d. Adjust the worker's alternate or modified work as their condition improves, based on updated medical abilities and restrictions provided by health-care provider.
  - e. All of the above.



# Module 3

## The return-to-work program

Learner handbook



*Work to live.*



So far, this course has covered what return to work means, why it is important, and the roles and responsibilities of all partners. This means you now know **why** it exists, **who** is involved, and **what** return to work means and what the roles and

responsibilities are in return to work. It is now important to understand the **how**: how to create the return-to-work program, how to abide by it and how to manage it.

A comprehensive return-to-work program, aligned to best practice, can ensure an effective return-to-work process. While injury prevention is foremost, it is important to be prepared should an injury or illness happen. Having a return-to-work program in place with properly trained personnel and support will not only help after a worker gets injured, but it can have a positive impact on an employer's workforce beforehand. Just like having a strong health and safety program, a strong return-to-work program will improve the well-being and sense of security of the employer's workforce.

### This module will:

- ✓ Establish the difference between the return-to-work program and return-to-work plan.
- ✓ Detail what you should include in the return-to-work policy.
- ✓ Explain the requirements of a return-to-work program.
- ✓ Introduce how you can determine modified or alternate work options.
- ✓ Provide potential data sources that you can use for reviewing the program.



The return-to-work program is a planned process to manage the impact of disability in a workplace. Its defined and documented processes are designed to identify and provide alternate or modified work (temporary or permanent). The return-to-work program elements do not change, while return-to-work plans will vary.

Accommodating workers in a stay-at-work or return-to-work process can significantly reduce and prevent work disability.

A return-to-work program consists of policies, procedures and forms designed to support return-to-work planning for individual workers.

### Return-to-work policy

A return-to-work program policy is a key component of the return-to-work program. Employers should develop their return-to-work policy in collaboration with workers, union (if applicable) or the occupational health committee and post in a visible location in the workplace.



An effective return-to-work policy should include:

- The purpose or intent of the program.
- The commitment of the employer to the program and to confidentiality.
- That alternate or modified work will be provided.
- That the alternate or modified work will be within the worker's medical capabilities, skills and abilities and will be productive.
- That the organization will work in collaboration with the worker.
- The prohibition of discriminatory action.

The return-to-work program policy should be signed by senior leadership (such as the owner and the CEO), communicated to all workers and reviewed regularly (annually is recommended).

If a company is unionized, or has a worker/worker association, labour support for the return-to-work program should be formalized by securing the signature of the equivalent level of union authority (that is, union president). At the very least, there should be a letter of understanding signed by the employer and labour. To achieve this, you must ensure the labour organization is an active partner in developing the program.

While the employer's return-to-work policy may differ in some ways, below is an example.

### Return-to-work policy

**[Organization name]** supports a workplace culture committed to the health and well-being of all employees. **[Organization name]** commits to preventing workplace injuries and illnesses through maintaining a safe and healthy work environment that protects psychological health and safety and physical safety of all employees.

If a worker experiences an injury or illness, **[Organization name]** commits to facilitate their return to work in a safe and timely manner. Safe and timely return to work at **[Organization name]**, which includes safe recovery at work wherever possible, begins immediately after an injury or illness occurs, and is guided by this policy, the return-to-work procedures, and the organization's return-to-work program. The return-to work program provides opportunities for any employee of **[Organization name]**, who has been injured or became ill either on or off work, to remain at work or return to work when it is safe physically and psychologically to do so at a functional capacity.

**[Organization name]** will work in collaboration with the employee (and union representative, if applicable) to identify suitable work and develop an individualized return-to-work plan that includes modified work or alternative work based on functional/cognitive abilities information provided from health-care providers. The worker is expected to actively participate in the process. This policy applies to all workers who are unable to perform part or all of their regular work as a result of injury or illness. Any personal medical information will be held in the strictest confidence. All levels of workers will be held accountable for their return-to-work actions.

Signed: Senior management

Date: \_\_\_\_\_

### Program versus plan

A return-to-work program refers to the overall return-to-work process. The process is designed to identify and provide alternate or modified work. The return-to-work process is a planned and coordinated group of activities intended to return a worker to work after injury or illness.

Other names for a return-to-work program can include:

- disability management program
- work disability prevention program
- modified work program
- alternate duties program
- claims management program

A return-to-work plan is documentation for an individual worker. The plan is tailored to the specific worker with documented alternate or modified work provided. The return to work plan is a living document - that changes regularly throughout the recovery process.

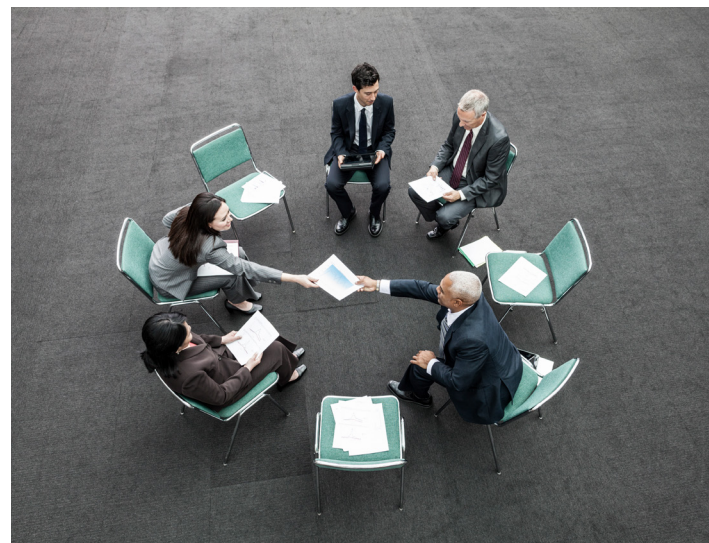
Oftentimes, program and plan are used interchangeably. However, the key difference is a program is used to describe the overall process and a plan is used to describe a specific worker's process. This caters to the size of the employer.

### A return-to-work program

A return-to-work program includes:

1. Return-to-work objectives.
2. Return-to-work roles and responsibilities.
3. Modified or alternate work options.
4. Return-to-work training and communication.
5. Return-to-work program monitoring or review.

We will take a closer look at each of these components.



### 1. Return-to-work objectives

The return-to-work program should include return-to-work objectives or measures of success. Consider using the SMART acronym as you develop these objectives.



While the SMART acronym measures quantitative outcomes, it does not measure qualitative outcomes. It is important to consider a qualitative process by interviewing and observing workers and creating focus groups. Additionally, these objectives need to be reviewed and updated by the employer and the return-to-work committee, if there is one, on an annual basis. The review should include an action plan for the objectives that have not been met.

Develop action plans under the SMART model to ensure that the corrective actions can be properly obtained.

Below are examples of return-to-work objectives:

Return-to-work objectives
<ul style="list-style-type: none"><li>• In 2025, the organization will reduce the total number of time loss claims by 10, as compared to 2024 time-loss claims.</li><li>• The organization will reduce the percentage of time-loss claims in 2025 by 12 per cent as compared to 2024 time loss claims.</li><li>• Over the next 12 months, the organization will reduce earnings loss days by 10 per cent as compared to 2024 earnings loss days.</li><li>• The organization will increase the percentage of workers (WCB claims) returned to alternate or modified work within 24 hours of report injury to 90 per cent from 60 per cent.</li><li>• In 2025, the organization will improve the return-to-work experience of our workers by involving them in return-to-work planning meetings to 90 per cent of the time from 60 per cent of the time.</li></ul>

### 2. Return-to-work roles and responsibilities

Once an employer has clearly defined the mission statement and program objectives, the next steps are to detail the return-to-work responsibilities. It is important to ensure the responsibilities are clear, including who, what, when and how.

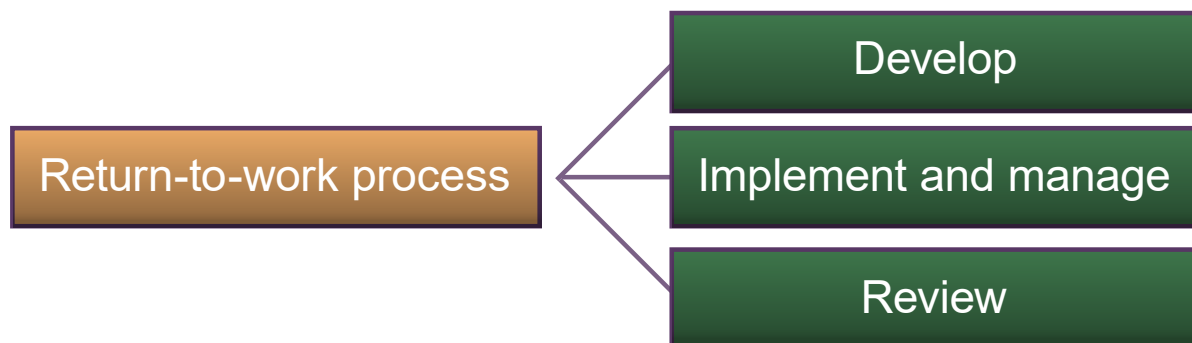
The return-to-work program should include the responsibilities for the employer, supervisors and workers in the organization. These responsibilities must be properly communicated to all partners involved.

Additional responsibilities include determining who is responsible for administering the return-to-work program and communicating the responsibilities of this person.

**Consider developing a step-by-step process to ensure that the communication of these responsibilities has been completed.**

It is best practice for the employer to assign responsibility to a person or persons to administer or oversee the return-to-work program. This role may be referred to as a return-to-work co-ordinator. This role often assists in ensuring the employer has a viable return-to-work program and process that is consistent with their legislated roles. The return-to-work co-ordinator may:

- Collaborate with the WCB to facilitate communication and discussion with the employer, the worker, union and health-care provider.
- Educate and train staff, supervisors and union in the employer's return-to-work program.
- Develop and monitor the return-to-work program and offer recommendations for improvement.
- Promote return-to-work and workplace safety to all employees.
- Guide the process and day-to-day tasks required for a worker's return-to-work plan.



### Return-to-work committee

The return-to-work committee can be assigned by an employer to develop, implement, monitor and/or review the employer's return-to-work policies and processes.

Representation could include:

- management
- employer WCB claim administrator and human resources
- occupational health and safety co-ordinator
- worker and union representation

The recommended size of a committee is:

- Between 50 and 300 workers: four to eight members.
- Between 20 and 50 workers: three to five members.
- Very small employer: the employer and worker.
- Very large company (or multiple locations): sub-committees or one larger committee.

### Return-to-work committee education

It is important that the committee is properly trained and educated to take on this role and that all members are on the same page when discussing return to work.

Training and education should include:

- Return-to-work program mission statement and policy.
- Return-to-work plan definition.
- Benefits of return to work for the worker and employer.
- WCB legislation.
- How a return-to-work program can assist in meeting other legislative requirements (*The Saskatchewan Human Rights Code* and *The Saskatchewan Employment Act*).
- General criteria of suitable return-to-work plan work options.
- Measurements of success.

### 3. Modified or alternate work options

#### Formal documentation of alternate return-to-work options

A return-to-work program requires formal documentation of alternate or modified job tasks the employer will provide, for stay-at-work or return-to-work options in the event of a worker injury or illness. Having a clearly documented list of alternate or modified job tasks available to accommodate various abilities and restrictions allows the worker, employer, the WCB and, as needed, health-care providers to arrange suitable return to work in an efficient and timely manner, thereby reducing the negative impacts of unnecessary time away from work on both the worker and employer.



Every return-to-work plan must be customized to fit the medical abilities, restrictions and skills of the worker. In addition, every return-to-work plan must meet the needs of the employer and contribute to the objectives or operations of the organization.

No one return-to-work plan will be identical to another, since each worker's medical abilities, restrictions and skills can differ, and the suitability and availability of alternate or modified work from an employer may not always remain constant. However, in order to make the program efficient, it is important that an employer define – in advance of any injury occurring – a pool of possible alternate work options to consider in the event a return-to-work plan is necessary.

An employer cannot plan ahead for every type of injury that may arise in a workplace. However, it is recommended a list of possible alternate work options be developed for the most common types of injuries that are occurring in the workplace.

Alternate or modified work is considered duties or job tasks not normally performed by the worker.

Alternate work can be sought from a worker's pre-injury department or from positions from other departments within the organization. In some cases, a return-to-work plan may encompass numerous tasks from many different areas of the organization bundled together.

### Principles for determining work options

When determining options for workers, employers must apply these principles for alternate or modified work.

Alternate or modified work must:

1. Be safe. Modified work should not endanger the workers recovery or the safety of others.
2. Be within the physical abilities and skills of the worker.
3. Be within medical capabilities of the worker.
4. Be productive. Duties should be meaningful to the organization.

We recommend that employers consider all areas of the workplace when developing a list of modified or alternate work options.

#### Step 1:

Identify the types of injuries commonly occurring in the workplace.

#### Step 2:

For each type of injury, determine the “typical” abilities and restrictions.

#### Step 3:

Ask each work area to identify work tasks that a worker could do with these types of abilities and restrictions.

#### Step 4:

Repeat step 3 for each type of injury.

### Modifications of existing work options

A modification of the existing work can look like:

#### 1. Rebundling tasks

- Rebundling means assigning the worker tasks from their pre-injury job position, work unit/department and/or from jobs across the workplace that are within their medical abilities and restrictions. The redistribution of work must not create unsafe conditions for any worker.

#### 2. Graduated return to work

- Graduated return to work is the gradual increase of a worker's work hours and/or work activities, until the worker can return to full hours and duties. Graduated return to work may involve job tasks from the worker's pre-injury job or alternate work from other positions within the place of employment (temporary re-bundling).
- A graduated return to work may be required in situations in which the worker is able to perform all their pre-injury job tasks, but lacks endurance or is in a treatment program. In such situations, it is usually the hours worked that are adjusted.
- If a worker cannot safely perform certain pre-injury job tasks, a graduated return-to-work plan may be limited to work tasks that the worker can perform safely and gradually add more tasks as they recover.
- Graduated return to work may also be a combination of modified hours and tasks.

#### 3. Changes to method or equipment used.

- Changes to the method or equipment used could include:
  - Lifting with a portable hoist/crane, rather than manually.
  - Having a team member assist with lifting.
  - Breaking heavy loads into smaller ones (for example, changing a 50 pound lift into two 25-pound lifts).
  - Transporting materials with a trolley, rather than carry manually.
  - Rotating worker through a variety of tasks.
  - Conducting work from a seated position, rather than from a standing position.



#### 4. Ergonomic improvements.

- Ergonomic improvements could include:
  - Chairs with adjustable lumbar support.
  - Adjustable workstations (desks, tables, chairs, keyboard trays, for example).
  - Reorganized storage or delivery areas (to reduce reaching or stooping, for example).
  - Tools that operate with less physical demand.
  - Tools that are ergonomically designed.
  - Improved environmental factors (temperature, air quality, noise, for example).
  - Other assistive aids (ergonomic keyboards, assistive technology such as voice to text, arm supports, cordless phone, briefcases with wheels, dollies, for example).

#### **Additional considerations for work options or modifications include:**

- Training and/or refresher courses.
- Tasks that have been deferred due to time or capacity, such as document management and storage, inventory control or customer surveys.
- Support other areas that need to complete deferred tasks.
- Working from home or an alternate location.
- Flexible work hours.
- Additional and/or longer rest breaks.

Some circumstances may warrant considering supernumerary work. If this is a potential option – contact the WCB for more information. Supernumerary work is having someone assist the worker with their duties. There are circumstances where the WCB will pay the wages for an additional person to fill in the gap.

The table provides a list of typical limitations for common physical injuries. It is not intended to replace specific abilities or restrictions for a worker that may be identified by the worker's health-care provider. Rather, the information is intended as a general guide to assist an employer in developing a list of potential alternate work options.

**This table provides a list of typical limitations for common physical injuries:**

Neck	Shoulder	Elbow/forearm	Wrist/hand
<p><b>Ensure</b></p> <ul style="list-style-type: none"> <li>The worker can self-pace and/or take micro breaks.</li> </ul> <p><b>Limit</b></p> <ul style="list-style-type: none"> <li>Activities with arms above shoulder level, including reaching down.</li> <li>Activities with lifting and carrying light or medium loads.</li> <li>Hanging weights.</li> <li>Ladder climbing.</li> </ul> <p><b>Avoid</b></p> <ul style="list-style-type: none"> <li>Lifting and carrying with arms above shoulder level.</li> <li>Extremes of looking up, down or over the shoulder, especially if sustained for more than a few seconds.</li> </ul>	<p><b>Ensure</b></p> <ul style="list-style-type: none"> <li>The worker can self-pace and/or take micro-breaks.</li> </ul> <p><b>Limit</b></p> <ul style="list-style-type: none"> <li>Ladder climbing.</li> <li>Activities using arm above shoulder level, including reaching down.</li> <li>Activities that require lifting and carrying light or medium loads.</li> </ul> <p><b>Avoid</b></p> <ul style="list-style-type: none"> <li>Holding the arm outstretched for periods especially while holding weights and applying force.</li> <li>Lifting and carrying with arm above shoulder level.</li> </ul>	<p><b>Ensure</b></p> <ul style="list-style-type: none"> <li>The worker can self-pace and/or take micro breaks.</li> </ul> <p><b>Limit</b></p> <ul style="list-style-type: none"> <li>Repetitive or sustained gripping, especially where high forces are required.</li> <li>Repetitive elbow bending</li> <li>The total time spent keyboarding or driving.</li> <li>The use of impact tools (impact power tools and hammers).</li> </ul> <p><b>Avoid</b></p> <ul style="list-style-type: none"> <li>Hanging weights.</li> <li>Forearm rotations.</li> <li>Pressure on the elbow.</li> </ul>	<p><b>Ensure</b></p> <ul style="list-style-type: none"> <li>The worker can self-pace and/or take micro breaks.</li> </ul> <p><b>Limit</b></p> <ul style="list-style-type: none"> <li>Repetitive gripping, especially where high or sustained forces are needed.</li> <li>Activities that require lifting and carrying light or medium loads.</li> <li>The total time spent keyboarding or driving.</li> </ul> <p><b>Avoid</b></p> <ul style="list-style-type: none"> <li>Extreme postures of the wrist, especially with force.</li> </ul>

This table provides a list of typical limitations for common physical injuries:

Low back	Knee	Ankle
<p><b>Ensure</b></p> <ul style="list-style-type: none"> <li>• The worker can self-pace and/or take micro breaks.</li> <li>• The worker can change position between walking, standing and sitting.</li> </ul> <p><b>Limit</b></p> <ul style="list-style-type: none"> <li>• Walking on uneven ground.</li> <li>• Lifting and carrying light or medium loads, depending on frequency and postures.</li> </ul> <p><b>Avoid</b></p> <ul style="list-style-type: none"> <li>• Jarring</li> <li>• Repetitive bending.</li> <li>• Long periods of static standing or sitting.</li> <li>• Extreme bending of the back.</li> </ul>	<p><b>Ensure</b></p> <ul style="list-style-type: none"> <li>• The worker can self-pace and or/take micro breaks.</li> <li>• The worker can occasionally elevate the knee.</li> <li>• The worker can frequently change position between standing, walking and sitting.</li> </ul> <p><b>Limit</b></p> <ul style="list-style-type: none"> <li>• Walking on uneven ground.</li> </ul> <p><b>Avoid</b></p> <ul style="list-style-type: none"> <li>• Long periods of standing or walking.</li> <li>• Deep squatting, kneeling or crouching.</li> <li>• Pivoting of the knee.</li> <li>• Participating in activities requiring bracing, balancing or running.</li> <li>• Stair use or ladder climbing.</li> </ul>	<p><b>Ensure</b></p> <ul style="list-style-type: none"> <li>• The worker can self-pace and/or take micro breaks.</li> <li>• The worker can occasionally elevate the ankle.</li> </ul> <p><b>Limit</b></p> <ul style="list-style-type: none"> <li>• The use of stairs.</li> </ul> <p><b>Avoid</b></p> <ul style="list-style-type: none"> <li>• Long periods of standing or walking.</li> <li>• Walking on uneven ground</li> <li>• Climbing ladders.</li> <li>• Deep squatting or crouching.</li> <li>• Activities requiring balancing, bracing or running.</li> </ul>

These typical physical limitations are guidelines to help develop an appropriate stay-at-work or return-to-work plan.

### *Physical demand strength classification*

The following strength classifications are taken from the revised fourth edition of the Dictionary of Occupational Titles.

Physical demand strength classification	Definition	Notes
<b>S – Sedentary work</b>	Exerting up to 10 pounds of force occasionally and/or a negligible amount of force frequently to lift, carry, push, pull or otherwise move objects, including the human body.	Sedentary work involves sitting most of the time, but may involve walking or standing for brief periods of time. Jobs are sedentary if walking and standing are required only occasionally and all other sedentary criteria are met.
<b>L – Light work</b>	Exerting up to 20 pounds of force occasionally, and/or up to 10 pounds of force frequently, and/or a negligible amount of force constantly to move objects.	Physical demand requirements are in excess of those for sedentary work. Even though the weight lifted may be only a negligible amount, a job should be rated light work: when it requires walking or standing to a significant degree; or when it requires sitting most of the time but entails pushing and/or pulling of arm or leg control; and/or when the job requires working at production rate pace entailing the constant pushing and/or pulling of materials even though the weight of those materials is negligible.  NOTE: The constant stress and strain of maintaining a production rate pace, especially in an industrial setting, can be and is physically demanding of a worker even though the amount of force exerted is negligible.
<b>M – Medium work</b>	Exerting 20 to 50 pounds of force occasionally, and/or 10 to 25 pounds of force frequently, and/or greater than negligible up to 10 pounds of force constantly to move objects.	Physical demand requirements are in excess of those for light work.
<b>H – Heavy work</b>	Exerting 50 to 100 pounds of force occasionally, and/or 25 to 50 pounds of force frequently, and/or 10 to 20 pounds of force constantly to move objects.	Physical demand requirements are in excess of those for medium work.
<b>V – Very heavy work</b>	Exerting in excess of 100 pounds of force occasionally, and/or in excess of 50 pounds of force frequently, and/or in excess of 20 pounds of force constantly to move objects.	Physical demand requirements are in excess of those for heavy work.

### Time/frequency descriptor:

Time/frequency descriptor identifies the frequency of completing tasks within a work cycle, within a workday and jobs that occur within the entire job description (for example, seasonal tasks). Although tasks may occur on a limited basis, when they are completed, they may occur over an intensive period of time.

Descriptor	Definition	Example
<b>Constant</b>	This physical demand factor comprises 67 to 100 per cent of the work cycle or work period.	(If performing lifting, carrying, pushing or pulling, this would refer to a frequency of approximately over 30 repetitions per hour.)
<b>Frequent</b>	This physical demand factor comprises 34 to 66 per cent of the work cycle or work period.	(If performing lifting, carrying, pushing or pulling, this would refer to a frequency of up to approximately 30 repetitions per hour.)
<b>Occasional</b>	This physical demand factor comprises up to 33 per cent of the work cycle or work period.	(If performing lifting, carrying, pushing or pulling, this would refer to a frequency of up to approximately two repetitions per hour.)
<b>Rarely</b>	This physical demand factor comprises one to five per cent of the work cycle or work period.	(If performing lifting, carrying, pushing or pulling, this would refer to a frequency of up to approximately two repetitions per hour.)
<b>Seldom</b>	This physical demand factor is not a regular factor within this job.	

The frequency descriptors “constant”, “frequent” and “occasional” are based upon the revised fourth edition of the Dictionary of Occupational Titles (DOT). The frequency descriptors “rarely” and “seldom” are not included in the DOT, nor are the conversion of time descriptors to estimated material handling repetitions, but the WCB accepts the operational definition of these terms as defined above.

The WCB does not mandate the use of these terms and evaluators are able to provide this information as deemed appropriate. Evaluators are encouraged to be as specific as possible and to choose a format that offers the most useful information to the reader. Examples might be, “the lower end of the occasional frequency,” “approximately 50 per cent of the workday” or “two to four lifts per hour.”

If the worker is unable to perform usual job duties – with or without modifications – then first look for suitable work within the division (or department) before looking across the whole organization.

Department/area	Questions to ask	Example
<b>Administration</b>	What tasks have we not got around to doing? What are our needs in the next 6-12 months?.	<ul style="list-style-type: none"> <li>• Processing tax receipts</li> <li>• Data entry</li> <li>• Filing and reorganizing</li> </ul>
<b>Business improvement</b>	Are there new systems or processes that would improve business?.	<ul style="list-style-type: none"> <li>• Develop filing system</li> <li>• Forms for improved efficiency</li> <li>• Training manual content</li> <li>• Quality assurance system</li> </ul>
<b>Promotion, marketing, sales</b>	What work could promote the business? .	<ul style="list-style-type: none"> <li>• Phone sales or calling clients</li> <li>• Developing promotional material</li> <li>• Market research – customer satisfaction surveys</li> <li>• Updating client database</li> </ul>
<b>Labour</b>	Does anyone need an extra hand?	<ul style="list-style-type: none"> <li>• Cleaning up and organizing</li> <li>• Researching or buying tools or equipment</li> <li>• Inventory</li> <li>• Organizing parts and materials</li> <li>• Sourcing new suppliers</li> </ul>
<b>All</b>	Are there incomplete tasks? Are there opportunities for bundling job duties?	<ul style="list-style-type: none"> <li>• Can tools or equipment reduce the demands</li> <li>• Can we reorganize job tasks to reduce risks?</li> <li>• Can we adjust the work environment, such as temperature and lighting?</li> </ul>
<b>All</b>	Does anyone need an extra hand?	<ul style="list-style-type: none"> <li>• Incomplete projects</li> <li>• Areas that require research</li> <li>• Redistribution of job tasks</li> </ul>
<b>Training</b>	Is there training that the worker could take that would be of benefit to the organization?	<ul style="list-style-type: none"> <li>• Computer course</li> <li>• Safety training</li> <li>• Courses on technical skills</li> <li>• Workers train others to perform certain skills</li> <li>• Is there an opportunity for cross-training (other job tasks) in the organization</li> </ul>

### Accommodation strategies for psychological injuries

Accommodation is a way of supporting workers with mental health challenges to ensure that they remain productive and healthy at work. Accommodation does not require excessive monetary spending by the organization, but rather involves the workplace increasing their flexibility.

#### Some accommodation strategies to consider for psychological injuries include:

- Open communication: Encourage workers to approach management with concerns. Schedule frequent check-ins.
- Flexible scheduling: Determine start and end times that work best with the worker's needs.
- Encourage more frequent breaks.
- Modified environment: Alter the lighting, noise, scents of the workplace.
- Offer work at home options if possible.
- Individualized training: Use training approaches that help comprehension and memory.
- Isolation prevention: Coordinate team building activities. Provide methods for a virtual team to communicate online.
- Modified supervision: Discuss the best ways to provide feedback and instruction. Schedule more frequent meetings with workers.
- Limited exposure to stress: Provide the opportunity for debriefing after stressful incidents. Provide opportunities for emotional intelligence training.
- Modified job role: Make reasonable modification to job duties or reassign the worker to a new role.
- Distraction reduction: Reduce workplace noises and distractions. Ask the worker how the environment can work better for them.
- Remote work: Allow the worker to work from home if possible. Check in frequently with the worker to ensure they remain connected to the workplace.

### Physical demands analyses

It is important to include an analysis of all the physical demands for each job position in the organization. Not all employers complete this process. In Saskatchewan, there is no standard for what is included in a physical demand analysis. The WCB uses the job information worksheet, sending it to the worker to complete with input from their employer.

Physical demand analyses should be used as follows:

- To identify hazards, risks and required controls.
- To ensure a worker's return-to-work plan is within medical abilities and restrictions.

Physical demand analyses for the key positions in the organization must be current. It is considered current if it has been developed and/or revised within the three years prior to the assessment date. A key position is defined as a job within the employer's operations that the employer has identified as presenting a higher risk for injury for workers performing the job, and therefore a greater potential for return to work.

The employer may identify a job as a key position based on any or all of the following factors: injury frequency rate, injury costs, risk assessment methodology and number of workers. The physical demand analyses for all key positions do not all have to be developed and/or revised within the three years prior to the assessment date if:

- The employer has a documented process that requires a physical demand analysis to be reviewed and revised, if needed, before use to ensure the physical demand analysis is an accurate description of the job demands.
- Records indicate that the employer follows the documented process.

There may be situations in which an occupational or physical therapist will be asked to complete an additional physical demand analysis at the worksite, such as when further information is required or barriers exist in the worker's return to work.



A job information worksheet is a WCB form that workers and employers use to document detailed job duties.

An employer's return-to-work program should include a documented process for completion of job information worksheets when requested by the WCB to include the worker's input.

Typically, the WCB sends a blank job information worksheet form to a worker when the WCB moves their claim to case management. To ensure a job information worksheet is an accurate representation of the job demands of a position, the workers should complete the job information worksheet with worker and employer input.

A completed job information worksheet identifies the physical, psychological, sensory and environmental demands on a worker performing the essential job duties of the worker's job position. A job information worksheet quantifies job demand and includes descriptive information on the tools, equipment and processes necessary to do the specific job.

In the event consensus on the job duties is not reached between the worker and the employer, the WCB may require an occupational therapist to assess the worker's job position.

An employer may use physical demands analyses to identify the physical demands of a job position. If the physical demands analysis for a worker's job position captures all the information required by a job information worksheet, the WCB may not require the completion of a separate job information worksheet.

The WCB uses the completed job information worksheet to determine if the worker:

- Is medically able to perform some essential job duties as part of a return-to-work plan.
- Has recovered sufficiently to return to their original job.

The WCB may share the completed job information worksheet with the worker's health-care provider to help the health-care provider understand the demands of the worker's regular job duties and/or alternate job duties. A job information worksheet may help a health-care provider to determine when a worker is fit to return to their pre-injury job.

A job information worksheet is used by a physiotherapist or occupational therapist to assist in developing a worker's treatment program. Often a physiotherapist or occupational therapist can incorporate essential job duties into a work-hardening program for the worker.

A job information worksheet can assist an employer in modifying a worker's job as part of the worker's return-to-work plan and as the worker's physical condition progresses.

An employer's return-to-work process should include the steps to follow to ensure timely and accurate completion of the job information worksheet for a worker's job, as per WCB requirements. An employer may choose to complete job information worksheets for all positions in advance of injury.

A blank job information worksheet can be obtained from the Saskatchewan Workers' Compensation Board website:

Your recovery and return to work | Saskatchewan Workers' Compensation Board

[wcbsask.com/your-recovery-and-return-to-work](http://wcbsask.com/your-recovery-and-return-to-work)



A job information worksheet is particularly useful in identifying safety hazards inherent in a specific job position. A completed job information worksheet quantifies the physical demands of a job. It might show that a job requires a worker to lift 20 pounds from the waist to shoulder height 40 times in the course of one shift. Learning that the tasks of this job create risk of repetitive strain injury allows the employer to implement ergonomic improvements.

Ideally, an employer will have a completed job information worksheet for each position. However, it is important to note generic job information worksheets may not be acceptable to many health-care providers. Once a job information worksheet is developed for each position, update the job information worksheet to reflect the specific worker's actual job tasks when needed. If the WCB, a physical therapist or an occupational therapist requests a job information worksheet, then making it readily available expedites appropriate treatment and tests, and the development of the return-to-work plan. It can assist in certifying that the worker is able to return to the pre-injury job.

Complete job information worksheets with input from supervisors and workers. In some cases, a supervisor may be completing a job information worksheet that reflects a job in the way it was intended but this does not reflect how it is actually performed. Collaboration on job information worksheets helps to avoid a situation in which a worker may not agree with the job duties identified for the position.

### Job information worksheet completion instructions

- Complete a job information worksheet for each position in an organization.
- A job information worksheet should be representative of typical job demands.
- If there are different physical demands in a job position depending upon the season, product line, shift or a project, complete separate job information worksheets for each.
- Include quantitative measurements. For instance, use terms such as “five times a day,” “20 to 40 pounds,” or “three times per hour” rather than subjective statements such as “often,” “frequently,” “hardly ever,” or “heavy.”
- Include the actual weight (rather than approximate) lifted, carried, pushed or pulled for any tasks that involve handling weights over 50 pounds.
- Note physical demands that are only occasional. For example: “Required to climb stairs rarely and only when visiting clients outside the organization.”
- Not all categories on the job information worksheet will apply for every job position.
- Only complete the section FOR EMPLOYER AND EMPLOYEE USE ONLY.

### Sample job information worksheet completion procedure

- Supervisors will select one worker from each job position to complete a draft job information worksheet for that job position.
- Circulate the completed job information worksheet draft to all other workers in that job position for their review and input.
- Supervisors will review the job information worksheet draft for accuracy and that it includes quantitative measurements.
- Finalize the job information worksheet based upon worker and supervisor input.
- Keep completed job information worksheets on file with human resources.
- Human resources will forward a job information worksheet to the appropriate person when requested. That could include the WCB, a physical therapist, an occupational therapist, a physician, a safety co-ordinator or return-to-work co-ordinator.
- Use job information worksheets to assist return-to-work planning participants in identifying appropriate alternate or modified work, determining when a worker is fit to return to the pre-injury job and identifying safety hazards within a job position.
- Review job information worksheets regularly. It is recommended at a minimum of once every three years or whenever there have been significant changes in a job.



200 - 1881 Scarth St.  
Regina SK S4P 4L1  
[wcbask.com](http://wcbask.com)

Phone: 306.787.4370  
Toll free: 1.800.667.7590  
Fax: 306.787.4311  
Toll free fax: 1.888.844.7773  
Email: [forms@wcbask.com](mailto:forms@wcbask.com)

**JIW**

Reset form

Click on any field to start editing.

### Job Information Worksheet

WCB claim number: \_\_\_\_\_

Please ensure this form is completed as fully as possible by the worker's immediate supervisor and the worker.

If you have questions, please contact the WCB by phone: 306.787.4370 or toll free: 1.800.667.7590.

Name: \_\_\_\_\_ Worker's position title: \_\_\_\_\_

Occupation: \_\_\_\_\_ Worker signature: \_\_\_\_\_ Date: (MM/DD/YYYY) \_\_\_\_\_

Other jobs worker may have: \_\_\_\_\_

Employer: \_\_\_\_\_

Employer signature: \_\_\_\_\_ Date: (MM/DD/YYYY) \_\_\_\_\_

Employer address: \_\_\_\_\_ Phone: \_\_\_\_\_

Employer email: \_\_\_\_\_

Employer and worker use only - describe actual work activities	
<b>Workers' job requirements</b>	
<b>Sitting (includes driving)</b>	
<p><b>Total number of sitting hours in a shift:</b></p> <p> <input type="checkbox"/> Less than 1    <input type="checkbox"/> 1 - 2    <input type="checkbox"/> 2 - 3  <input type="checkbox"/> 3 - 4    <input type="checkbox"/> 4 - 5    <input type="checkbox"/> 5 - 6  <input type="checkbox"/> 6 - 7    <input type="checkbox"/> 7 - 8    <input type="checkbox"/> More than 8                 </p>	<p><b>Total length of time worker sits before standing:</b></p> <p> <input type="checkbox"/> Under 30 minutes    <input type="checkbox"/> 30 - 60 minutes  <input type="checkbox"/> 1 - 2 hours    <input type="checkbox"/> 2 - 3 hours  <input type="checkbox"/> 3 - 4 hours    <input type="checkbox"/> More than 4 hours                 </p>
Describe the type of seating used:	If the worker has an office job, have they had an ergonomic assessment completed on their work station?
<b>Standing</b>	
<p><b>Total number of standing hours in a shift:</b></p> <p> <input type="checkbox"/> Less than 1    <input type="checkbox"/> 1 - 2    <input type="checkbox"/> 2 - 3  <input type="checkbox"/> 3 - 4    <input type="checkbox"/> 4 - 5    <input type="checkbox"/> 5 - 6  <input type="checkbox"/> 6 - 7    <input type="checkbox"/> 7 - 8    <input type="checkbox"/> More than 8                 </p>	<p><b>Total length of time worker stands before moving or sitting:</b></p> <p> <input type="checkbox"/> Under 30 minutes    <input type="checkbox"/> 30 - 60 minutes  <input type="checkbox"/> 1 - 2 hours    <input type="checkbox"/> 2 - 3 hours  <input type="checkbox"/> 3 - 4 hours    <input type="checkbox"/> More than 4 hours                 </p>
Describe the surface the worker is standing on.	
<b>Balance</b>	
Are there any special requirements for the worker to maintain a good balance?	

FOR EMPLOYER & WORKER USE ONLY - Describe actual work activities		
<b>JOB NORMALLY REQUIRES</b>		
<b>WALKING</b>		
<p>Normal distance that must be walked:</p> <p>How often that distance must be walked during a shift:</p> <p>What type of surface?</p>		
<b>CLIMBING STAIRS</b>		
<p>How many one-storey flights of stairs (about 13 steps) must be climbed at one time?</p> <p>How many times in a shift do stairs have to be climbed?</p> <p>What surface?</p>		
<b>CLIMBING LADDERS</b>		
<p>How high is the normal climb?</p> <p>How many times in a shift must a ladder be climbed?</p> <p>Is work done from a ladder? How long at one time?</p>		
<b>KNEELING/CRAWLING/CROUCHING/SQUATTING</b>		
<p>Describe the activity:</p> <p>Number of times this occurs in a normal shift?</p> <p>Length of time spent in this position in a single, normal instance?</p> <p>On what kind of surface?</p>		
<b>LIFTING FROM FLOOR TO WAIST</b>		
<p><b>How much is normally lifted?</b></p> <p><input type="checkbox"/> Less than 4.5 kg (1 - 10 lb)</p> <p><input type="checkbox"/> Up to 9 kg (11 - 20 lb)</p> <p><input type="checkbox"/> Up to 22.7 kg (21 - 50 lb)</p> <p><input type="checkbox"/> More than 22.7 kg (50 lb)</p> <p>Please state amount lifted: _____</p>	<p><b>How many times during a shift is lifting required?</b></p> <p><input type="checkbox"/> &lt;4.5 kg (1 - 10 lb) _____ times</p> <p><input type="checkbox"/> 4.5 - 9 kg (11 - 20 lb) _____ times</p> <p><input type="checkbox"/> 9 - 22.7 kg (21 - 50 lb) _____ times</p> <p><input type="checkbox"/> &gt; 22.7 kg (50 lb) _____ times</p> <p>Please state amount lifted: _____</p>	<p><b>Nature of lifting:</b></p> <p><input type="checkbox"/> Independently</p> <p><input type="checkbox"/> With human assistance</p> <p><input type="checkbox"/> With mechanical assistance</p>
<b>ADDITIONAL DESCRIPTION</b>		
<p>What is lifted?</p> <p>Size of object?</p> <p>Workstation layout (clear or cluttered aisles, width of space, floor surface, etc.)?</p>		

FOR EMPLOYER & WORKER USE ONLY - Describe actual work activities		
<b>JOB NORMALLY REQUIRES</b>		
<b>WALKING</b>		
<p>Normal distance that must be walked:</p> <p>How often that distance must be walked during a shift:</p> <p>What type of surface?</p>		
<b>CLIMBING STAIRS</b>		
<p>How many one-storey flights of stairs (about 13 steps) must be climbed at one time?</p> <p>How many times in a shift do stairs have to be climbed?</p> <p>What surface?</p>		
<b>CLIMBING LADDERS</b>		
<p>How high is the normal climb?</p> <p>How many times in a shift must a ladder be climbed?</p> <p>Is work done from a ladder? How long at one time?</p>		
<b>KNEELING/CRAWLING/CROUCHING/SQUATTING</b>		
<p>Describe the activity:</p> <p>Number of times this occurs in a normal shift?</p> <p>Length of time spent in this position in a single, normal instance?</p> <p>On what kind of surface?</p>		
<b>LIFTING FROM FLOOR TO WAIST</b>		
<p><b>How much is normally lifted?</b></p> <p><input type="checkbox"/> Less than 4.5 kg (1 - 10 lb)</p> <p><input type="checkbox"/> Up to 9 kg (11 - 20 lb)</p> <p><input type="checkbox"/> Up to 22.7 kg (21 - 50 lb)</p> <p><input type="checkbox"/> More than 22.7 kg (50 lb)</p> <p>Please state amount lifted: _____</p>	<p><b>How many times during a shift is lifting required?</b></p> <p><input type="checkbox"/> &lt;4.5 kg (1 - 10 lb) _____ times</p> <p><input type="checkbox"/> 4.5 - 9 kg (11 - 20 lb) _____ times</p> <p><input type="checkbox"/> 9 - 22.7 kg (21 - 50 lb) _____ times</p> <p><input type="checkbox"/> &gt; 22.7 kg (50 lb) _____ times</p> <p>Please state amount lifted: _____</p>	<p><b>Nature of lifting:</b></p> <p><input type="checkbox"/> Independently</p> <p><input type="checkbox"/> With human assistance</p> <p><input type="checkbox"/> With mechanical assistance</p>
<b>ADDITIONAL DESCRIPTION</b>		
<p>What is lifted?</p> <p>Size of object?</p> <p>Workstation layout (clear or cluttered aisles, width of space, floor surface, etc.)?</p>		

FOR EMPLOYER & WORKER USE ONLY - Describe actual work activities		
<b>JOB NORMALLY REQUIRES</b>		
<b>LIFTING FROM WAIST TO SHOULDER</b>		
<p><b>How much is normally lifted?</b></p> <p><input type="checkbox"/> Less than 4.5 kg (1 - 10 lb)</p> <p><input type="checkbox"/> Up to 9 kg (11 - 20 lb)</p> <p><input type="checkbox"/> Up to 22.7 kg (21 - 50 lb)</p> <p><input type="checkbox"/> More than 22.7 kg (50 lb)</p> <p>Please state amount lifted: _____</p>	<p><b>How many times during a shift is lifting required?</b></p> <p><input type="checkbox"/> &lt;4.5 kg (1 - 10 lb) _____ times</p> <p><input type="checkbox"/> 4.5 - 9 kg (11 - 20 lb) _____ times</p> <p><input type="checkbox"/> 9 - 22.7 kg (21 - 50 lb) _____ times</p> <p><input type="checkbox"/> &gt; 22.7 kg (50 lb) _____ times</p> <p>Please state amount lifted: _____</p>	<p><b>Nature of lifting:</b></p> <p><input type="checkbox"/> Independently</p> <p><input type="checkbox"/> With human assistance</p> <p><input type="checkbox"/> With mechanical assistance</p>
<b>ADDITIONAL DESCRIPTION</b>		
What is lifted?		
Size of object?		
Workstation layout (clear or cluttered aisles, width of space, floor surface, etc.)?		
<b>LIFTING FROM ABOVE SHOULDER</b>		
<p><b>How much is normally lifted?</b></p> <p><input type="checkbox"/> Less than 4.5 kg (1 - 10 lb)</p> <p><input type="checkbox"/> Up to 9 kg (11 - 20 lb)</p> <p><input type="checkbox"/> Up to 22.7 kg (21 - 50 lb)</p> <p><input type="checkbox"/> More than 22.7 kg (50 lb)</p> <p>Please state amount lifted: _____</p>	<p><b>How many times during a shift is lifting required?</b></p> <p><input type="checkbox"/> &lt;4.5 kg (1 - 10 lb) _____ times</p> <p><input type="checkbox"/> 4.5 - 9 kg (11 - 20 lb) _____ times</p> <p><input type="checkbox"/> 9 - 22.7 kg (21 - 50 lb) _____ times</p> <p><input type="checkbox"/> &gt; 22.7 kg (50 lb) _____ times</p> <p>Please state amount lifted: _____</p>	<p><b>Nature of lifting:</b></p> <p><input type="checkbox"/> Independently</p> <p><input type="checkbox"/> With human assistance</p> <p><input type="checkbox"/> With mechanical assistance</p>
<b>ADDITIONAL DESCRIPTION</b>		
What is lifted?		
Size of object?		
Workstation layout (clear or cluttered aisles, width of space, floor surface, etc.)?		
<b>CARRYING</b>		
<p><b>How much is normally lifted?</b></p> <p><input type="checkbox"/> Less than 4.5 kg (1 - 10 lb)</p> <p><input type="checkbox"/> Up to 9 kg (11 - 20 lb)</p> <p><input type="checkbox"/> Up to 22.7 kg (21 - 50 lb)</p> <p><input type="checkbox"/> More than 22.7 kg (50 lb)</p> <p>Please state amount carried: _____</p>	<p><b>How many times during a shift is lifting required?</b></p> <p><input type="checkbox"/> &lt;4.5 kg (1 - 10 lb) _____ times</p> <p><input type="checkbox"/> 4.5 - 9 kg (11 - 20 lb) _____ times</p> <p><input type="checkbox"/> 9 - 22.7 kg (21 - 50 lb) _____ times</p> <p><input type="checkbox"/> &gt; 22.7 kg (50 lb) _____ times</p> <p>Please state amount carried: _____</p>	<p><b>Nature of carrying:</b></p> <p><input type="checkbox"/> Independently</p> <p><input type="checkbox"/> With human assistance</p> <p><input type="checkbox"/> With mechanical assistance</p>
<b>ADDITIONAL DESCRIPTION</b>		
What is lifted?		
Size of object?		
Workstation layout (clear or cluttered aisles, width of space, floor surface, etc.)?		



FOR EMPLOYER & WORKER USE ONLY - Describe actual work activities	
<b>JOB NORMALLY REQUIRES</b>	
<b>REACHING OVERHEAD</b>	
<p>Is the reach at or beyond full arms length?  <input type="checkbox"/> Yes    <input type="checkbox"/> No</p> <p>How long is the reach sustained?</p> <p>How often does this occur in the most active hour?</p> <p>How often in a normal shift?</p> <p>How often does this occur in the most active hour?</p> <p>How often in a normal shift?</p>	
<b>REACHING FORWARD</b>	
<p>Is the reach at or beyond full arms length?  <input type="checkbox"/> Yes    <input type="checkbox"/> No</p> <p>How long is the reach sustained?</p> <p>How often does this occur in the most active hour?</p> <p>How often in a normal shift?</p>	<p>Workstation layout:</p> <p>Height</p> <p>Depth</p> <p><input type="checkbox"/> Standing</p> <p><input type="checkbox"/> Seated</p>
<b>NECK MOVEMENTS</b>	
<p>This activity involves:</p> <p><input type="checkbox"/> Looking up</p> <p style="margin-left: 20px;">- How long at any one time? _____</p> <p style="margin-left: 20px;">- How often in a busy hour? _____</p> <p style="margin-left: 20px;">- How often in a normal shift? _____</p> <p><input type="checkbox"/> Looking down</p> <p style="margin-left: 20px;">- How long at any one time? _____</p> <p style="margin-left: 20px;">- How often in a busy hour? _____</p> <p style="margin-left: 20px;">- How often in a normal shift? _____</p> <p><input type="checkbox"/> Looking behind</p> <p style="margin-left: 20px;">- How long at any one time? _____</p> <p style="margin-left: 20px;">- How often in a busy hour? _____</p> <p style="margin-left: 20px;">- How often in a normal shift? _____</p> <p><input type="checkbox"/> Rotation</p> <p style="margin-left: 20px;">- How long at any one time? _____</p> <p style="margin-left: 20px;">- How often in a busy hour? _____</p> <p style="margin-left: 20px;">- How often in a normal shift? _____</p>	<p>These neck positions are:</p> <p><input type="checkbox"/> Held more than five minutes at a time</p> <p><input type="checkbox"/> Repeated, frequent movements</p>
<b>WORKING WITH HANDS AND FINGERS</b>	
<p>How much time in a normal shift involves this activity?</p> <p><input type="checkbox"/> Less than 1 hour</p> <p><input type="checkbox"/> 1 - 2                      <input type="checkbox"/> 2 - 3</p> <p><input type="checkbox"/> 3 - 4                      <input type="checkbox"/> 4 - 5</p> <p><input type="checkbox"/> 5 - 6                      <input type="checkbox"/> 6 - 7</p> <p><input type="checkbox"/> 7 - 8                      <input type="checkbox"/> More than 8</p> <p>Workstation layout (height positioning, fumes, heat, etc.)?</p>	<p>What items are being handled?</p> <p>What tools, if any, are used?</p> <p>Circumference of tools?</p>

FOR EMPLOYER & WORKER USE ONLY - Describe actual work activities	
<b>JOB NORMALLY REQUIRES</b>	
<b>VISUAL ACUITY</b>	
Distance from eyes to object on job?	
Describe how vision relates to the job. (driving, close or far distances, working with small objects, reading, etc.)	
<b>OPERATING MOTORIZED EQUIPMENT</b>	
How much total time in a normal shift involves operating motorized equipment?	Length of time normally operating equipment before taking a break or changing positions?
<input type="checkbox"/> Less than 1 hour <input type="checkbox"/> 1 - 2 <input type="checkbox"/> 2 - 3 <input type="checkbox"/> 3 - 4 <input type="checkbox"/> 4 - 5 <input type="checkbox"/> 5 - 6 <input type="checkbox"/> 6 - 7 <input type="checkbox"/> 7 - 8 <input type="checkbox"/> More than 8	<input type="checkbox"/> Less than 30 minutes <input type="checkbox"/> 30 - 60 minutes <input type="checkbox"/> 1 - 2 hours <input type="checkbox"/> 2 - 3 hours <input type="checkbox"/> 3 - 4 hours <input type="checkbox"/> More than 4 hours
Describe the equipment and work situation.	
<b>SENSITIVITY TO CHEMICAL SUBSTANCES</b>	
What chemicals is the worker exposed to?	
Describe the amount of exposure.	
What protective apparatus is used, if any?	
<b>WORK ENVIRONMENT</b>	
The work environment involves:	
<input type="checkbox"/> Outdoors <input type="checkbox"/> Indoors <input type="checkbox"/> Heat <input type="checkbox"/> Cold <input type="checkbox"/> Moisture <input type="checkbox"/> Dryness <input type="checkbox"/> Fumes <input type="checkbox"/> Vibration <input type="checkbox"/> Jarring <input type="checkbox"/> Noise	<input type="checkbox"/> Below 80 decibels <input type="checkbox"/> Above 80 decibels
Describe the work environment.	
<b>RESTRICTED WORKING HOURS</b>	
How long is a normal shift?	
<b>MENTAL/EMOTIONAL LIMITATIONS</b>	
Describe any significant stresses or emotional aspects of the job.	
What services (EAP/EFAP) are available?	
<b>OTHER</b>	
Are there other physical job duties that are expected? (For example: running, throwing, etc.)	
If so, how often are these activities required?	



### 4. Return-to-work training

This includes education around the employer's specific return-to-work program. Return-to-work training is not a process within the program itself, however it is a supportive element for the program. Training is a tool that is used to communicate the program to all applicable personnel in a workplace. How that looks can vary, depending on the employer's program, size and other various factors.

The training plan can outline:

- Who is responsible for communicating return-to-work information.
- When return-to-work training/education is to take place.
- What return-to-work information needs to be covered with:
  - workers
  - supervisors
  - management
- How the information will be delivered.

In this section, it is also important to have a planned process for making the return-to-work program information accessible to the workers.



An employer's documented return-to-work process should be communicated to and easily accessible for reference by all employees. Employers should make all workers aware that the employer has a return-to-work process, how the return-to-work process works, where to find the documented return-to-work process and who to contact for more information about the employer's return-to-work process.

### Communication methods

- staff meeting
- orientation/training
- employee handbook
- employer newsletter
- employer intranet system
- employee bulletin board

### 5. Program review

The return-to-work program is reviewed annually in collaboration with the employer, supervisors, workers, the Occupational Health and Safety Branch, return-to-work coordinator and the union (if applicable).

#### These reviews:

- Assess and improve the program quality and effectiveness.
- Ensure program relevancy and accuracy.
- Provide data to use for program improvement.

#### Employers should conduct regular reviews on:

1. The return-to-work policy and program.
2. Completed individual return-to-work plans.

It is important to remember that each employer documents their program differently. However, whether it is part of the safety management system or on its own, employers should have a regular review with appropriate updates in place.

#### Return-to-work program review process

A documented process for the return-to-work program review should include the:

- Identification of specific action plans or improvement recommendations.
- Specification of deadlines for the implementation of changes.
- Assignment of responsibility for implementing changes.
- Checks to ensure action plans are completed.



### **Importance of collecting in-depth data**

Collecting return-to-work statistical data and analysis of that data is important.

However, a review to determine the true effectiveness of a return-to-work program needs to go further. Numbers tell one story, but not the whole story. An in-depth approach ensures that return-to-work processes are working as planned in all areas of the workplace, ensures accuracy of policies or processes within the current reality of the workplace and makes program improvements.

Conduct return-to-work reviews on two levels: regular reviews of individual return-to-work plans and a review of the return-to-work program as a whole including defined processes, defined responsibilities and document/form templates.

As with any other steps in return to work, conduct reviews collaboratively with workers, supervisors and union representatives, where applicable.

### Return-to-work program review

Improvements to a specific return-to-work plan usually correspond to improvements made to the return-to-work program as a whole. For instance, improvements made to the quantity or quality of alternate or modified work available for a specific return-to-work plan could suggest that the organization explore a wider range of job options across the organization.

Regular reviews of the data the employer has identified as measures of the program's outcomes/success is an important step in measuring improvement.

A program review includes, but is not limited to:

- Investigating whether continual medical information confidentiality is maintained.
- Reviewing forms (for example, medical abilities and restrictions form, return-to-work plan form, return-to-work plan monitoring checklist) to ensure they are capturing the required information they were intended to solicit, or if additional training or education is necessary for workers, supervisors, union executives and others.

### Return-to-work program assessment

Companies can evaluate the return-to-work program on their own or ask for outside expertise.

The WCB's return-to-work assessment is an objective evaluation of an employer's safety or return-to-work system, and measures each program element against predetermined, established standards.

This assessment determines where there are gaps between the standards or recommended best practices and an employer's program components, and identifies areas for program improvement.

An assessment also can serve as a benchmark against which future program improvements can be measured.

### Additional WCB supportive materials

#### WCB statistical reports

- employer experience summary – 16C1.
- total costs per claim– 16C3

Employers can view these reports through their WCB online account.

#### 16C1 – employer experience summary

This report covers the previous four years, as well as claim costs for the current year up to the end of the previous month.

Contains annual summary information on:

- number of time loss claims,
- number of no time loss claims,
- costs associated with claims (medical, earnings loss benefits,),
- annual injury rate,
- merit surcharge levies.

#### 16C3 – employer total costs per claim

This report contains details on each of the accepted WCB claims for the previous four years and each claim up to the end of the previous month of the current year.

Each claim is broken down by:

- injury type (knee injury, concussion, burned hand, strained back, for example),
- compensation costs (earnings loss benefits),
- medical aid costs,
- rehabilitation costs,
- pension costs,
- total number of time loss days compensated,
- column identifying alternate addresses if there are multiple locations.

An employer can use information on this report to calculate the average duration of time loss claims.



### Return-to-work program review

The below questions are formed from the WCB fact sheets on return-to-work procedures. It is important for the employer to build procedures that answer these questions.

- Who gives the worker the forms they need to complete and when?
- Who instructs the worker on how and when to complete the forms and by whom should they be completed?
- What forms need to be filled out?
- Who does the worker contact after they complete the forms and when?
- In the event the worker does not contact the place of employment, who will contact the worker and when?
- Who maintains contact (and when) with the worker if they are unable medically to return to the workplace?
- When and how does the worker provide the workplace with the completed forms?
- What steps does an employer take if the health-care provider or the worker fail to provide medical abilities and restrictions?
- Who arranges the return-to-work planning meeting and when?
- Who arranges for union representation at the planning meeting, if applicable?
- What steps does the employer take if a worker is medically able and fails to report to work or the return-to-work planning meeting?
- Who documents the plan?
- Who forwards the forms to the appropriate people within the organization and when?
- Who forwards the Employer's Initial Report of Injury (E1) form to the WCB and when?
- Who forwards the medical abilities and restrictions form to the WCB and when?
- Who is responsible for maintaining contact with the WCB to support collaborative return to work and partnering for better outcomes?
- To whom, when and how does the employer forward the return-to-work plan to the WCB?
- Who forwards time loss and wage information to the WCB and when?
- Who implements the return-to-work plan?
- Who monitors the return-to-work plan?



1. Which of these is not included in the return-to-work program?
  - a. A return-to-work policy statement.
  - b. Return-to-work plan development.
  - c. Return-to-work training.
  - d. Alternate work options.
  - e. Return-to-work objectives.

2. Match the term with the definition:

**Terms:**

Return-to-work plan

Return-to-work program

**Definitions:**

A planned process to manage the impact of disability in the workplace and is an overall organizational approach.

A plan to manage the impact of a specific worker's injury.

3. A job information worksheet is a form that:
  - a. Provides an accurate representation of the job demands of a worker.
  - b. Is required to be submitted to the health-care provider on the initial visit.
  - c. Is required to be completed by *The Saskatchewan Employment Act*.
  - d. Is completed by the return-to-work co-ordinator.



# Module 4

## The return-to-work plan

Learner handbook



*Work to live.*



### This module will:

- ✓ Introduce the worker package and medical abilities and restrictions form.
- ✓ Review the return-to-work plan definition.
- ✓ Introduce the hierarchy of objectives.
- ✓ Explain the importance of collaborative planning.
- ✓ Determine requirements for the return-to-work plan documentation.
- ✓ Review the implementation of the return-to-work plan.
- ✓ Detail the monitoring of a return-to-work plan.

Successfully reintegrating an employee into the workplace after an injury or illness requires collaboration and planning.

In this module, we will look at the contents of the worker package followed by a discussion on how to create, implement, and monitor an individual return-to-work plan.

### Time off work

While an employer's return-to-work process should be designed to begin immediately upon report of a worker's injury, this does not mean that every workplace injury will allow for a worker's immediate return to the workplace, only that the actions necessary for return-to-work planning will begin immediately. There may be situations in which the nature of the injury and functional abilities prohibit an immediate return to the workplace and/or safe, productive alternate or modified work is not immediately available. If the employer is unable to provide safe work within the medical abilities and restrictions of a worker, the worker must be off work until the employer can do so.

A worker may not be able to return to the workplace by their next scheduled shift, even if the worker is not hospitalized. There are times when, due to the nature of the injury, time away from work is required if it's not medically safe to return to work.

Sometimes a worker must await diagnostic tests and/or specialist appointments to determine the nature and extent of the injury. The treating health-care provider determines if the worker must be off work pending the results to prevent risk of further injury or if the worker can return to work with restrictions pending confirmation of diagnosis. The employer can make this determination easier for the health-care provider by providing clear details about the tasks and abilities needed for alternative work that the worker may be able to perform while they recover.





### **Worker information package**

Work injuries can be stressful or traumatic for the individual and workers may not know what they are expected to do following a work injury. It is important to have standard practices in place to remove any confusion over the steps to take when injury takes place. When a work injury occurs, the employer should provide the worker with a package of information that contains instructions on filing the claim and the return-to-work process, as well as any forms that may be required.

#### **The worker information package should include:**

1. A letter to the health-care provider explaining the employer's willingness and ability to accommodate.
2. The WCB's Worker's Initial Report of Injury (W1) form.
3. A modified work offer (when available).
4. The employer's medical abilities and restrictions form.
5. Worker instructions.

### 1. Letter to the health-care provider

The employer's communications to the health-care provider should inform the health-care provider that the employer:

- has a collaborative return-to-work program.
- is committed to supporting their workers by providing modified or alternate work tailored to meet an individual's needs.

Example:

Letter to the Health-care provider

Dear health-care provider,

At **[Employer Name]**, we are committed to supporting our workers who have been injured or become ill by providing modified or alternate duties tailored to meet their unique needs. With appropriate support in the workplace, workers recover faster and are less likely to have long-term health effects or other common health conditions.

Please review the modified work offer and identify any safety concerns or risks of harm. If significant adjustments to the offer are required, please complete a medical abilities and restrictions form. You do not have to complete the medical abilities and restrictions form if you agree with the modified work offer.

Your recommendations regarding any temporary limitations or restrictions and/or review of the modified work options will help us work collaboratively with you, your patient and the WCB to develop a safe and sustainable return-to-work plan.

If you have any questions and/or comments, please contact me at (\_\_\_\_) \_\_\_\_-\_\_\_\_.

You can directly bill the WCB for any fees you incur for completing WCB forms using WCB code 640.


**[Employer name and contact information].**

## 2. Worker's Initial Report of Injury (W1) form

The worker can submit their Worker's Initial Report of Injury (W1) form to the WCB:

- Online at: [myaccount.wcbask.com](http://myaccount.wcbask.com)
- By email
- By mail
- By phone

Example:  
Worker's Initial Report of Injury (W1) form

		Saskatchewan Workers' Compensation Board	200-1881 Scarth St. Regina, SK S4P 4L1 <a href="http://wcbask.com">wcbask.com</a>	Phone: 306.787.4370 Toll free: 1.800.667.7590 Fax: 306.787.4311 Toll free fax: 1.888.844.7773	<b>W1</b> <input type="button" value="Reset Form"/>
		<input type="button" value="Click on any field to start editing."/>			
<b>Worker's initial report of injury</b>			<b>WCB claim number:</b> _____		
Reporting options: 1) Phone: 1.800.787.9288 2) <a href="http://wcbask.com">WCB online account</a> 3) Fax 1.888.844.7773 4) Email: <a href="mailto:forms@wcbask.com">forms@wcbask.com</a>					
<b>Section A: Worker information</b>					
Name, address, postal code			Occupation: _____ Social Insurance Number: _____ Provincial Health Number: _____ Date of birth: _____ Gender: <input type="checkbox"/> Female <input type="checkbox"/> Male Phone: _____ Do you require translation services? If yes, _____ language. Email: _____		
<b>Section B: Employer information</b>					
Name, address, postal code			WCB firm number: _____ Industry rate code: _____ Employer contact person: _____ Phone number of contact: _____		
<b>Section C: Injury information</b>					
1. Injury date: _____ <small>MM/DD/YYYY</small>		2. Reported to employer on: _____ <small>MM/DD/YYYY</small>		3. Reported to: _____	
4. Province of injury: _____		5. Area of body injured: _____			
6. How did the injury happen? _____ _____ _____					
7. Name of care provider: _____ 8. Name of hospital or clinic: _____					
9. Have you lost time from work, due to the injury, after the day of the injury? <input type="checkbox"/> Yes. Go to section D <input type="checkbox"/> No. Go to section F					
<b>Section D: Wage and employment information</b>					
10. First day off work due to this injury: _____ Time: _____ <input type="checkbox"/> a.m. <input type="checkbox"/> p.m. <small>MM/DD/YYYY</small>					
11. After the day of injury, what was the next scheduled day you missed due to the injury? Date: _____ <small>MM/DD/YYYY</small>					
12. Have you returned to work? <input type="checkbox"/> Yes <input type="checkbox"/> No					
a. If yes, what day did you return to work? _____ <small>MM/DD/YYYY</small>					
b. If yes, what is the number of calendar days between the date in Question 11 (include this day in your count) and Question 12.a.? _____ If this number is less than seven (7), please answer these questions:					
i. How many days were you scheduled to work from the date in Question 11 (including the date in Question 11 in your count) plus the next six (6) calendar days? _____					
ii. How many days did you miss using the same period from question 12.b., part i.? _____					
13. How are you paid? If regular salary: Hourly \$ _____ per hour _____ hours per week; If monthly \$ _____ per month If non-regular: <input type="checkbox"/> Piecework <input type="checkbox"/> Contractor <input type="checkbox"/> Owner/ operator <input type="checkbox"/> Casual <input type="checkbox"/> Other (explain) _____					
14. Do you have other sources of employment income? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes - attach employer names and phone numbers.					
15. Will you be paid by your employer for time loss due to the injury? <input type="checkbox"/> Yes <input type="checkbox"/> No					
W1WrkFrm Updated: 06/25		When writing to the WCB, please print name and claim or firm number.		Page 1 of 2	

### 3. Modified work offer

Including the worker in the discussion of the modified work offer supports better outcomes. Employers may have a modified job bank that workers are already aware of that can easily be used to complete the modified work offer form in discussion with the worker. If an employer does not have a modified job bank, discussions with the worker and supervisor about what the worker can do focuses on abilities instead of restrictions and can support the plan development.

This is the ultimate goal in best practice disability management. If the injury is such that the worker could do modified duties and those duties are immediately available, it should be an expectation they do so.

A modified work offer can be used immediately following an injury to support stay at work or return to work.

- An employer can accommodate a worker who has been injured when they have modified work options ready and available.
- Include the worker in the discussion of the modified work offer.
- The offer can be reviewed by the health-care provider where required to ensure it is suitable, safe and within the worker's abilities and restrictions.

**The best practice is to get the worker who has been injured to a medical facility with a listing of suitable and available tasks immediately following an injury.**

Example:  
Modified work offer

<b>Modified return-to-work offer</b>		Insert Logo Here
We're committed to helping employees make an early and safe return to work.		
Worker name:		
Employee last name:	First name:	Date (yyyy-mm-dd):
Job position:	Area of injury:	
Limitations as discussed between worker and employer:		
The employer is offering the following modified duties:		
We are offering the following hours: <input type="checkbox"/> Full time <input type="checkbox"/> Modified hours (please explain): _____		Effective date: (yyyy-mm-dd):  Date of review:
Worker signature:		Date (yyyy-mm-dd):
Manager/supervisor's signature:		Date (yyyy-mm-dd):
<b>Health-care provider comments (as needed)</b> including activities to be avoided if necessary. Do you agree the offer of modified duties and hours is appropriate? <input type="checkbox"/> Yes <input type="checkbox"/> No If no, please provide alternative recommendations:		
Health-care provider signature:		Date (yyyy-mm-dd):
<b>To qualify for payment, please submit a copy to the WCB.</b> <b>Please remember you are only to perform the duties allowed within your current limitations.</b>		
If you have a change in your health condition and/or have any concerns with the modified/alternate work, please contact your manager/supervisor immediately. The employer will meet weekly to review progress, starting on (date yyyy-mm-dd) and health-care provider as necessary.		
Please email completed early and safe return to work offer to: _____		

### 4. Medical abilities and restrictions form

Medical abilities and restrictions are clear and specific abilities and limits that include but are not limited to specific work activities, exposures, body motions, positional tolerances (such as the ability to sit, stand or stoop for a long period of time), time frames and lifting and/or material handling capabilities, as identified by the worker's health-care provider(s) and required to protect the worker from further injury. Medical abilities and restrictions arising from an injury may be physical, cognitive and/or psychological and be of a temporary or permanent nature.

Usually, the health-care provider providing initial medical abilities and restrictions will be a physician. Other health-care providers who may be involved in a worker's diagnostics and treatment include psychologists, physiotherapists, chiropractors, occupational therapists, optometrists or dentists.

There are many names that are used to refer to a medical abilities and restrictions form. They include:

- fitness to return to work assessment
- return to work template
- medical absence report
- physician's release to return to work form
- medical certificate worker absence from work form
- statement of medical restrictions form
- functional abilities assessment form
- medical assessment form
- health-care provider's assessment for functional abilities

The purpose of a medical abilities and restrictions form is to provide the employer, via the worker, with any abilities and restrictions the worker must follow to prevent further injury and to facilitate recovery. The employer uses this information to identify suitable alternate or modified work that does not place the worker at risk of further injury, and to return the worker to work as soon as possible.

The medical abilities and restrictions form may not be necessary when there is a modified work offer.

Examples of when to use an abilities and restrictions form include (but not limited to):

- When the modified work options are not available due to the nature of the injury.
- When the modified work offer requires modification after review by the health-care provider and alternate options have not been provided by the health-care provider.
- As a follow up to the modified work offer.

**Keep in mind: We need to be flexible. Not all situations will be the same.  
The key message is: Don't waste time!**

Example:  
Medical abilities and restrictions form

## Medical abilities and restrictions form – **Enter Employer Here**

### Early and safe return to work

*The purpose of this form is to provide restrictions to the employer to enable the worker to return to alternate or modified work as soon as possible, to identify suitable work that is productive and safe, and to provide work assignments that honour the outlined restrictions. If the employer is unable to offer work that is appropriate to the outlined restrictions, the worker will be off work.*

**Section A: Worker Information (to be completed by Employee)**

\_\_\_\_\_  
Print Worker Name                      Department                      Occupation/Duties

I, \_\_\_\_\_ (Worker signature), authorize the release of the following information to my employer to assist in an early and safe Return-to Work. Dated (dd/mm/yy) \_\_\_\_\_

**Section B: Restrictions, limitations and precautions (to be completed by Health-Care Professional).**  
Please take the time to consider the following so we may ensure the duties offered meet the needs of the employee.

<p><b>Strength</b> lifting, carrying, pulling or pushing objects to a maximum of:</p> <p><input type="checkbox"/> 5 Kilograms   <input type="checkbox"/> 10 Kilograms   <input type="checkbox"/> 20 Kilograms</p> <p><input type="checkbox"/> avoid firm or repetitive right-hand grip</p> <p><input type="checkbox"/> avoid firm or repetitive left-hand grip</p> <p><input type="checkbox"/> no strength restrictions</p>	<p><b>Safety and balancing</b></p> <p><input type="checkbox"/> avoid work on slippery or uneven surfaces</p> <p><input type="checkbox"/> avoid the operation of vehicles or equipment</p> <p><input type="checkbox"/> avoid work at heights</p> <p><input type="checkbox"/> avoid stairs</p> <p><input type="checkbox"/> avoid work in areas requiring full peripheral vision</p> <p><input type="checkbox"/> no balancing or safety restrictions</p>
<p><b>Postures and tasks</b></p> <p><input type="checkbox"/> avoid prolonged bending and/or twisting of the torso</p> <p><input type="checkbox"/> avoid prolonged kneeling, squatting, or crawling</p> <p><input type="checkbox"/> avoid overhead or above shoulder work</p> <p><input type="checkbox"/> restrict standing/walking to _____ hrs. per shift</p> <p><input type="checkbox"/> provide changes between standing, sitting and walking</p> <p><input type="checkbox"/> no posture or task restrictions</p>	<p><b>Environmental factors</b></p> <p><input type="checkbox"/> avoid work in extreme temperatures</p> <p><input type="checkbox"/> avoid work in dust, chemical vapours, etc.</p> <p><input type="checkbox"/> avoid work with vibrating hand tools</p> <p><input type="checkbox"/> restrictions on PPE – respirator, hard hat, safety glasses fall protection, etc.</p> <p><input type="checkbox"/> no environmental concerns</p>
<p><input type="checkbox"/> <b>Work hours</b></p> <p><input type="checkbox"/> restrict work hours to _____ hrs. per shift/week</p> <p><input type="checkbox"/> no restrictions — full-time hours</p>	<p><b>Medical treatment</b></p> <p><input type="checkbox"/> Employee required to wear assistive devices or braces</p> <p><input type="checkbox"/> Employee involved with treatment and/or medications that may affect his/her ability to work?</p>

**Can this worker safely return to work if the restrictions are accommodated?**    Yes    No

**Expected date for return to full duties:** \_\_\_\_\_

**Other medical restrictions/or comments:**

\_\_\_\_\_

\_\_\_\_\_

Signature of health-care professional: \_\_\_\_\_ Date: \_\_\_\_\_

Name, address and phone (please print)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Note: A fee of enter amount here will be provided for completion of this form. Please invoice to the attention of the Human Resources Department at: **P.O. BOX XXXX Saskatoon, Saskatchewan, enter Postal Code (306) XXX-XXXX Fax (306) XXX-XXXX Attention Safety Department/Human Resources Department****

The information/training provided is not a substitute for nor does it take precedence over The Workers' Compensation Act. This form does not take the place of or take precedence over OH&S legislation. This form may be used to complement or supplement your OH&S obligations but in no way replaces any obligations that exist under OH&S legislation. Should you choose to use this form, WorkSafe Saskatchewan assumes no responsibility or liability for any outcomes that may arise from its use. All employers and workers should be familiar with The Workers' Compensation Act, The Saskatchewan Employment Act and The Occupational Health and Safety Regulations. This form should be adapted to meet the particular requirements of your workplace.

Example:  
Medical abilities and restrictions form

Employer name: _____ Employer address: _____
<b>Medical abilities and restrictions form</b>
<p>This form will be used to assist in providing alternate or modified duties. The employer requires this information in order to identify suitable work that is both productive and safe. Your recommendations regarding any temporary limitations or restrictions will help us work collaboratively with you and your patient to develop a safe and sustainable recover at work plan.</p> <p>_____</p> <p>Please complete and give to your patient to their provide to employer to support collaborative return to work planning with the employer and worker.</p> <p>Worker's name: _____</p>
<b>Due to injury/illness the following physical, cognitive or psychological restrictions currently apply:</b>
<p>_____</p>
<p><b>Expected duration of restrictions:</b> &lt;7 days      8-14 days      15-21 days      &gt;21 days</p>
Practitioner name and signature: _____ Date: _____



### Medical abilities and restrictions form design tips

An employer's medical abilities and restrictions form should be kept as simple as possible. This supports the health-care provider in quickly being able to complete the form and return it in a timely manner and to support the worker and employer with prompt return-to-work planning.

Straightforward written instructions explaining the purpose of the medical abilities and restrictions form and how to fill it out, should be included with the form to help prevent submission of incomplete or incorrectly completed documents.

The employer's medical abilities and restrictions form should include the organization's name, address and contact information.

A medical abilities and restrictions form should not include a "time off work" check off option. If time off work is required as part of the prescribed treatment plan, the health-care provider should provide a medical note.

### Medical abilities and restrictions form template – customization

The medical abilities and restrictions form template can be customized to meet the needs of an employer.

Common customizations:

- Addition of workplace specific physical demands boxes relevant to workplace specific conditions and/or physical demands. Questions might include:
  - Can worker be in a cold and/or hot environment?
  - Can worker be in a dusty environment?
  - Can worker operate equipment?
- Revision of worker instructions to reflect workplace-specific communication and reporting procedures.

In its current state, return to work weighs heavily on the health-care provider. When a worker is injured or becomes ill, it is the health-care provider who provides the worker and their employer with abilities and restrictions information. Using this information, the employer develops an job offer with suitable work options and presents the offer to the worker.

Ideally, in future state we look to shift to the employer and worker collaborating on suitable work options that are available at the workplace instead of having the health-care provider outline a worker's ability and restriction information to the employer. These options are presented to the health-care provider, who then reviews them for risk and safety concerns.

### 5. Worker instructions

The worker package should contain instructions for the worker to help eliminate confusion at a stressful time.

#### Example of worker instructions:

##### Worker instructions

- Report injuries and absences for medical reasons to your supervisor immediately.
- Discuss modified work options available with your employer.
- Obtain medical treatment if required.
- Have your health-care provider review the modified work offer to ensure there are no safety concerns.
- Have your health-care practitioner complete the medical abilities and restrictions form if needed.

If your injury does not affect your ability to do your job:

- Return to work for your next scheduled shift.

If you are medically unable to attend your next scheduled shift or where there are safety concerns with the modified work offer:

- Call your supervisor as soon as possible to let them know what the safety concerns are with returning to work.
- Attend a return-to-work planning meeting to participate in the development of a return-to-work plan. The alternate or modified work will meet your current medical abilities and restrictions, be modified if and/or when your medical abilities and restrictions change and allow time for required medical appointments such as further diagnostics, treatment, etc.
- Have your health-care provider review your modified work offer or return-to-work plan as they are updated based on your recovery and advise if any safety concerns.
- Maintain communication with the WCB and keep them updated with any new information or changes to your recovery and return to work.

### It is important that the employer:

1. Submits the Employer's Initial Report of Injury (E1) form to the WCB within five days of learning about the work injury.
2. Communicates that the worker's recovery and return to work are important to the employer.
3. Sets an expectation that the worker will seek treatment and actively participate in the treatment plan.
4. Asks the worker to provide the health-care provider with the modified work offer (or obtain abilities and restrictions during the initial visit if an offer has not been completed) and provide the information to the employer as soon as possible.

### Medical notes

A medical note is generally provided by the health-care provider when:

- The injury or illness did not occur at the workplace.
- The worker does not have a modified work offer or abilities and restrictions form with them.

A medical note tells the employer and worker that the worker is unable to return to their original position for "x" duration of time OR requires accommodation.

### Fee for completion of forms

A health-care provider may charge a fee for completing the medical abilities and restrictions form or providing a medical note.

For work injury or illness, the WCB will cover the fee.

Health-care providers can directly bill the WCB for completing WCB forms using WCB code 640.

For outside of work injury or illness, fee coverage may fall to the worker or the employer depending on the organization's determined practice.

The image shows the 'Employer's initial report of injury' (E1) form from the Saskatchewan Workers' Compensation Board. The form is titled 'E1' and includes a 'Reset Form' button. It contains the following sections:

- Header:** WCB logo, Saskatchewan Workers' Compensation Board, 200 - 1881 Scarth St. Regina SK S4P 4L1, Phone: 306.787.4370, Toll free: 1.800.667.7590, Fax: 306.787.4311, Toll free fax: 1.888.844.7773.
- Reporting options:** 1) Phone: 1.800.787.5288, 2) WCB online account, 3) Fax 1.888.844.7773, 4) Email: forma@wcbssask.com.
- WCB claim number:** [Blank field]
- Has this incident already been reported to the WCB by the worker or a health-care provider?** Yes No Unsure
- Claim number (if known):** [Blank field]
- Is this injury related to a previous injury that has a past WCB claim?** Yes No Unsure
- Claim number (if known):** [Blank field]
- Section A: Employer information**
  - Business name: [Blank field]
  - Phone: [Blank field]
  - Address: [Blank field]
  - WCB firm number: [Blank field]
  - Industry rate code: [Blank field]
  - City: [Blank field] Prov: [Blank field] Postal code: [Blank field]
- Contact for general questions/inquiries**
  - Contact person: [Blank field] Email: [Blank field]
  - Phone: [Blank field] Position: [Blank field]
- Section B: Worker information**
  - Name: [Blank field] Specific division (if applicable): [Blank field]
  - Address: [Blank field] Occupation: [Blank field]
  - City: [Blank field] Prov: [Blank field] Postal code: [Blank field] Social Insurance Number: [Blank field]
  - Date of birth: [Blank field] Gender: Male Female
  - Email: [Blank field] Hire date: [Blank field]
  - Phone(s): [Blank field]
- Section C: Injury information**
  - 1. Injury date: [Blank field] 2. Fatality? Yes No
  - 3. Reported to employer on: [Blank field] 4. Province/State of injury: [Blank field]
  - 5. Area of body injured: [Blank field]
  - 6. In your own words, describe the incident as best you can: [Blank field]
  - 7. Did the worker receive care from a health-care professional or visit a health-care facility due to this incident? Yes No Unsure
  - 8. Do you have any reason to believe that this is not a work-related incident? Yes No
  - Explanation (if applicable): [Blank field]
  - 9. Name of health-care provider or facility (if known): [Blank field]
  - 10. Additional comments: [Blank field]
- Section D: Wage and employment information**
  - 11. Has or will the worker miss time from work after the date of injury? Yes No Unsure
  - 12. First day off and time worker left work due to this injury: Date: [Blank field] Time: [Blank field] a.m. p.m.

At the bottom, it says 'E1V2EmpFm Updated: 06/25' and 'When writing to the WCB, please print name and claim or firm number.'



A health-care provider is typically not familiar with the specific duties of a worker's job. If an employer does not communicate to the health-care provider that the employer has a return-to-work process and will provide alternate or modified work that honours the worker's restrictions and capabilities, the health-care provider often judges whether the worker can return to their original position based upon the worker's description of their job duties and the health-care provider's assessment of the injury. If a return to the worker's original position is not deemed possible, the health-care provider writes a time off work note.

A time off work note is a valid document, but it is usually of little value to an employer with a return-to-work process. All a time off work note tells the employer, worker and the WCB is that, based on medical evidence and in the opinion of a trained health-care provider, the worker is unable to return to their original position for a certain duration of time.

If an employer has a medical abilities and restrictions form, the role of the health-care provider shifts from determining whether a worker can safely perform their pre-injury job to providing medical abilities and restrictions that must be observed to safely return the worker to alternate or modified work.

### Return-to-work plan development

Effective return-to-work planning requires collaboration of all partners – the worker, the employer, the WCB and the health-care provider, as needed. A collaborative return-to-work discussion should take place as early as possible after the injury, either in person or by phone.

There will be times the employer and worker are able to initiate a stay-at-work or return-to-work plan right after injury. In situations where this does not occur, the WCB will arrange a collaborative return-to-work call or meeting to ensure the worker and employer are engaged in the discussion about return to work and that ideas are elicited from both partners regarding what the return to work could look like.

A return-to-work plan returns the worker to suitable work:

- When they have not yet fully recovered from their injury(s).
- When they are unable to return to their original job, but are capable of working with modifications.
- That is within their abilities and restrictions.

A return-to-work plan should proactively support the worker to return to productive employment in a timely and safe manner:

- Many workers can safely perform productive and meaningful work while they recover.
- Returning to work benefits the worker and is an important part of the recovery process.
- People who stay connected to the workplace after an injury usually recover more quickly.

The return-to-work plan is tailored to each individual based on their specific abilities and restrictions. The plan may also include a progression to pre-injury work when appropriate, if necessary.

### **What is the difference between a return-to-work plan and a modified work offer?**

A return-to work plan is used when you have more information available to you and you require a structured, multi-step plan for a gradual return to work. A return-to-work plan is typically used when the return to work is more complex and requires a collaborative approach with all partners (the worker, the employer, the health-care provider, the union if applicable, and the WCB).

A modified work offer can be discussed with the worker immediately and sent with the worker to their health-care provider for review for safety or risk of harm. A modified work offer is focused on specific tasks or duties and may be short term or transitional in nature.

### **Modified return-to-work strategy**

When considering the types of alternate or modified work for a worker, it is important to consider a modified work strategy. With either permanent and temporary restrictions, consider:

- Pre-injury job with modification.
- Another job (or jobs) not requiring modification.
- Another job (or jobs) with modification.
- A bundling of suitable duties.

These search options would fall into the first two steps of the hierarchy of objectives and be applicable to both permanent and temporary medical restrictions.

There are times when a worker will not fully recover, but be left with permanent restrictions as a result of the injury. This happens with a small percentage of work injuries. When restrictions are permanent, use the WCB's hierarchy of objectives.

**1**

### **SAME WORK WITH THE SAME EMPLOYER**

Means the worker is able to return to pre-injury position, with some restrictions. Wherever possible, the employer should be encouraged to accommodate the worker in graduated return to work or modified duties.

**2**

### **DIFFERENT WORK WITH THE SAME EMPLOYER**

Means restrictions preclude returning to the pre-injury position. The vocational rehabilitation specialist will undertake any additional vocational testing or skills analysis necessary to determine if the worker has the skills, aptitudes and experience that are transferable to alternate work.

**3**

### **SAME WORK WITH A DIFFERENT EMPLOYER**

Means pre-injury employer unable to accommodate in any capacity; alternatives in the same or related industrial sector are considered. Little intervention may be required, but additional earnings loss benefits during a notice period or employment readiness program may be provided, as necessary.

**4**

### **DIFFERENT WORK WITH A DIFFERENT EMPLOYER**

Means worker is unable to return to employment in the same or related industry. Vocational exploration will expand to suitable opportunities in other occupational sectors where the worker's existing inventory of transferable skills, aptitude and interests may be used.

**5**

### **TRAINING AND EDUCATION**

Means existing skills are insufficient to restore the worker to suitable employment. The development of new occupational skills will be considered through academic, technical or on-the-job training programs.

**6**

### **SELF-EMPLOYMENT**

This may only be offered where all other objectives have been exhausted or it is the only viable option for reaching maximum pre-injury earnings. Generally, this will apply to those workers in remote areas where employment and education opportunities are scarce. The plan is cost-effective compared with other reasonable return-to-work alternatives and there is a high probability of success.

### **Collaborative return-to-work planning: key steps to take**

To help ensure a worker's timely and safe return to work, follow these steps:

#### **Talk with the worker as soon as possible and maintain ongoing communication.**

- Keep in contact with the worker after the injury. Your relationship with the worker is key to their successful return to work and a faster recovery.

#### **Keep the worker connected to the workplace.**

- Include the worker in staff meetings, special events, training or even coffee with co-workers to keep them involved. Staying connected supports the worker's recovery and return to work.

#### **Ask the worker what duties they can do.**

- Be flexible and together with the worker (and union if applicable) identify safe and suitable work for them. To support them while they recover, the worker's duties must be meaningful, be within their abilities, and not cause harm or slow their recovery.

#### **Collaborate with the worker to develop a return-to-work plan.**

- Encourage everyone to focus on what the worker can do. Collaborate with the worker to develop a return-to-work plan that progresses them back to their pre-injury level of employment and allows them to restore their earnings. Meet with the worker at regular intervals and support their progress as they recover. Modify and adjust the plan as needed.

#### **Document the return-to-work plan**

- A written return-to-work plan helps everyone understand the plan's goals and expectations. Give the worker a copy of the plan and send one to the WCB. A written plan helps the worker update their health-care provider, if needed.

**KEY CONCEPT:** Return to work should happen **WITH** the worker not **TO** the worker.

Ensuring that the worker is actively engaged and has input on the return-to-work discussion, including input on the modified/alternative work, is critical because:

- The worker knows the day-to-day work better than anyone.
- It provides an opportunity to address any issues or concerns the worker may have.
- The worker's medical abilities and restrictions may be partially known, fully known or not be known at all during the initial planning stage.

Many workers can safely perform productive and meaningful work while they recover. Staying at work or returning to work benefits the worker and is an important part of the recovery process. People who stay connected to the workplace after an injury usually recover quicker.

### Supervisor's role

The immediate supervisor is a logical choice to be involved in return-to-work planning and to monitor the return-to-work plan because they:

- Are familiar with work performed in their work unit.
- Have a working relationship with the worker.
- Are the person to whom the worker would report.
- Are the person to whom the worker would bring questions.
- Have the ability to check in on worker as the return-to-work plan progresses to ensure successful return to work.
- Plays an important role in setting the workplace climate in their work unit.

### Return-to-work planning meeting

The goal of the return-to-work planning meeting is to establish a return-to-work plan in a timely manner in order to support the worker to stay at work or return to work as soon as it's medically safe to do so. The return-to-work planning meeting is the employer's commitment to keep the worker connected to the workplace by giving them suitable duties. This serves to develop a strong relationship with the worker by demonstrating they are valued.

The return-to-work planning meeting includes the employer, the worker (and union, if applicable) and the WCB. There are times the employer and worker will plan return to work quickly and support stay at work or early return to work. In other cases, the worker may be off work and the WCB will support the collaborative return-to-work process. Actively engaging the worker in the development of the return to work results in improved return-to-work outcomes. It also provides the employer with the opportunity to hear the worker's thoughts, as they know their work better than anyone, as well as to resolve issues at the planning stage and to communicate the employer's willingness to make adjustments during the course of the return-to-work plan if issues arise.

Prior to the return-to-work meeting, the employer may have identified potential alternate work options for a worker. The worker should still be given the opportunity to provide their suggestions and comment on options. Often a worker can suggest appropriate alternate work options and/or suggest ways jobs can be modified in order to meet their needs. The employer should be open to new ideas about alternate work options and/or the way in which work is performed. When a suggestion is not practical, the reasons should be explained.

The employer should listen to the worker's concerns and suggestions, and be prepared to address them collaboratively. Even when given the opportunity to do so, a worker may not share their concerns with the employer. The employer should do their best to identify potential barriers or issues before the return-to-work meeting and be prepared to address them at the return-to-work meeting.

**REMEMBER:** You must maintain confidentiality of private medical information, including abilities and restrictions.



If a worker believes that any return-to-work plan is placing them at risk and wishes a health-care provider to review for risk of harm and/or approve it, they may do so. Similarly, an attending health-care provider can request a copy of any proposed return-to-work plan. The health-care provider may also ask the assistance of a biomechanical provider (chiropractor or physiotherapist) to review the plan.

**KEY CONCEPT:** We are not looking for the health-care provider's approval. Instead, we are looking for their support.

### Factors to consider during the return-to-work planning meeting

#### Engage the worker in their return-to-work plan

- Engage the worker in identifying tasks and responsibilities for their unique return-to-work plan. Actively listen to their ideas and concerns to reveal their goals and some of their barriers so that together you can proactively address them before they impact the return to work.
  - o For example, learning that a worker is fearful of their co-workers' reactions to them being assigned lighter-duty work or fewer hours gives you the opportunity to collaborate with the worker to develop a communication plan. This plan could include a meeting of company management with co-workers to discuss the plan before it starts, setting expectations for co-workers and the supervisor in advance, and outlining an escalation path if problems arise.
  - o Co-workers' reaction to modified, alternate or light-duty return to work is an example of a concern that can manifest or cause other barriers such as the worker perceiving alternate work as punishment, failing to adhere to their medical abilities and limitations, or a failed return to work due to a perceived lack of support and seeking medical treatment to be removed due to fear of harassment or an unsupportive environment.
  - o How co-workers respond to duties for an individual return-to-work plan is typically not a problem when the employer has established a workplace culture in which return to work after an injury is an expectation that is seen as the employer caring for and supporting their workforce.



### Return-to-work planning meeting tips

#### 1. Listen

- Use active listening, concentrating on what is being said.
- Don't interrupt when others are speaking.
- Think before replying.
- Be aware of your own and other's non-verbal behaviour, such as defensive body language.
- Be aware of personal biases and values that may distort what you hear.
- Search for the feelings and basic assumptions beneath what is said.
- Don't judge.

#### 2. Ask questions to facilitate communication

- Helps you get information.
- Shows that you are paying attention.
- Shows you are interested in what the speaker has to say.
- Shows you value what the speaker has to say.

#### 3. Paraphrase

- Paraphrasing is when a listener restates a speaker's message in their own words without adding anything new.
- By restating the speaker's comments in their own words, the listener crosschecks the information to ensure the listener understood correctly what the speaker said.
- If the listener's understanding is inaccurate, the speaker will have the opportunity to correct it.

#### 4. Show empathy

Empathy is the ability to put yourself in somebody else's shoes. It involves:

- The ability to take on the viewpoint of another person.
- The ability to understand the feelings of another person.
- Having genuine concern for the welfare of the other person.

### 5. Final tips

- Don't prejudge.
- Put the worker at ease.
- Express concern and support for the worker's condition.
- Allow the worker to talk.
- Be attentive and patient.
- Ask for clarification if needed.
- Close the meeting on a positive note.

It is important to consider that return to work is about the worker and returning them to wellness. Injuries affect workers not only physically but psychologically and emotionally as well. It is not uncommon for workers who are injured to have feelings of anger, mistrust, anxiety and fear.

The worker may have other things going on in their lives that are affecting them as well, heightening these emotions. Showing support, compassion and understanding will help ease the worker's feelings and involving workers in planning the return to work also shows that they are valued and that their thoughts and opinions matter. An injury doesn't change them to an "injured worker" whose injury needs to be managed; they are the same valued worker, with thoughts, opinions, ideas and emotions, they are simply currently injured and need support to return them to work and wellness.

### Documenting the return-to-work plan

A return-to-work plan should be documented for clarity for all return-to-work partners and support a clear path to return to work.

Benefits of documenting a return-to-work plan:

- Provides evidence of an employer's efforts to accommodate a worker.
- Provides the opportunity to identify and address any misunderstandings as to the agreed-upon return-to-work plan.
- Provides a record of the return-to-work for all partners – the employer, worker, the WCB and health-care provider when applicable.
- Provides supervisor with the information needed to effectively monitor a worker's return-to-work plan.
- Outlines the dos and don'ts of the return-to-work plan to ensure:
  - Assigned alternate or modified work tasks are within the worker's medical abilities and restrictions.
  - A worker is not asked to perform work tasks outside their medical abilities and restrictions.
  - A worker does not feel pressured to perform work tasks outside their medical abilities and restrictions.
  - Co-workers do not expect a worker to perform work tasks outside their medical abilities and restrictions.
  - A worker does not overestimate their medical abilities and perform work tasks outside the return-to-work plan.
- Assists employer to ensure the return-to-work plan is followed and the worker's health and well-being are protected.
- Provides a worker with the knowledge that the return-to-work plan is within their medical abilities and restrictions and is designed to protect their health and well-being.
- Provides health-care provider(s) and the WCB with information to assist in determining whether proposed alternate or modified work is within a worker's medical abilities and restrictions.
- Provides the WCB with documentation to support the collaborative return-to-work process.

The documented return-to-work plan provides details of specific activities and accommodations required to achieve the successful return to work. It also outlines the return-to-work partners responsible for each activity.

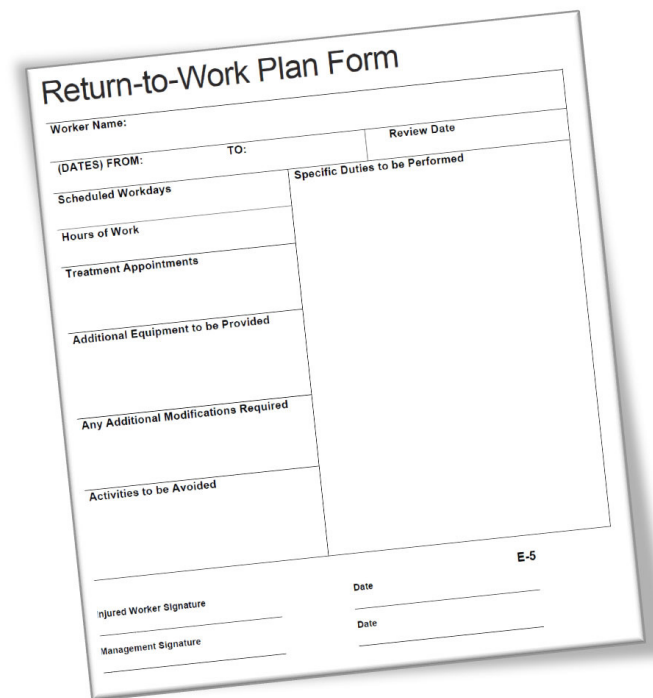
A return-to-work plan is developed for a defined time frame, with a review date. The return-to-work plan must be reviewed and revised if there are any changes in the workers medical abilities and restrictions.

If a worker's return-to-work plan requires modifications, such as additional tools, assistive aids, equipment or changes to work environment, the modification should be in place before the worker starts their return-to-work plan.

A return-to-work plan must allow for time away from work for the worker to attend any medical or treatment appointments to support recovery from the work injury.

If the employer has a return-to-work process, most return-to-work plans can be identified, agreed to, documented and signed early after the injury, during the return-to-work planning meeting. Injuries with complicated treatment and recovery, or situations in which barriers may be present, may take more time to resolve. It is important to reach out to the WCB as a trusted partner to support facilitation of return to work.

**Note: If there is a change in the return-to-work plan, processes must ensure that the worker and the supervisor discuss and agree with changes and sign off on the updated plan, especially if new duties are assigned.**



The image shows a 'Return-to-Work Plan Form' (E-5) with the following sections:

- Worker Name: \_\_\_\_\_
- (DATES) FROM: \_\_\_\_\_ TO: \_\_\_\_\_ Review Date: \_\_\_\_\_
- Scheduled Workdays: \_\_\_\_\_
- Hours of Work: \_\_\_\_\_
- Treatment Appointments: \_\_\_\_\_
- Additional Equipment to be Provided: \_\_\_\_\_
- Any Additional Modifications Required: \_\_\_\_\_
- Activities to be Avoided: \_\_\_\_\_
- Specific Duties to be Performed: \_\_\_\_\_
- Injured Worker Signature: \_\_\_\_\_ Date: \_\_\_\_\_
- Management Signature: \_\_\_\_\_ Date: \_\_\_\_\_

If the alternate or modified duties provided and detailed on the return-to-work plan align with the medical abilities and restrictions outlined by the health-care provider, the employer does not need to provide the health-care provider with a copy of the documented return-to-work plan, unless the health-care provider requests it. A health-care provider may request a copy of the documented return-to-work plan to better monitor the worker's recovery and/or to develop and customize a treatment program, such as incorporating the return-to-work duties into a physiotherapy treatment program.

### The return-to-work plan form template

Employers can develop a form or template to help document the return-to-work plan. The form should include sections that guide return-to-work planning meeting participants in developing and documenting the worker's return-to-work plan.

The plan should include:

- date and length of return-to-work plan
- date of review
- scheduled workdays and hours of work
- specific duties to be performed
- additional tools or equipment
- any additional modifications
- any work activities to be avoided
- signatures by the worker, employer (and health-care provider when applicable)



All sections on the return-to-work plan form should be discussed by the return-to-work planning participants to determine what information is required to document a clear return-to-work plan.

The return-to-work plan form template can be customized to suit the needs of the employer. The employer's return-to-work plan form should identify the employer (name, and logo if applicable) and include contact information.

- The form needs to be signed.
- Employers must provide a copy of the return-to-work plan to the worker, their supervisor, the WCB, the health-care provider and kept in the worker's file.

Example of a return-to-work plan template:

<b>Employer name: May include company logo</b>	
<b>Employer contact information:</b> Include information such as address, contact name and position, phone number, email, fax.	
<b>Return-to-work plan</b>	
<b>Worker:</b>	<b>Claim number:</b>
<b>(Dates) From:                      To:</b>  Record expected duration of restrictions and length of the return-to-work plan. Dates should correspond with dates provided by the health-care provider on the completed medical abilities and restrictions form.	<b>Review date:</b>  Specify a review schedule: - when medical abilities and restrictions change and/or upon completion of plan - for regular check-ins with worker
<b>Scheduled workdays:</b>	<b>Specific duties to be performed:</b>  Describe as specifically as possible the duties the worker is to perform as part of their return-to-work plan.  Do not write “light duties” or “office duties.” Such descriptors are too vague and do not provide the employer, the WCB, health-care provider, supervisor, union (if applicable) or worker with enough information to ensure the modified work is within the worker’s medical abilities and restrictions as outlined by the health-care provider.  Duties must follow the worker’s medical abilities and restrictions.  Duties must be productive and contribute to the objectives of the employer.  Duties must be within the skills and abilities of the worker.
<b>Hours of work:</b>	
<b>Treatment appointments:</b>  List any dates and times the worker must be absent from work to attend medical appointments.  (Report dates and times the worker is away from work to the WCB, as earnings loss for the appointments is paid by the WCB.)	

<p><b>Additional equipment to be provided:</b></p> <p>List any alternate/assistive tools/equipment required to implement the return-to-work plan.</p> <p>(Additional tools/equipment must be provided in a timely manner prior to the worker's return to the workplace. The worker must receive training in the safe operation of any new equipment.)</p>	
<p><b>Any additional modifications required:</b></p> <p>Record any changes not yet captured in the other boxes</p>	
<p><b>Activities to be avoided:</b></p> <p>Identify work activities not within the worker's medical abilities/restrictions that the worker must not be allowed to perform.</p> <p>(Listing activities to be avoided lessens the likelihood that the worker will attempt them and assists the supervisor in monitoring the safe work practices of the worker.)</p>	
<p><b>Worker signature:</b></p>	<p><b>Date:</b></p>
<p><b>Supervisor signature:</b></p>	<p><b>Date:</b></p>
<p><b>Return-to-work co-ordinator signature:</b></p>	<p><b>Date:</b></p>



### Step 1: Review the medical abilities and restrictions form

- After reviewing this form, what are some questions that you might want to ask the worker?
- What additional information would you want to know from the health-care provider?

### Additional worker information

You discover that the worker is right-handed and now has limited mobility holding a pen.

You also discover that the worker has a background in construction estimation and health and safety; however they have some expired credentials.

You also discover that they are not on any painkillers and are managing the pain.

### Step 2: Fill out the return-to-work plan form

<b>Employer name:</b>	
<b>Employer contact information:</b>	
<b>Return-to-work plan</b>	
<b>Worker:</b>	<b>Claim number:</b>
<b>(Dates) From:                      To:</b>	<b>Review date:</b>
<b>Scheduled workdays:</b>	<b>Specific duties to be performed:</b>
<b>Hours of work:</b>	
<b>Treatment appointments:</b>	

<b>Additional equipment to be provided:</b>	
<b>Any additional modifications required:</b>	
<b>Activities to be avoided:</b>	
<b>Worker signature:</b>	<b>Date:</b>
<b>Supervisor signature:</b>	<b>Date:</b>
<b>Return-to-work co-ordinator signature:</b>	<b>Date:</b>

### Psychological injury conversations

It can be uncomfortable for employers to speak with their workers about psychological health concerns. Here are some talking tips for each stage of the conversation.

#### Stage 1: Getting the conversation started

- Keep it performance-related.
- Be supportive.

Examples:

*“I’ve noticed you haven’t been your usual self lately. What would be helpful for you at this moment?”*

*“I’ve noticed some changes to your performance lately that don’t seem like the usual you. I’m wondering if you have some time to chat about that?”*

#### Stage 2: Finding a solution

- Be open and facilitate the use of available resources.
- Don’t offer advice or try to fix the problem.

Examples:

*“How can we best support you right now?”*

*“What can I take off your plate?”*

*“Let’s discuss the supports we have for our workers (EAP, Sick benefits etc) and find out what might work for you.”*

*“What kinds of day-to-day activities or work environment would help?”*

#### Stage 3: Working out the details

- Reinforce confidentiality.
- Discuss a return-to-work plan.

Examples:

*“Any information we request from you will be on a need-to-know basis and will be kept completely confidential.”*

*“We are flexible with how much time you need off. Let’s discuss a loose timeline for your return-to-work.”*

*“What would you like co-workers to know/what can be shared?”*

#### Stage 4: Checking in

- Keep them up to date with organizational news.

Examples:

*“How have you been?”*

*“We are wrapping up our big project that you were involved in<sup>®</sup> it’s going great! We have a company picnic coming up next month if you would like to come.”*

### Initiating the return to work

The immediate supervisor, return-to-work co-ordinator or the person designated by the employer is responsible for monitoring the worker's return-to-work plan.

Day 1 of the return-to-work plan:

- Supervisor is responsible for:
  - Welcoming the worker back to the workplace.
  - Reviewing the return-to-work plan developed in the return-to-work planning meeting with the worker.
  - Following the abilities and restrictions outlined in the return-to-work plan with the worker.



After implementation of the return-to-work plan:

- Was the worker monitored and supported on their return-to-work plan?
  - Was the worker checked in on periodically?
  - Were problems identified by the worker, their co-workers and supervisor addressed?

**REMEMBER: If there is a change in the return-to-work plan, processes must ensure that the worker and the supervisor discuss, agree with changes and sign off on the updated plan, especially if new duties are assigned.**

The employer should communicate information about a worker's return-to-work plan to any co-workers who will be affected by the plan. Co-workers should be informed before the worker's return that they are on a return-to-work plan, what their alternate or modified work duties are, and how the return-to-work plan affects the co-workers' work. **You must maintain confidentiality of private medical information and restrictions.**

Co-workers may feel concerned that the worker's return-to-work plan will result in more work for them or other co-workers, potentially putting other co-workers at risk of injury. The supervisor should respond to the co-workers' concerns. The supervisor may need to explain that the worker's medical information is confidential and cannot be shared, and that the return-to-work plan is required given the current medical abilities and restrictions. The supervisor may need to reference the employer's return-to-work process and/or harassment policy.

It is important to proactively monitor the workers return-to-work plan to ensure it's progressing as expected, remove barriers as they arise and prevent any potential concerns.

The employer (supervisor) must ensure the worker is performing their job duties/tasks safely and that they are not at risk for any further injury.

If the worker or the employer (or supervisor) identifies a concern with the worker's return-to-work plan, the employer is to meet with the worker to discuss the concern/problem.

The employer should contact the WCB to address any concerns with the return-to-work plan and document these concerns on an updated return-to-work plan template or form.

**When an employer encounters difficulties in returning a worker to suitable modified or alternate work, the WCB may assist with scheduling a collaborative return-to-work meeting.**

### The return-to-work proactive worksheet

The return-to-work plan proactive worksheet is an employer's guide to proactively engage with worker and supervisors regarding an individual's specific return-to-work plan.

This worksheet identifies any issues from the worker's and supervisor's perspectives and presents an action plan to address any items that need to be corrected.

The worker's supervisor is responsible for ensuring this form is completed when:

- The worker starts their return-to-work plan.
- Any changes are made in the worker's plan (amendments, planned graduated return to work, updated medical abilities and restrictions, etc.).
- A regular review is scheduled.
- Any problems or issues are identified.

A copy of the return-to-work plan proactive worksheet is retained by the supervisor and is also provided to the worker, the return-to-work coordinator or designate and a copy is retained in the worker's file.



The form is titled "Return-to-work plan proactive worksheet" and is divided into two main sections: "Return to work" (red background) and "Return-to-work plan proactive worksheet" (dark blue background). The main content area is white and contains the following text:

The return-to-work plan proactive worksheet is an employer's guide to proactively engaging with workers and supervisors regarding an individual's specific return-to-work plan.

Ensuring that the worker is actively engaged in ongoing return-to-work discussions – including their progress and input on potential modified or alternative work identified by the employer – can be critical to gaining their trust and respect. After all, the worker knows the day-to-day work better than anyone.

Any issues or concerns the worker may have can also be addressed at this return-to-work plan update stage.

This worksheet identifies any issues from the worker's perspective and the supervisor's perspective. It also presents an action plan to address any items that need to be corrected.

The worker's supervisor is responsible for ensuring this form is completed and forwarded to the employer's return-to-work co-ordinator when:

- The worker starts their return-to-work plan.
- Any changes are made in the worker's return-to-work plan (amendments, planned graduated return to work, updated medical restrictions, etc.).
- A regular review is scheduled, or
- Any problems or issues are identified.

Worker: \_\_\_\_\_ Supervisor: \_\_\_\_\_

Claim number: \_\_\_\_\_ Date: \_\_\_\_\_

At the bottom, there is a logo for WorkSafe Saskatchewan with the tagline "Work to live." and the website "worksafesask.ca". The date "Updated: 04/24" is printed in the bottom left corner.



1. Each return-to-work plan is different and tailored to the individual situation.

- a. True.
- b. False.

2. What is the difference between a medical abilities and restrictions form and a modified work offer?

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3. What is the difference between a medical abilities and restrictions form and a medical note?

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# Module 5

## Return-to-work summary

Learner handbook



*Work to live.*



### This module will:

- ✓ Review common barriers and challenges with return to work.
- ✓ Summarize the return-to-work process.
- ✓ Discuss frequently asked employer questions related to work disability.

In most cases, a worker should fully recover from their injuries and be able to return to their regular (pre-injury) jobs. Occasionally, however, an injury may be significant enough that additional supports may be required to ensure the worker can return to safe, suitable and productive employment. The goal always is to prevent unnecessary work disability and needless suffering by supporting workers in their return to work.

In this module, we will examine common barriers to successful return to work and how to address these barriers. We will also review what we have learned and summarize the stay at work and return to work pathways.

There are common questions that employers have related to work disability. In this module, we will review and provide answers to some of those questions.



There are a number of barriers to a successful return to work that a worker may be experiencing. Some of these align with the elements or principles of work disability, some are symptoms of psychosocial risk factors and others are related to lack of clarity or information. Examples of barriers include:

- Fear of re-injury, pain.
- Unclear path to return to work.
- Concerns about how co-workers will react to the worker's modified tasks.
- Concerns about alternate work being of value or the quality of their performance.
- Perception that alternate work is punishment for being injured.
- Failure to adhere to the medical abilities by either the worker or as directed by the supervisor.
- Fear of change.
- Lack of worker engagement in developing the return-to-work plan.
- Lack of awareness of the benefits of return to work, or legal obligations and responsibilities.
- Magnified disability beliefs and/or entitlement issues.
- Confusing processes.
- Health-care provider being unaware of the work options available at the workplace.
- Lack of trust between partners.

### Addressing and mitigating barriers

So what can an employer do to address or mitigate these barriers and avoid a failed return-to-work plan? While each situation will differ based on the needs of the individual worker, problems can often be avoided through proactive engagement of the worker and clear and consistent communication. Consider these steps for every return-to-work plan:

- Communication at every step of the process is critical, starting with the development of your return-to-work program. Communication includes creating awareness of the program for all staff prior to injuries occurring and regular communication during the development and execution of the return-to-work plan for each individual.
  - Communication must be more than providing information to staff but should involve them in the process. Give them a sense of ownership in the program and individual return-to-work plan outcomes.
  - Proactive, not reactive, communication can be foundational to building and maintaining trust, both with staff in general and with an individual who has been hurt on the job.
  - Provide information to employees about the benefits of return to work, ensuring there is an understanding by all employees that the return-to-work program includes modified and alternate options that will be unique to their abilities and restrictions. Medical evidence does support that recovering at work can be better for most workers and contributes to overall health and wellness. This can prevent the fear of re-injury or concerns about hindering recovery.
  - Ensure early return to work is an expectation starting with the first date of employment. When workers understand the benefits of return to work along with their responsibilities, this can avoid entitlement issues and minimize the chance of magnified disability beliefs.

## Challenges faced

### Worker challenges:

- Workers are not always involved in their return-to-work planning.
- Co-workers may not always be supportive of their fellow worker's modified or alternate work.
- Employers are not prepared for accommodations, having no modified duties available for workers who have been injured.

### Employer challenges:

- Lack of communication from the WCB.
- Modified duties available but the health-care provider writes the worker off work.
- Unclear return-to work plans.

### Health-care provider challenges:

- Health-care provider aren't aware of possible accommodations.
- Administrative burden to complete forms.
- Worker can have multiple health-care providers.
- Medical timeliness.

The WCB is here to support our customers with these challenges.

## Why does work disability prevention benefit workers and employers?

Employers play a major role in addressing work disability and improving outcomes.

Studies have shown that employees who are satisfied with their employers response to their injury, results in:

- **A 50 per cent faster return to work.**
  - Benefits to workers, including preventing unnecessary disability, back to regular salary, performing productive work and maintaining the bond to the workplace, as well as promoting psychological, physical and social health and well-being.
- **A 54 per cent reduction in employer costs.**
  - Reducing costs in replacing and hiring workers, as well as in WCB costs and premiums.

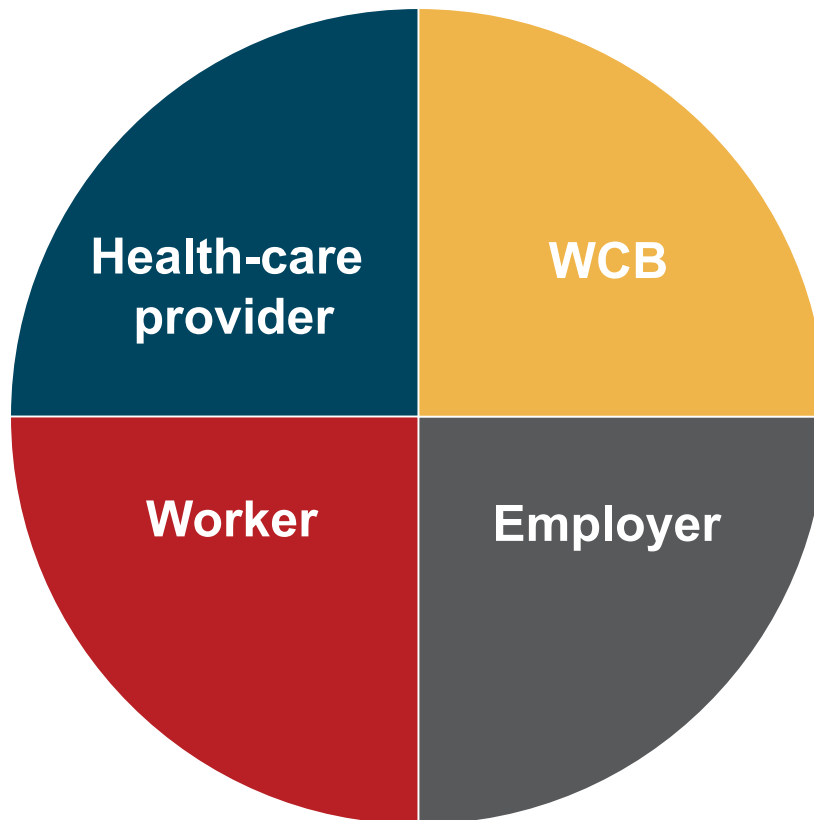
These two benefits are in addition to other benefits of maintaining a skilled and stable workforce and maintaining productivity.

Worker satisfaction with the way their employer responds to their work injury and return to work is more important (in terms of leading to successful return to work) than their satisfaction with their health-care providers or what the worker's expectations about their recovery are.

## Partnering for better outcomes

As we learned earlier in this course, there are four key partners in return to work.

1. The worker participates in their own recovery by co-operating with medical treatment and being an active partner in return-to-work planning.
2. The employer collaborates with the WCB, the worker and the health-care provider to modify duties for a safe and timely return to work, and adjusts duties as recovery progresses.
3. The health-care provider makes decisions about worker's treatment and adjusts the worker's abilities as recovery progresses.
4. The WCB monitors the worker's recovery and arranges assessments and treatment in consultation with the health-care provider; facilitates return-to-work planning with all partners.



### Conditions for success

- Provision of a healthy and safe work environment.
- Collaborative approach to return to work:
  - Team approach in the development, implementation, monitoring, review and revision of the return-to-work process and individual return-to-work plans, keeping the employee at the centre of that process.
- Setting and tracking return-to-work process performance measures.
- Organizational commitment to continuous improvement:
  - Regular review of the return-to-work process to identify and act on opportunities for improvement.
- Visible employer commitment to return to work:
  - Demonstrated through an organization's actions that prioritize the health and well-being of workers.
  - Active participation in the development, implementation, administration, maintenance and promotion of the return-to-work process, including providing necessary resources to make the return-to-work process successful.
- Engagement from all levels of the organization in the return-to-work process.
- Orientation and return-to-work training strategy for workers and leaders:
  - Providing suitable training for all positions on the return-to-work process, including expectations and responsibilities.
- Organizational communication about the return-to-work process.
  - Ongoing, open and transparent communication with all workers regarding the return-to-work process, including any changes to the return-to-work process and addressing concerns or questions.
- Fair and consistent application of the return-to-work process across the organization.
- Flexibility in defining alternative/modified work in individual return-to-work plans.



## Seven principles for successful return-to-work

The Institute for Work and Health identified seven principles for successful return to work. The following information has been adapted from this publication.

### **Principle 1: Workplace has a strong commitment to health and safety, which is demonstrated by behaviours of the workplace partners.**

- Actions speak louder than words.
- Management spends time and money on improving safety and supporting coordinated return-to-work programs.
- Workers are involved in decisions affecting their daily work.
- Communication is open – people feel free to voice concerns or make suggestions.

### **Principle 2: The employer makes an offer of modified work to workers have been injured so they can return early and safely to work activities suitable to their abilities.**

- When possible, return a worker to their own work area (environment, people, practices are familiar).
- When encountering difficulty in creating an appropriate modified job, consider consulting an occupational therapist or other ergonomic expert.

### **Principle 3: The return-to-work co-ordinator (or designate) ensures that the plan supports the returning worker without disadvantaging co-workers and supervisors.**

- Return-to-work plans that anticipate and avoid the following pitfalls will have better outcomes:
  - Workers feel the workplace is unprepared for their return.
  - Co-workers resent the worker who has been injured for having to take over some of their work.
  - Supervisors are expected to ensure the same level of service/production in spite of accommodating a worker.

### **Principle 4: Supervisors are trained in work disability and are included in return-to-work planning.**

- Supervisors are important to success due to their proximity to workers and ability to manage the immediate work environment.
- Supervisors should be trained in safe work practices and ergonomic practices.
- Supervisors should be taught and encouraged to be positive and empathetic in early contacts.
- Supervisors should follow up and problem solve on a regular basis.

### **Principle 5: Employer makes an early and considerate contact with the worker who has been injured.**

- Contact should be made within the first week of an injury with regular follow up contact made followed by contact after at minimum every 10 days of absence.
- Ideally, contact is made by the supervisor.
- This contact should not involve issues such as injury causation or blame. It should express concern for the health and well-being of the worker.
- Maintaining contact and reaching out to be supportive improves the outcomes for the worker.

### **Principle 6: Someone has the responsibility to co-ordinate return to work. The co-ordinator (or designate):**

- Is trusted and respected by workers and management.
- Provides individualized planning adapted to initial and ongoing needs of the worker.
- Ensures necessary communication does not break down.
- Ensures all return-to-work partners understand what to expect.

### **Principle 7: Employers and health-care providers communicate with each other about the workplace demands as needed and with the worker's consent.**

- The more the health care provider(s) know about the worker's job and the workplace's ability to accommodate, the better able they are to participate in informed return-to-work decision-making.
- Choose a variety of communication methods, including:
  - \* written (job demands and options)
  - \* phone (work and job demands)
  - \* workplace visits by health-care providers

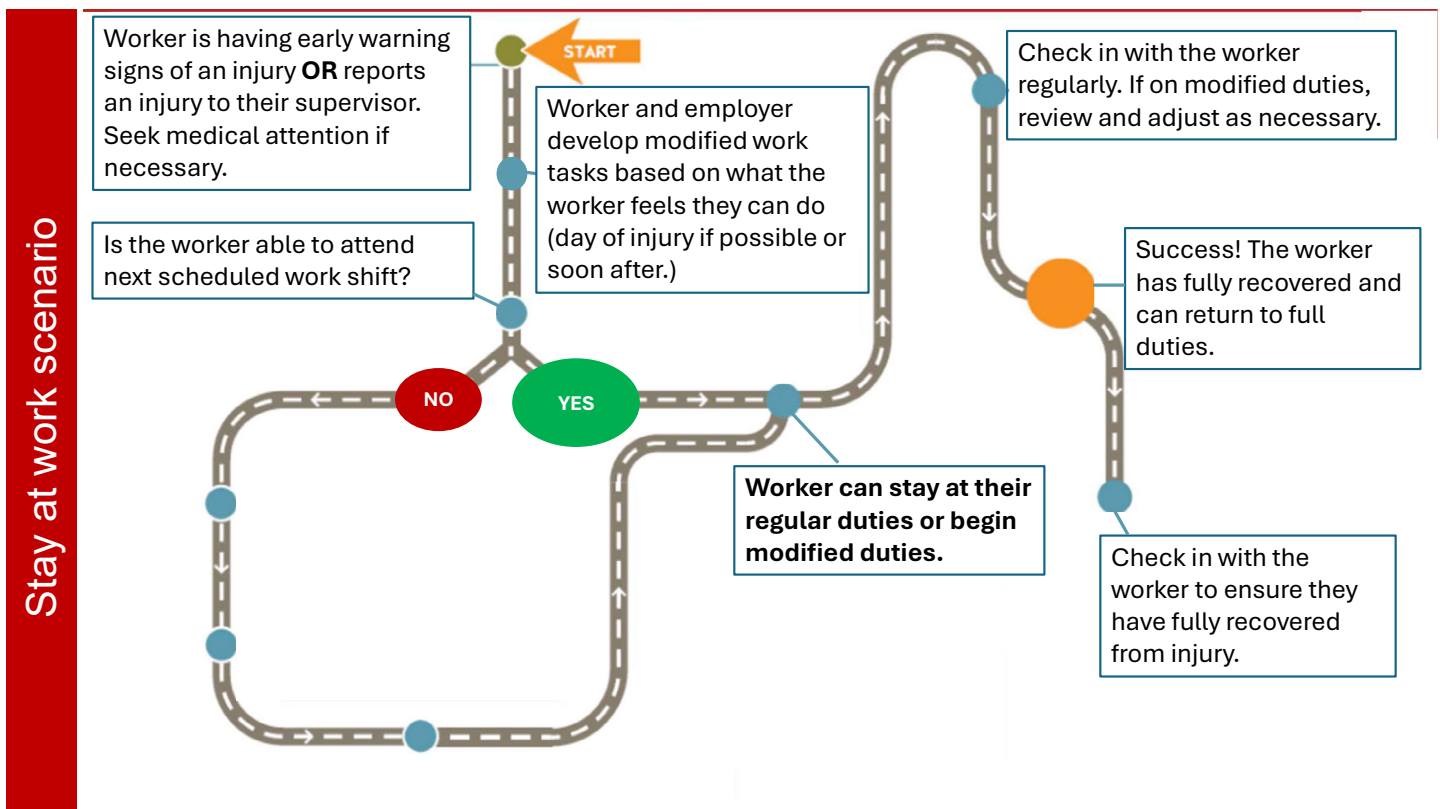
## Stay at work and return to work scenarios

Every workplace injury or illness circumstance will differ. The following scenario roadmaps are provided as a general summary of what has been discussed in this course and based solely on stay at work or return to work and the extent of the injury or illness.

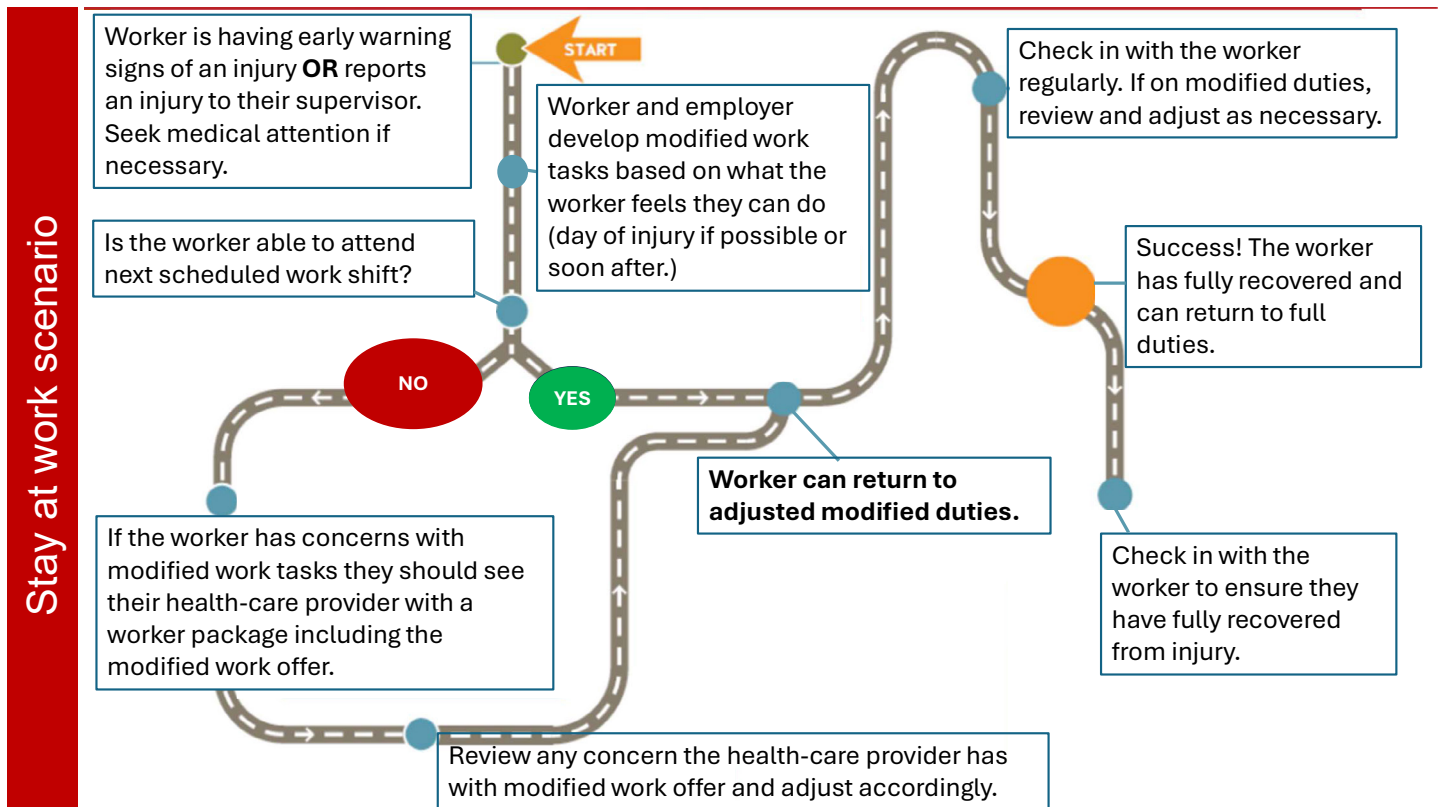
Please remember that every situation is different and the roadmaps may deviate accordingly.

The majority of the time, a worker can remain at work with a safe stay at work accommodation.

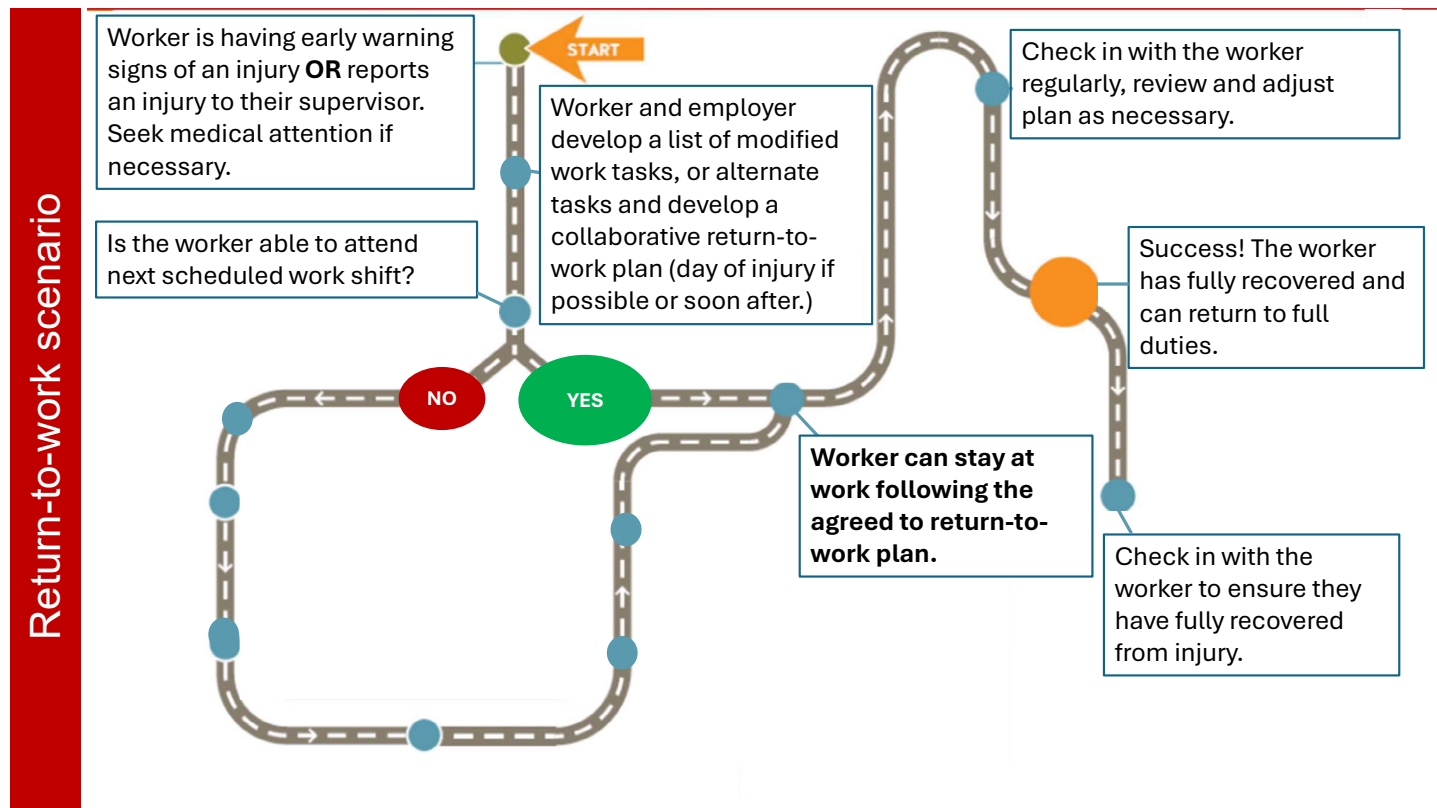
Follow the roadmap to review the stay at work pathway when the worker is able to attend their next scheduled work shift.



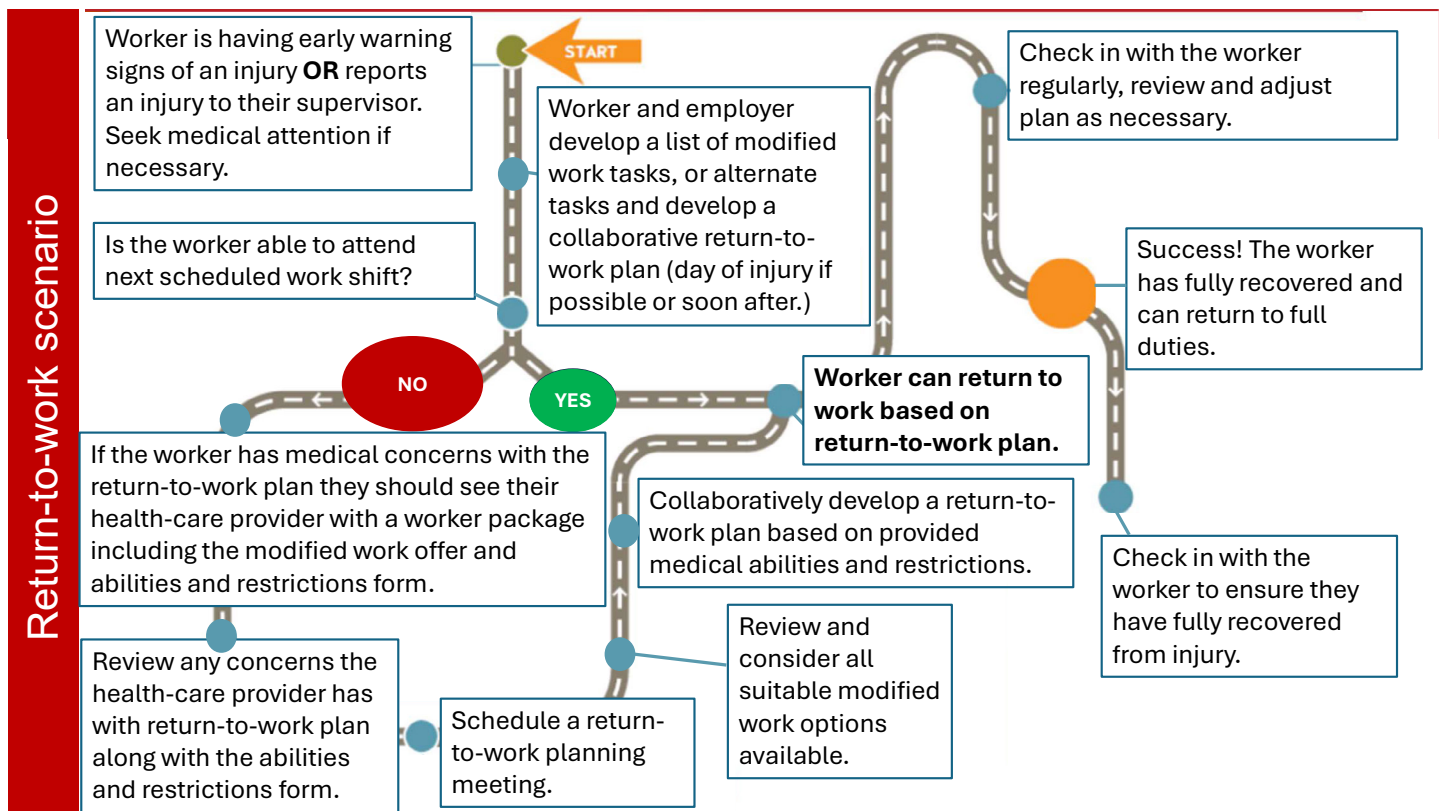
Follow the roadmap to review the stay-at-work pathway when the worker is not able to attend their next scheduled work shift.



There are times when a worker is unable to stay at work following an injury or illness. Follow the roadmap to review the return-to-work pathway when the worker is able to attend their next scheduled work shift.



Follow the roadmap to review the return-to-work pathway when the worker is not able to attend their next scheduled work shift.





### Activity 2

#### Consider this scenario:

A worker was injured while helping a client at the assisted living residence where they work. They were only two hours into their shift and was assisting a client out of the washroom when the client became faint and transitioned their weight onto the worker. The worker was able to catch the client and ensure their safety however, in doing so they injured themselves. Watch the following videos and note your observations.

#### Worker

What could the worker have done differently?

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In the second video, what did the worker correct for a more successful outcome?

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#### Employer

What could the employer have done differently?

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In the second video, what did the employer correct for a more successful outcome?

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### Health-care provider

What could the health-care provider have done differently?

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In the second video, what did the health-care provider correct for a more successful outcome?

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### Please note the outdated terminology in the videos.

Rather than labelling someone as an “injured worker”, it is preferred to reference them as “the worker who has been injured”.

Secondly, the medical restrictions form has been retitled to a medical abilities and restrictions form. This new title is intended to shift the focus to what the worker can do rather than what they can't.



### Return-to-work resources from WorkSafe Saskatchewan

WorkSafe has a number of resources and fact sheets available on their website to assist return to work partners through the return-to-work process. Use this QR code to access these resource materials.

### Common employer questions

#### 1. How long must an employer accommodate?

The employer's duty to accommodate is set out in *The Saskatchewan Employment Act* and the Saskatchewan Human Rights Code and extends to the point of undue hardship.

#### 2. We keep getting time off work notes from my workers after they are injured even though we have accommodated work. How do I handle this?

What can an employer do?

- Develop a return-to-work program, if one doesn't already exist, including the requirement that workers take return-to-work documents (modified work offers/ medical abilities/ restrictions forms) to their doctors on the first visit.
- Develop a culture of staying at work by ensuring workers are aware of return-to-work programs, that all injuries will be accommodated and this is a partnership towards wellness.
- Ensure workers know what's in it for them (financial, social, psychological, medical benefits of remaining at work).
- Include the worker in the initial return-to-work conversations so they can better speak to their health-care provider about what modified work is available for them as outlined on the document.
- Educate general practitioners in your areas with your commitment to providing accommodated work that is medically safe and the kinds of work available.

How can the WCB assist?

- Partner with employers and workers in developing collaborative return-to-work plans and send these to care providers where required to ensure there is no risk of harm or safety concerns.
- Assist in gathering, identifying and sharing functional abilities.

### 3. Can the WCB expedite medical appointments?

The WCB can and does expedite medical appointments wherever possible. The general practitioner, however, remains the primary health-care provider and directs the medical appointments, so they can decline an expedited appointment.

Medical appointments that the WCB can expedite include specialist appointments, diagnostics (MRI, CT scans, Ultrasounds, EMG studies), pain specialists, day surgeries and multidisciplinary assessments (MDA).

### 4. Can the WCB conduct doctor shopping?

The WCB cannot direct medical care nor tell workers what general practitioners they can see or that they have to stay with one general practitioner.

Many workers now have no family doctors and rely on medical clinics, which is another challenge in getting consistent medical/ medical opinions.

How can the WCB assist?

Where required, and where we are getting inconsistent medical reports / opinions, the WCB can request a multidisciplinary assessment (MDA) to obtain a clear understanding of functional abilities and the nature of the injury, as well as if additional medical care such as diagnostics or specialist care, or a treatment program would be required to support recovery and return to work.

### 5. What if a worker no longer works for the employer?

The injury employer remains responsible for the effects of and costs associated with a work injury, whether the worker remains employed with you or not.

In some cases, a worker may voluntarily leave employment where a suitable accommodation was provided in which case their earnings loss benefits would be impacted.

Terminating a worker who has been injured does not absolve the employer of costs associated with that injury, including at times, retraining.

### 6. Can employers terminate a worker on accommodated duties?

The WCB does not involve ourselves with an employers right to terminate a worker, whether accommodated or not.

If a worker is terminated from employment while on a WCB claim, there are policies in place to guide decisions (for example, WCB policy Benefits – Return to Work (RTW) Interrupted (POL 02/2018).

### **7. Can employers advise a worker who has been injured on recommended care providers?**

The WCB would not advise the employer to recommend specific care providers to your worker.

The WCB does not direct medical care or advise workers what care providers a worker can or cannot see.

WCB customers can see any physician, nurse practitioner, dentist, chiropractor, optometrist, psychologist, physical therapist or any other health-care provider who's registered or licensed in Saskatchewan.

However, once their claim is accepted there are specific WCB accredited health-care providers in the specialties of physiotherapy and occupational therapy the worker would need to attend to.

### **8. Can employers recommend physio over their general practitioner?**

The WCB would not recommend the employer advise workers on what caregivers they can see, the General Practitioner would be the caregiver making a referral to a physiotherapist.

If a worker is seeing both a general practitioner and a physiotherapist, the physiotherapist would be the caregiver typically providing abilities and restrictions.

### **9. What are employers allowed to say to a worker with a psychological injury or illness?**

Workers have a right to privacy, so it's understandable if you're not sure what to say.

The details that the worker offers will depend on their relationship with you.

Maintain confidentiality.

Keep the conversation focused on work-related performance, NOT on their psychological health condition.

To learn more about psychological health and safety and managing psychological injury and illnesses, visit WorkSafe Saskatchewan's Psychological Health and Safety Resource Centre at [worksafesask.ca](http://worksafesask.ca).

### **10. Can the employer ask for a diagnosis?**

Knowledge of the precise medical diagnosis is not necessary to provide accommodations to your worker.

Asking for details about the name of the condition, test results, treatments etc. should be avoided.

Workers have a right to privacy and are only required to disclose information related to the limitations associated with their condition.

### **11. Can employers force a worker to return to work?**

Return to work is a worker's decision. Employers can offer return to work. WCB representatives can help to facilitate return to work.

Health-care provider(s) can approve return to work.

Ultimately, the worker must choose to take steps to actually return to work.

If a worker refuses to participate, the employer should contact the WCB claims representative.

### **12. Will a worker's time off work to attend medical appointments impact my time loss count?**

No.

Time off for periodic medical appointments does not equal time loss.

### Some additional questions from the classroom

#### 1. What is the maximum that a worker is paid out when on a WCB claim?

For 2025, the WCB will cover max gross earnings of up to \$104,531.00. The WCB pays on 90 per cent of net earnings.

#### 2. If the employer asks for a supernumerary worker, will they be penalized in any way?

No, they will not.

Ideally, the employer will be able to accommodate the workers abilities and restrictions. If this is not possible (as it would create a hardship), the employer can speak with the customer care facilitator to pursue supernumerary coverage.

It is best to keep the worker connected to the workplace so this is an option in those situations where required.

It is important to note that this is for temporary situations and intended to support the worker's return to work.

#### 3. If a doctor is vague on their note, what does the employer do?

It is important to remember that a general practitioner does not know the exact job duties. When seeing the worker in the clinic setting, they have very little time to spend with each patient.

If the general practitioner provides an "off work" note or provides vague comments, the employer is able to send a modified work offer and / or an abilities and restrictions form seeking clarification.

We want to make it easy for the general practitioner to support return to work by being clear with them on what we are looking for in support of their patients' health and wellness.

#### 4. If a worker who has been injured does not want to see a doctor because they have no vacation or sick time and they want to STAY at work and continue working to keep their paycheque, what should the employer do?

For example, a worker sprains their ankle, feels they are okay enough to continue on and not seek medical or a worker isn't following their modified duties as outlined, what does the employer do? There is a risk for re-injury or second injury.

If a worker needs to see a doctor because the injury requires medical attention or is a safety issue for other employees, an employer can require a worker to be cleared by a health-care provider before allowing them back on the worksite.

We want to be careful that we are not unnecessarily "medicalizing" return to work by requiring all workers with work injuries to seek medical attention if an injury doesn't require it and the worker wishes to remain at work. We should be supporting stay at work as long as this doesn't put the worker, or others, in harm's way.

If there is a medical need for the worker to see a health-care provider and the barrier is no vacation or sick leave available, the employer may also want to support the worker and remove that barrier by looking for alternate ways to support that time away.

It's the employers responsibility to monitor the return to work and ensure that the employee is following the return-to-work plan and not working outside of their medical abilities. Just as an employee is required to follow proper work and safety procedures, they are also required to follow a return-to-work plan to the point of potential internal discipline if they don't. Typically however, a conversation with the employee, as to why it is vital that they follow the return-to-work plan, would be all that is needed to ensure the return-to-work plan is being followed.

**5. With the new return-to-work model (having early discussions with worker and employer on modified job duties) where do unions fit in?**

For example, if a worker comes to the union and feels they are “being bullied into this plan,” the best practice in unionized workplaces is involving the union in discussions around return to work and where needed around return-to-work planning.

Some collective agreements have language around union support and involvement in return-to-work planning. Typically issues with unions and return-to-work programming, processes and plans stem from the union feeling caught off guard by the worker advising them what the return-to-work plan is as opposed to hearing that first from the employer.

We are building a partnership, wanting all partners to feel involved and informed.

**6. If a worker and employer create a return-to-work plan together for modified work and both agree with it, do they need the health-care provider to sign off before implementing?**

No, if there is agreement between the partners (worker and employer), the plan meets the worker abilities, and both partners agree to monitor and modify that plan where required, then the health-care provider doesn't need to sign off on that plan.

We are trying to put the health-care provider in the correct role of supporting return to work. If the health-care provider's patient (the worker) is in agreement with the plan the health-care provider is already in a good position to support that plan.



1. An employer must ensure a completed medical abilities and restriction form and any other return-to-work records that contain a worker's private medical information are stored in a secure location.

- a. True.
- b. False.

2. When developing a collaborative return-to-work plan, which partners should be involved in the process?

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_
- 3. \_\_\_\_\_
- 4. \_\_\_\_\_
- 5. \_\_\_\_\_

3. Work disability is a result of:

- a. the worker's physical injury.
- b. the worker's physical and/or psychological injury or illness.
- c. the worker's concerns with the workplace.
- d. the worker's desire to attend a Rider game.

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4. Which of the following is not a principle for determining alternative or modified work?
  - a. Be productive (contribute to the employer's objectives or operations).
  - b. Be within the skills and abilities of the worker.
  - c. Be safe. Will not place co-workers, employer property or premises at risk.
  - d. Be the most beneficial to others within the workers unit/department.
  
5. Which of the following is not a responsibility of the WCB in the return-to-work process?
  - a. Follow WCB legislation and policy.
  - b. Provide vocational services, if required.
  - c. Allow employer to determine fitness for work.
  - d. Provide benefits as defined in WCB legislation.
  
6. Accommodating workers in a stay at work or return-to-work process can significantly reduce and prevent work disability.
  - a. True.
  - b. False.

# Additional support



For more information on return to work and disability management, please review the standard: CSA Z1011:20 Work Disability Management System

To ask about the WCB's safety management system assessment that includes a return-to-work element, or to inquire about return-to-work consulting available to Saskatchewan employers, please email the WCB's prevention department at:

[worksafeinquiry@wcbsask.com](mailto:worksafeinquiry@wcbsask.com)

# Summary

In this course, we have determined that the return-to-work process is critical to establish for each place of employment. The ultimate goal is to ensure the best possible outcome for the workers and the employers. When there is an effective return-to-work program available at an organization, it can benefit all partners.

It can be difficult to even think about what happens after a workplace incident or illness. There may be additional stress trying to determine what needs to happen in order to get the worker back to work safely. This course has been a support to ensure that you don't miss a step along the way.

This course was designed to focus on return-to-work processes and all the elements that go into developing effective return-to-work plans. The course was also designed to support employers through this process and offer information on the purpose and benefits of effective return-to-work planning with a focus on providing workers with the knowledge and support that they need to see a clear path to returning to work and wellness.



## **This course answered:**

- ✓ The purposes and benefits of establishing an effective return-to-work program.
- ✓ Legislation that is applicable to return to work.
- ✓ The duty to accommodate and prohibition of discriminatory action.
- ✓ The importance of collaboration and communication with return to work.
- ✓ The roles and responsibilities for all partners in the return-to-work process.
- ✓ Confidentiality and handling of personal medical information.
- ✓ The management of an injury from the incident to staying at work or returning to work.
- ✓ The required documentation for the return-to-work process.
- ✓ Return-to-work program and plan monitoring.
- ✓ Barriers and challenges to return to work.

**Alternate work:** Work duties/tasks not associated with a worker's pre-injury job that accommodate the worker's medical abilities and restrictions to allow the worker to safely return to work.

**Alternate work options list:** A general pre-defined list of potential alternate work options that can be used as a starting point for the identification of alternate work.

**Competent:** Means possessing knowledge, experience and training to perform a specific duty.

**Confidential information:** Information from a health-care professional about a person that is legally protected and may not be disclosed to a third party. Protected information includes, but is not limited to, medical diagnosis, medical treatment(s) and prescription(s). Additionally, personal information other than that supplied by the health-care provider can be considered confidential. It is important to understand what information is confidential and maintain it.

**Disability:** An umbrella term for activity limitations and/or participation restrictions in an individual with a health condition, disorder or disease (The American Medical Association Guides to the Evaluation of Permanent Impairment (AMA Guides) PFI General Policy (2010)).

**Impairment:** A significant deviation, loss or loss of use of any body structure or function in an individual with a health condition, disorder or disease (The American Medical Association Guides to the Evaluation of Permanent Impairment (AMA Guides) PFI General Policy (2010)).

Disability is job or task specific, and impairment is not. For example, if a typist loses all of the fingers on their left hand, there is a significant disability, but if an opera singer loses the same fingers, there is no disability. However, the impairment for both is the same.

**Documented return-to-work process:** An employer's defined and documented process to identify and provide suitable alternate or modified work, temporary or permanent, for workers hurt on the job, in order to return them quickly and safely to productive work that facilitates recovery from a workplace injury or illness.

**Due diligence:** A person has a legal duty to take every precaution reasonable given the circumstances to avoid both harm and an offence against the law. It is an extremely high standard to take reasonable care. In context with the legislation, the following principles encompass due diligence:

**General duties:** The Act imposes a duty on everyone in the workplace to take reasonable care of their health and safety and that of others, to the degree that they have the authority and ability to do so. This general duty is in addition to and goes far beyond complying with the law.

**Regulatory compliance:** If someone is charged with contravening the legislation, they cannot defend themselves successfully by claiming that they did not intend to break the law or comply. To defend themselves adequately, a person must be able to show that they took every reasonably practicable action to ensure compliance.

**Reasonably practicable:** A person must show that they took every possible precaution, unless they can show the benefits of taking the precaution are greatly exceeded by the cost in time, trouble and money. The greater the risk, the greater the health and safety measures required.

**Proactive:** Due diligence requires a proactive and systematic approach to health and safety. Implement a health and safety program that:

- identifies hazards,
- assesses the risks associated with those hazards,
- implements measures to eliminate or minimize those risks,
- monitors each part of the program to ensure it adequate and efficient.

Employers must develop and implement this plan in consultation with their workers. Workers must comply with the program to the extent that they have the knowledge, authority and ability to do so.

**Workers:** Supervisors and workers.

**Employer:** Includes, subject to subsection (4), any person, association or body having in its service any worker engaged in any work in, about or in connection with an industry and includes:

- (i) a trustee, receiver, liquidator, executor or administrator of an employer or any person who is appointed by a court or a judge to carry on the employer's business;
- (ii) the Crown in right of Saskatchewan and in right of Canada insofar as the latter in its capacity as an employer submits to the operation of this Act;
- (iii) any board or commission of the Crown in right of Saskatchewan;
- (iv) a municipality;
- (v) a school board and the conseil scolaire;
- (vi) commissions and boards having the management of any work or service operated for a municipality; and
- (vii) any person who authorizes or permits a learner to be in or about an industry;

*Part 1, 2(1)(l), The Workers' Compensation Act, 2013.*

**Employer's Initial Report of Injury (E1):** The WCB form an employer is to use to notify the WCB of a worker's workplace injury as required by Section 52 of *The Workers' Compensation Act, 2013*.

It is the duty of the employer to notify the board of injury within five days after the date on which an employer becomes aware of an injury that prevents a worker from earning full wages or that necessitates medical aid. The employer shall notify the board in writing of:

- (a) the nature, cause and circumstances of the injury;
- (b) the time of the injury;
- (c) the name and address of the injured worker;
- (d) the place where the injury happened;
- (e) the name and address of any physician who attends the worker for their injury; and
- (f) any further particulars of the injury or claim for compensation that the board may require.

*Part IV, Division 4, 52, The Workers' Compensation Act, 2013.*

**Exposure:** Harmful contact through inhalation, ingestion or absorption through skin.

**Graduated return to work:** The gradual increase of a worker's hours of work and/or work activities. Graduated return to work may involve job tasks from the worker's pre-injury job or alternate work from other positions within the place of employment.

**Hazard:** Any activity, situation or substance that can cause harm. Occupational hazards are divided into two broad categories: health hazards and safety hazards. Generally, health hazards cause occupational illnesses, such as noise-induced hearing loss. Safety hazards cause physical harm, such as cuts and broken bones. Hazards exist in all workplaces.

**Hazardous:** Likely to cause harm or injury in certain circumstances.

**Health-care provider** (health-care professional, health-care practitioner, health-care provider): A physician, dentist, chiropractor, optometrist, psychologist, occupational therapist, physical therapist, nurse or any other person who is registered or licensed pursuant to any Act to practise any of the healing arts Part I, 2(1)(p), *The Workers' Compensation Act, 2013*.

**Incident:** Any unplanned, unwanted event that may or may not cause injury, illness or damage. The terms "accident" and "incident" are often used interchangeably, but the preferred term is incident. It is Mission: Zero's belief that all incidents are predictable and, as such, preventable. Therefore, there are no such things as accidents, only incidents.

**Injury:** All or any of the following arising out of and in the course of employment:

- (i) the results of a willful and intentional act, not being the act of the worker;
- (ii) the results of a chance event occasioned by a physical or natural cause;
- (iii) a disabling or potentially disabling condition caused by an occupational disease;
- (iii) any disablement;

*Part 1, 2(1)(r), The Workers' Compensation Act, 2013.*

**Inspection:** An examination of a workplace, selected work area or particular hazards, machinery, tools, equipment and work practices. Findings are compared to applicable standards and best practices.

**Job information worksheet:** A WCB form sent to a worker to complete with their employer to gather information about the physical, psychological, sensory and environmental demands of the worker's essential job functions.

**Medical abilities and restrictions:** Clear and specific abilities and restrictions including, but not limited to, specific work activities, exposures, body motions, positional tolerances (such as the ability to sit, stand or stoop for a protracted time), time frames, lifting and material handling capabilities, as identified by the worker's health care provider(s), required to protect the worker from further injury. Medical restrictions arising from an injury may be physical, cognitive and/or psychological and be of a temporary or permanent nature.

**Medical abilities and restrictions form:** A form created and managed by an employer that an injured worker is expected to take to their health-care provider when obtaining initial and subsequent medical assessments in order for the health-care provider to identify any medical abilities and restrictions. This form can have different titles.

**Modified work:** Work duties/tasks, which may or may not be associated with a worker's pre-injury job, that have been changed, or modified, to accommodate the worker's abilities and restrictions to allow the worker to safely return to work. Modification of work can include, but is not limited to, changes to the work environment, work hours, tools and equipment used, and job design/work organization.

**Occupational disease:** A disease or disorder that arises out of and in the course of employment and that results from causes or conditions that are:

- (i) Peculiar to or characteristic of a particular trade, occupation or industry; or
- (ii) Peculiar to a particular employment;

*Part 1, 2(1)(aa)The Workers' Compensation Act, 2013.*

**Occupational illness:** A condition, caused by health hazards, that results from exposure to a chemical or biological substance, a physical agent (an energy source such as noise) or other stressors (such as harassment and work demands) capable of causing harm. The time that it takes an illness to develop after exposure to a health hazard is called the "latency period."

**Owner:** A trustee, receiver, mortgagee in possession, tenant, lessee or occupier of any lands or premises used or to be used as a place of employer. A person who acts as an agent or delegate for or on behalf of one of these people is considered an owner.

**Permanent disability:** Any disability from which a worker is not expected to recover to their pre-injury level.

**Probability:** The chance that a hazard will cause harm. In risk management systems, probability is sometimes categorized as:

- frequent (workers are frequently at risk),
- probable (the hazard is likely to cause harm),
- occasional (workers are occasionally at risk),
- remote (the hazard could cause harm, but is very unlikely to do so),
- improbable (the hazard is unlikely to ever cause harm).

**Productive work:** Any job or task that contributes to the objectives or operations of the employer.

**Psychosocial risk factors:** any physical, psychological or social barriers or issues that impact the health of an individual. In the context of return to work, these may present barriers to staying at work or returning to work.

**Reasonably practicable:** Practicable unless the person on whom a duty is placed can show that there is a gross disproportion between the benefit of the duty and the cost, in time, trouble and money (Section 3-1(1)(z) of the Act).

**Return to work:** (noun) Return to work means suitable work within the medical abilities of a worker who has not yet fully recovered from their injuries or illness, is not yet able to return to their original job, but who is capable of some form of employment.

*Return-to-work plans (POL 08/1996), April 1, 1996.*

**Return to work** (*verb*): Return to work means to reintroduce the worker to safe and suitable productive employment that eliminates or minimizes earnings loss as soon as medically possible.

**Return-to-work committee:** A committee assigned by an employer the responsibility of developing, implementing, monitoring and/or reviewing an employer's return-to-work process.

**Return-to-work co-ordinator:** A person assigned by an employer the responsibility of administering the day-to-day functioning of the employer's return to work process.

**Return-to-work plan:** A plan to manage the impact of a worker's injury by providing safe productive alternate or modified work within the worker's medical restrictions or abilities that facilitates their recovery. A return-to-work plan should be developed collaboratively with the worker (and health-care provider, if needed) to match a worker's functional limitations, rehabilitation and treatment needs, and skills and abilities, with available suitable productive work.

**Return-to-work program:** A planned process to manage the impact of disability in a workplace. The documented processes are for the purpose of identifying and providing alternate or modified work (temporary or permanent) for workers, if necessary, with a progression to pre-injury work when appropriate.

**Risk:** The odds that a hazard will cause harm. It refers to the probability and severity of potential incidents and dangerous occurrences (near misses). Risk management is a technique used to identify and control risk caused by hazards.

**Risk analysis:** The combination of identifying hazards and assessing their risk. Risk analysis can help occupational health committee members and the employer to set priorities. Risk is calculated by using the formula:

**Risk = probability x severity:** Several commercial systems assign mathematical values to probability and severity to help calculate risk ratios for hazards. Normally, hazards with the highest risk that affect the most workers should receive the greatest attention.

**Severity:** The seriousness of the harm that could result from contact with a hazard. Sometimes, it is described as:

- catastrophic (death and/or severe destruction),
- critical (serious injury and/or property damage),
- marginal (minor injury and/or property damage),
- negligible (no injury and/or property damage).

**Self-employed person:** A person who is engaged in an occupation but is not in the service of an employer. Examples: Self-employed tradespeople and consultants under contract.

**Supervisor:** An individual who is authorized by an employer to oversee or direct the work of workers.

**Supplier:** A person who supplies, sells, offers or exposes for sale, leases, distributes or installs any plant, biological or chemical substance used at the place of employment.

**Suitable employment, suitable productive employment:** Employment that contributes meaningfully to an organization and can functionally be performed by a worker, given the medical abilities and restrictions.

**Suitable return to work:** A worker's actual return to the workplace.

**Suitable return-to-work plan:** A worker's planned return to work.

**Temporary disability:** Any disability from which a worker is expected to recover to their pre-injury level.

**Train:** To give information and explanation to a worker in a particular subject matter and require a practical demonstration that the worker has acquired knowledge or skill related to the subject matter.

**Work disability:** Occurs when a worker is unable to stay at work or return to work due to an injury or illness.

**Work disability prevention:** A proactive approach that can include programs and processes designed to support workers remaining at work while recovering from an injury or illness. A focus is placed on identifying and resolving barriers that prevent a worker's ability to return to work or which prevent a worker from seeing a clear path to return to work.

**Worker:** A person who has entered into or works under a contract of service or apprenticeship, written or oral, express or implied, whether by way of manual labour or otherwise, and includes:

- (i) a learner;
- (ii) a member of a municipal volunteer fire brigade
- (iii) an executive of an employer, if that executive officer is carried on the employer's payroll; and
- (iv) any other person who, pursuant to this Act or any direction or order of the board, is deemed to be a worker.

*Part 1, 2(1)(ii), The Workers' Compensation Act, 2013.*

**Worker's Initial Report of Injury (W1):** The WCB form a worker can use to notify the WCB of a work injury.



# DEFINITION

Collaborative return to work starts with understanding work disability and WCB's facilitation of early engagement and activation of the worker and employer to be partners in the recovery and return-to-work planning. While recovery and return to work are linked, medical disability and work disability are unique conditions and require different processes and individualized interventions to resolve.

Furthermore, work disability exists in conjunction with, but can also be separate from, the worker's physical injury. Work disability, therefore, encompasses a wide range of issues that may exist for a worker.

Why is this important for return-to-work planning? Consider the published definition of "work disability". Work disability occurs "when a worker is unable to stay at work or return to work because of an injury or disease. Work disability is the result of a *decision by a worker* who, for potential physical, psychological, social, administrative, or cultural reasons, does not return to work."

Employers and claim professionals alike may not recognize that return to work is a decision by a worker. Employers can offer return to work, claim professionals can help facilitate return to work, and the health-care provider can approve the return to work. But, ultimately, the worker must decide to take steps to actually return to work. When stakeholders make it easy for a worker to make this decision by involving them in the process, and identifying their fears, concerns and goals, the return-to-work outcome can happen more efficiently, earlier, and with little, if any, controversy and at lower claim costs.

Research indicates there are four primary elements that can avoid work disability:

1. Preventing unnecessary delays
2. Preventing unnecessary durations
3. Preventing confusing processes
4. Preventing unclear return to work plans

Return-to-work planning should be initiated and developed with these elements in mind. Return to work may be to full duties, light duties, accommodated duties, full hours or a graduated return to work. Each plan should be individualized to align with the worker's abilities, taking into consideration their input. The plan should include steps to address their concerns; for example, if they are worried about the possibility of re-injury, the return-to-work co-ordinator or other leader can check in regularly to ensure adherence to the plan and to adjust quickly if needed.



# Appendix A: Collaborative return to work overview

Employers should regularly communicate with the injured employee as part of supporting their recovery and return to work. A positive employer/employee relationship is critical to reducing unnecessary delays and durations, and minimizing confusing processes.

## **When will the WCB claims professional first engage the employer?**

Ideally the WCB will contact the employer within 24 hours of the claim being assigned to them. Depending on the claim, it may be appropriate to begin discussing next steps for return to work and collaboration with the worker at this early point.

To ensure the employer and worker remain engaged and activated, the WCB will continue to contact both partners regularly to discuss the claim and return to work. The timing of ongoing communication will be consistent with any commitments made to worker and employers, but at minimum once every three weeks. In addition to updates on commitments, this contact gives both the worker and employer the chance to ask questions and relay any concerns they may have.

## **Engaging in return to work**

WCB's discussions with the employer about return to work should include any concerns the employer may have.

The conversations should also consider ways to appropriately address unique needs of the worker based on what the WCB and/or the employer are learning about the worker from regular contact with them.

By knowing the concerns and expectations of both the worker and employer as soon as possible, a successful return to work is more likely.

Common concerns of workers, and sometimes supervisors or employers, include:

- Concerns about relationships with a supervisor and whether light-duty tasks will be adhered to.
- Concerns about how co-workers will react to the worker not being on full duty or full hours requiring others to pick up more work.

These can often be resolved early through conversations between the employer, the worker and, when necessary, the health-care provider to facilitate return to work. Solutions can include:

- Identifying possible light-duty tasks or jobs, particularly if the employer already has a bank of job descriptions available.
- Aligning a job or jobs to the worker's abilities/restrictions if known. If these details have not yet been outlined by the health-care provider, use potential jobs or tasks identified by the worker and employer to obtain feedback from the health-care provider on any risk of harm to the worker or others.

This approach may feel different to an employer who had claims in the past where return to work may have been led by or started with the health-care provider. However, understanding that work disability and medical disability are not the same, and can require different solutions or interventions, health-care providers are not always in the best position to initiate or lead a return to work.

Consistent with elements of work disability prevention, the path to return to work can be easier for all parties if the process starts with identifying the worker's motivations, fears and concerns,

# Appendix A: Collaborative return to work overview

working with the employer to gain their perspectives and to partner with them to resolve the worker's issues, then offer options to the health-care provider so they can comment on any risk of harm to the worker or others.

## **The WCB's role in return to work**

The WCB supports and works with the health-care provider(s) in facilitating access to the right medical care at the right time. The WCB also supports the worker, employer, and health-care provider in identifying and incorporating suitable alternate/modified work, with the objective of an optimal recovery and safe return to work. The WCB does not direct the medical treatment of a worker. The worker's health-care provider(s) direct the worker's medical treatment.

WCB claims staff will initiate discussions with the employer to determine if they have a return-to-work program and/or whether they are able to provide alternate or modified work for the worker. If this work is available, the WCB can help ensure the return-to-work plan is successful.

If an employer has returned a worker to alternate or modified work prior to the acceptance of the claim, the employer should let the WCB know.

Having a return-to-work program or processes in place doesn't mean every individual can immediately return to work, or that all return-to-work plans will go smoothly. Employers should actively manage the situation when complications occur.

The WCB is here to help and support all our partners to achieving safe and sustainable return-to-work outcomes. Our goal is to make it easy for workers to choose to return to work, for employers to provide return to work options and for healthcare providers to support return to work!

# Appendix B: Modified work options

## Return to work

## Modified work options

To assist in the return-to-work process, an employer should develop a list of potential modified work and/or task options to consider in the event of a workplace injury and the need to develop a return-to-work plan. The modified work options should be matched to the most common injuries and the typical abilities/limitations for those injuries. The typical abilities/limitations below are guidelines to help develop a list of modified work options. These alternatives can be useful when engaging the worker to collaboratively develop a return-to-work plan in partnership with the WCB.

**This document provides a list of typical limitations for common physical injuries. The list is not intended to replace specific abilities or restrictions for a worker that may be identified by the worker's health-care provider. Rather, the information is intended as a general guideline to assist an employer in developing a list of potential alternate work options.**

This document provides a list of typical limitations for common physical injuries.

Neck	Shoulder	Elbow/forearm	Wrist/hand
<p><b>Ensure</b></p> <ul style="list-style-type: none"> <li>• The worker can self-pace and/or take micro breaks.</li> </ul> <p><b>Limit</b></p> <ul style="list-style-type: none"> <li>• Activities with arms above shoulder level, including reaching down.</li> <li>• Activities with lifting and carrying to light or medium loads.</li> <li>• Hanging weights.</li> <li>• Ladder climbing.</li> </ul> <p><b>Avoid</b></p> <ul style="list-style-type: none"> <li>• Lifting and carrying with arms above shoulder level.</li> <li>• Extremes of looking up, down or over the shoulder, especially if sustained or more than a few seconds.</li> </ul>	<p><b>Ensure</b></p> <ul style="list-style-type: none"> <li>• The worker can self-pace and/or take micro breaks.</li> </ul> <p><b>Limit</b></p> <ul style="list-style-type: none"> <li>• Climbing ladders .</li> <li>• Activities using arm above shoulder level, including reaching down.</li> <li>• Activities which require lifting and carrying light or medium loads.</li> </ul> <p><b>Avoid</b></p> <ul style="list-style-type: none"> <li>• Holding the arm out-stretched for periods especially while holding weights and applying force.</li> <li>• Lifting and carrying with arm above shoulder level.</li> </ul>	<p><b>Ensure</b></p> <ul style="list-style-type: none"> <li>• The worker can self-pace and/or take micro breaks.</li> </ul> <p><b>Limit</b></p> <ul style="list-style-type: none"> <li>• Repetitive or sustained gripping, especially where high forces are required.</li> <li>• Repetitive elbow ending</li> <li>• The total time spent key-boarding or driving.</li> <li>• The use of impact tools (impact power tools and hammers).</li> </ul> <p><b>Avoid</b></p> <ul style="list-style-type: none"> <li>• Hanging weights.</li> <li>• Forearm rotations.</li> <li>• Pressure on the elbow.</li> </ul>	<p><b>Ensure</b></p> <ul style="list-style-type: none"> <li>• The worker can self-pace and/or take micro breaks.</li> </ul> <p><b>Limit</b></p> <ul style="list-style-type: none"> <li>• Repetitive gripping, especially where high or sustained forces are needed.</li> <li>• Lifting and carrying to light or medium loads.</li> <li>• The total time keyboarding or driving.</li> </ul> <p><b>Avoid</b></p> <ul style="list-style-type: none"> <li>• Extreme postures of the wrist, especially with force.</li> </ul>



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# Appendix B: Modified work options

Low back	Knee	Ankle
<p><b>Ensure</b></p> <ul style="list-style-type: none"> <li>• The worker can self-pace and/or take micro breaks.</li> <li>• The worker can change position between walking, standing and sitting.</li> </ul> <p><b>Limit</b></p> <ul style="list-style-type: none"> <li>• Walking on uneven ground</li> <li>• Lifting and carrying to light or medium loads, depending on frequency and postures.</li> </ul> <p><b>Avoid</b></p> <ul style="list-style-type: none"> <li>• Jarring.</li> <li>• Repetitive bending.</li> <li>• Long periods of static standing or sitting.</li> <li>• Extreme bending of the back.</li> </ul>	<p><b>Ensure</b></p> <ul style="list-style-type: none"> <li>• The worker can self-pace and or/ take micro breaks.</li> <li>• The worker can occasionally elevate the knee.</li> <li>• The worker can frequently change position between standing, walking and sitting.</li> </ul> <p><b>Limit</b></p> <ul style="list-style-type: none"> <li>• Walking on uneven ground.</li> </ul> <p><b>Avoid</b></p> <ul style="list-style-type: none"> <li>• Long periods of standing or walking.</li> <li>• Deep squatting, kneeling or crouching.</li> <li>• Pivoting of the knee.</li> <li>• Participating in activities requiring bracing, balancing or running.</li> <li>• Stair use or ladder climbing.</li> </ul>	<p><b>Ensure</b></p> <ul style="list-style-type: none"> <li>• The worker can self-pace and/or take micro breaks.</li> <li>• The worker can occasionally elevate the ankle.</li> </ul> <p><b>Limit</b></p> <ul style="list-style-type: none"> <li>• The use of stairs.</li> </ul> <p><b>Avoid</b></p> <ul style="list-style-type: none"> <li>• Long periods of standing or walking.</li> <li>• Walking on uneven ground.</li> <li>• Climbing ladders.</li> <li>• Deep squatting or crouching.</li> <li>• Activities requiring balancing, bracing or running.</li> </ul>
<p>These typical physical limitations are guidelines to help develop an appropriate stay-at-work or return-to-work plan.</p>		

# Appendix B: Modified work options

## Physical demand strength classification

The following strength classification are taken from the revised fourth edition of the Dictionary of Occupational Titles.

Physical demand strength classification	Definition	Notes
<b>S - Sedentary work</b>	Exerting up to 10 pounds of force occasionally and/or negligible amount of force frequently to lift, carry, push, pull or otherwise move objects, including the human body.	Sedentary work involves sitting most of the time, but may involve walking or standing for brief periods of time. Jobs are sedentary if walking and standing are required only occasionally and all other sedentary criteria are met.
<b>L - Light work</b>	Exerting up to 20 pounds of force occasionally, and/or up to 10 pounds of force frequently, and/or negligible amount of force constantly to move objects.	Physical demand requirements are in excess of those for sedentary work. Even though the weight lifted may be only a negligible amount, a job should be rated light work: (1) when it requires walking or standing to a significant degree, or (2) when it requires sitting most of the time but entails pushing and/or pulling of arm or leg control, and/or (3) when the job requires working at production rate pace entailing the constant pushing and/or pulling of materials even though the weight of those materials is negligible.  NOTE: The constant stress and strain of maintaining a production rate pace, especially in an industrial setting, can be and is physically demanding of a worker even though the amount of force exerted is negligible.
<b>M - Medium work</b>	Exerting 20 to 50 pounds of force occasionally, and/or 10 to 25 pounds of force frequently, and/or greater than negligible up to 10 pounds of force constantly to move objects.	Physical demand requirements are in excess of those for light work.
<b>H - Heavy work</b>	Exerting 50 to 100 pounds of force occasionally, and/or 25 to 50 pounds of force frequently, and/or 10 to 20 pounds of force constantly to move objects.	Physical demand requirements are in excess of those for medium work.

# Appendix B: Modified work options

<b>V - Very heavy work</b>	Exerting in excess of 100 pounds of force occasionally, and/or in excess of 50 pounds of force frequently, and/or in excess of 20 pounds of force constantly to move objects.	Physical demand requirements are in excess of those for heavy work.
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### Time/frequency descriptor

Identifies frequency of completing tasks within a work cycle, within a workday and jobs that occur within the entire job description (for example, seasonal tasks). Although tasks may occur on a limited basis, when they are completed, the task may occur over an intensive period of time. This will be identified.

Descriptor	Definition	Example
Constant	This physical demand factor comprises 67 to 100 per cent of the work cycle or work period.	(If performing lifting, carrying, pushing or pulling, this would refer to a frequency of approximately over 30 repetitions per hour.)
Frequent	This physical demand factor comprises 34 to 66 per cent of the work cycle or work period.	(If performing lifting, carrying, pushing or pulling, this would refer to a frequency of up to approximately 30 repetitions per hour.)
Occasional	This physical demand factor comprises up to 33 per cent of the work cycle or work period.	(If performing lifting, carrying, pushing or pulling, this would refer to a frequency of up to approximately two repetitions per hour.)
Rarely	This physical demand factor comprises one to five per cent of the work cycle or work period.	(If performing lifting, carrying, pushing or pulling, this would refer to a frequency of up to approximately two repetitions per hour.)
Seldom	This physical demand factor is not a regular factor within this job.	

The frequency descriptors "constant", "frequent" and "occasional" are based upon the revised fourth edition of the Dictionary of Occupational Titles (DOT). The frequency descriptors "rarely" and "seldom" are not included in the DOT nor are the conversion of time descriptors to estimated material handling repetitions, but the WCB accepts the operational definition of these terms as defined above. The WCB does not mandate the use of these terms and evaluators are able to provide this information as deemed appropriate. Evaluators are encouraged to be as specific as possible and to choose a format that offers the most useful information to the reader. For example, "the lower end of the occasional frequency," "approximately 50 per cent of the workday," "two to four lifts per hour," etc.

# Appendix B: Modified work options

It is recommended that an employer considers all areas of the workplace when developing a list of modified work options.

**Step 1:** Identify the types of injuries commonly occurring in the workplace .

**Step 2:** For each type of injury, determine the “typical” medical abilities/restrictions.

**Step 3:** Ask each work area to identify work tasks that could be done by a worker with these types of medical abilities/restrictions.

**Step 4:** Repeat step 3 for each type of injury.

The modified work options list should be reviewed and updated at regular intervals.

## Modified work options form template

Modified work options
Type of injury
Typical medical abilities/restrictions





# Appendix D: Medical abilities and restrictions form Example 1

## Medical abilities and restrictions form – **Enter Employer Here**

### Early and safe return to work

The purpose of this form is to provide restrictions to the employer to enable the worker to return to alternate or modified work as soon as possible, to identify suitable work that is productive and safe, and to provide work assignments that honour the outlined restrictions. If the employer is unable to offer work that is appropriate to the outlined restrictions, the worker will be off work.

#### Section A: Worker Information (to be completed by Employee)

\_\_\_\_\_  
\_ Print Worker Name                      Department                      Occupation/Duties

I, \_\_\_\_\_ (Worker signature), authorize the release of the following information to my employer to assist in an early and safe Return-to Work. Dated (dd/mm/yy) \_\_\_\_\_

#### Section B: Restrictions, limitations and precautions (to be completed by Health-Care Professional).

Please take the time to consider the following so we may ensure the duties offered meet the needs of the employee.

##### Strength

- lifting, carrying, pulling or pushing objects to a maximum of:
- 5 Kilograms  10 Kilograms  20 Kilograms
  - avoid firm or repetitive right-hand grip
  - avoid firm or repetitive left-hand grip
  - no strength restrictions

##### Postures and tasks

- avoid prolonged bending and/or twisting of the torso
- avoid prolonged kneeling, squatting, or crawling
- avoid overhead or above shoulder work
- restrict standing/walking to \_\_\_\_\_ hrs. per shift
- provide changes between standing, sitting and walking
- no posture or task restrictions

##### Work hours

- restrict work hours to \_\_\_\_\_ hrs. per shift/week
- no restrictions — full-time hours

##### Safety and balancing

- avoid work on slippery or uneven surfaces
- avoid the operation of vehicles or equipment
- avoid work at heights
- avoid stairs
- avoid work in areas requiring full peripheral vision
- no balancing or safety restrictions

##### Environmental factors

- avoid work in extreme temperatures
- avoid work in dust, chemical vapours, etc.
- avoid work with vibrating hand tools
- restrictions on PPE – respirator, hard hat, safety glasses fall protection, etc.
- no environmental concerns

##### Medical treatment

- Employee required to wear assistive devices or braces
- Employee involved with treatment and/or medications that may affect his/her ability to work?

Can this worker safely return to work if the restrictions are accommodated?  Yes  No

Expected date for return to full duties: \_\_\_\_\_

Other medical restrictions/or comments:

\_\_\_\_\_  
\_\_\_\_\_

Signature of health-care professional: \_\_\_\_\_ Date: \_\_\_\_\_

Name, address and phone (please print)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Note: A fee of enter amount here will be provided for completion of this form. Please invoice to the attention of the Human Resources Department at: P.O. BOX XXXX Saskatoon, Saskatchewan, enter Postal Code (306) XXX-XXXX Fax (306) XXX-XXXX Attention Safety Department/Human Resources Department**

The information/training provided is not a substitute for nor does it take precedence over The Workers' Compensation Act. This form does not take the place of or take precedence over OH&S legislation. This form may be used to complement or supplement your OH&S obligations but in no way replaces any obligations that exist under OH&S legislation. Should you choose to use this form, WorkSafe Saskatchewan assumes no responsibility or liability for any outcomes that may arise from its use. All employers and workers should be familiar with The Workers' Compensation Act, The Saskatchewan Employment Act and The Occupational Health and Safety Regulations. This form should be adapted to meet the particular requirements of your workplace.

# Appendix E: Return-to-work plan template

<b>Employer name: May include company logo</b>	
<b>Employer contact information:</b> Include information such as address, contact name and position, phone number, email, fax.	
<b>Return-to-work plan</b>	
<b>Worker:</b>	<b>Claim number:</b>
<b>(Dates) From:                      To:</b>  Record expected duration of restrictions and length of the return-to-work plan. Dates should correspond with dates provided by the health-care provider on the completed medical abilities and restrictions form.	<b>Review date:</b>  Specify a review schedule: - when medical abilities and restrictions change and/or upon completion of plan - for regular check-ins with worker
<b>Scheduled workdays:</b>	<b>Specific duties to be performed:</b>  Describe as specifically as possible the duties the worker is to perform as part of their return-to-work plan.  Do not write “light duties” or “office duties.” Such descriptors are too vague and do not provide the employer, the WCB, health-care provider, supervisor, union (if applicable) or worker with enough information to ensure the modified work is within the worker’s medical abilities and restrictions as outlined by the health-care provider.  Duties must follow the worker’s medical abilities and restrictions.  Duties must be productive and contribute to the objectives of the employer.  Duties must be within the skills and abilities of the worker.
<b>Hours of work:</b>	
<b>Treatment appointments:</b>  List any dates and times the worker must be absent from work to attend medical appointments.  (Report dates and times the worker is away from work to the WCB, as earnings loss for the appointments is paid by the WCB.)	

# Appendix E: Return-to-work plan template

<b>Additional equipment to be provided:</b>	
<b>Any additional modifications required:</b>	
<b>Activities to be avoided:</b>	
<b>Worker signature:</b>	<b>Date:</b>
<b>Supervisor signature:</b>	<b>Date:</b>
<b>Return-to-work co-ordinator signature:</b>	<b>Date:</b>

# Appendix F: Job information worksheet



200 - 1881 Scarth St.  
Regina SK S4P 4L1  
[wcbask.com](http://wcbask.com)

Phone: 306.787.4370  
Toll free: 1.800.667.7590  
Fax: 306.787.4311  
Toll free fax: 1.888.844.7773  
Email: [forms@wcbask.com](mailto:forms@wcbask.com)

**JIW**

Click on any field to start editing.

Reset form

## Job Information Worksheet

WCB claim number: \_\_\_\_\_

Please ensure this form is completed as fully as possible by the worker's immediate supervisor and the worker.

If you have questions, please contact the WCB by phone: 306.787.4370 or toll free: 1.800.667.7590.

Name: \_\_\_\_\_ Worker's position title: \_\_\_\_\_

Occupation: \_\_\_\_\_ Worker signature: \_\_\_\_\_ Date: (MM/DD/YYYY) \_\_\_\_\_

Other jobs worker may have: \_\_\_\_\_

Employer: \_\_\_\_\_

Employer signature: \_\_\_\_\_ Date: (MM/DD/YYYY) \_\_\_\_\_

Employer address: \_\_\_\_\_ Phone: \_\_\_\_\_

Employer email: \_\_\_\_\_

### Employer and worker use only - describe actual work activities

#### Workers' job requirements

##### Sitting (includes driving)

Total number of sitting hours in a shift:

- Less than 1     1 - 2     2 - 3  
 3 - 4     4 - 5     5 - 6  
 6 - 7     7 - 8     More than 8

Describe the type of seating used:

Total length of time worker sits before standing:

- Under 30 minutes     30 - 60 minutes  
 1 - 2 hours     2 - 3 hours  
 3 - 4 hours     More than 4 hours

If the worker has an office job, have they had an ergonomic assessment completed on their work station?

##### Standing

Total number of standing hours in a shift:

- Less than 1     1 - 2     2 - 3  
 3 - 4     4 - 5     5 - 6  
 6 - 7     7 - 8     More than 8

Describe the surface the worker is standing on.

Total length of time worker stands before moving or sitting:

- Under 30 minutes     30 - 60 minutes  
 1 - 2 hours     2 - 3 hours  
 3 - 4 hours     More than 4 hours

##### Balance

Are there any special requirements for the worker to maintain a good balance?

# Appendix F: Job information worksheet



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Fax: 306.787.4311  
Toll free fax: 1.888.844.7773  
Email: [forms@wcbask.com](mailto:forms@wcbask.com)

**JIW**

Employer and worker use only - describe actual work activities	
<b>Workers' job requirements</b>	
<b>Walking</b>	
Average distance walked during a shift: _____	
How often is that distance walked during a shift: _____	
Describe the surface that is walked on: _____	
<b>Climbing stairs</b>	
How many one-storey flights of stairs (about 13 steps) must be climbed at one time? _____	
How many times in a shift do stairs have to be climbed? _____	
Describe the surface of the stairs: _____	
<b>Climbing ladders</b>	
Average height of climb: _____ Type of ladder: <input type="checkbox"/> step <input type="checkbox"/> extension <input type="checkbox"/> vertical	
How many times in a shift must a ladder be climbed? _____	
Is work done from a ladder? If so, for how long at a time? _____	
Is worker required to carry objects while on ladder, such as tools or materials? _____	
<b>Lifting from floor to waist</b>	
<b>How much is typically lifted <i>independently</i>?</b> <input type="checkbox"/> Less than 4.5 kg (1 - 10 lbs.) <input type="checkbox"/> Up to 9 kg (11 - 20 lbs.) <input type="checkbox"/> Up to 13.5 kg (20 - 30 lbs.) <input type="checkbox"/> Up to 18 kg (30 - 40 lbs.) <input type="checkbox"/> Up to 22.7 kg (40 - 50 lbs.) <input type="checkbox"/> Up to 34 kg (50 - 75 lbs.) <input type="checkbox"/> Up to 45.5 kg (75 - 100 lbs.) <input type="checkbox"/> More than 45.5 kg (100 lbs.)	<b>How many times per hour is lifting required?</b> _____ times _____ times _____ times _____ times _____ times _____ times _____ times _____ times
Please state the heaviest amount lifted (kg, lbs): _____ How many times per hour is lifting required? _____	
If lifting less than hourly, estimate how many times lifting per day, per week, or per month: _____	
Describe what the worker lifts:	

# Appendix F: Job information worksheet



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Fax: 306.787.4311  
Toll free fax: 1.888.844.7773  
Email: [forms@wcbask.com](mailto:forms@wcbask.com)

**JIW**

Employer and worker use only - describe actual work activities	
<b>Workers' job requirements</b>	
<b>Lifting from waist to shoulder</b>	
<p><b>How much is typically lifted <i>independently</i>?</b></p> <p><input type="checkbox"/> Less than 4.5 kg (1 - 10 lbs.)</p> <p><input type="checkbox"/> Up to 9 kg (11 - 20 lbs.)</p> <p><input type="checkbox"/> Up to 13.5 kg (20 - 30 lbs.)</p> <p><input type="checkbox"/> Up to 18 kg (30 - 40 lbs.)</p> <p><input type="checkbox"/> Up to 22.7 kg (40 - 50 lbs.)</p> <p><input type="checkbox"/> Up to 34 kg (50 - 75 lbs.)</p> <p><input type="checkbox"/> Up to 45.5 kg (75 - 100 lbs.)</p> <p><input type="checkbox"/> More than 45.5 kg (100 lbs.)</p>	<p><b>How many times per hour is lifting required?</b></p> <p>_____ times</p> <p>_____ times</p> <p>_____ times</p> <p>_____ times</p> <p>_____ times</p> <p>_____ times</p> <p>_____ times</p> <p>_____ times</p>
<p>Please state the heaviest amount lifted (kg, lbs): _____ How many times per hour is lifting required? _____</p> <p>If lifting less than hourly, estimate how many times lifting per day, per week, or per month: _____</p> <p>Describe what the worker lifts:</p>	
<b>Lifting to above shoulder</b>	
<p><b>How much is typically lifted <i>independently</i>?</b></p> <p><input type="checkbox"/> Less than 4.5 kg (1 - 10 lbs.)</p> <p><input type="checkbox"/> Up to 9 kg (11 - 20 lbs.)</p> <p><input type="checkbox"/> Up to 13.5 kg (20 - 30 lbs.)</p> <p><input type="checkbox"/> Up to 18 kg (30 - 40 lbs.)</p> <p><input type="checkbox"/> Up to 22.7 kg (40 - 50 lbs.)</p> <p><input type="checkbox"/> Up to 34 kg (50 - 75 lbs.)</p> <p><input type="checkbox"/> Up to 45.5 kg (75 - 100 lbs.)</p> <p><input type="checkbox"/> More than 45.5 kg (100 lbs.)</p>	<p><b>How many times per hour is lifting required?</b></p> <p>_____ times</p> <p>_____ times</p> <p>_____ times</p> <p>_____ times</p> <p>_____ times</p> <p>_____ times</p> <p>_____ times</p> <p>_____ times</p>
<p>Please state the heaviest amount lifted (kg, lbs): _____ How many times per hour is lifting required? _____</p> <p>If lifting less than hourly, estimate how many times lifting per day, per week, or per month: _____</p> <p>Describe what the worker lifts:</p>	

# Appendix F: Job information worksheet



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**JIW**

**Employer and worker use only - describe actual work activities**

**Workers' job requirements**

**Carrying**

**Carrying - bilateral (two-handed) carry**

How much is typically *independently* carried?

- Less than 4.5 kg (1 - 10 lbs.)
- Up to 9 kg (11 - 20 lbs.)
- Up to 13.5 kg (20 - 30 lbs.)
- Up to 18 kg (30 - 40 lbs.)
- Up to 22.7 kg (40 - 50 lbs.)
- Up to 34 kg (50 - 75 lbs.)
- Up to 45.5 kg (75 - 100 lbs.)
- More than 45.5 kg (100 lbs.)

How many times per hour is a two-handed carry required?

- \_\_\_\_\_ times
- \_\_\_\_\_ times
- \_\_\_\_\_ times
- \_\_\_\_\_ times
- \_\_\_\_\_ times
- \_\_\_\_\_ times
- \_\_\_\_\_ times
- \_\_\_\_\_ times

Please state the heaviest amount carried (kg, lbs): \_\_\_\_\_

On average, per hour, how many times is it carried and for how far? \_\_\_\_\_

If carrying less than hourly, estimate how many times carrying per day, per week, or per month: \_\_\_\_\_

Describe what the worker carries:

**Carrying**

**Carrying - unilateral (one-handed) carry**

How much is typically *independently* carried?

- Less than 4.5 kg (1 - 10 lbs.)
- Up to 9 kg (11 - 20 lbs.)
- Up to 13.5 kg (20 - 30 lbs.)
- Up to 18 kg (30 - 40 lbs.)
- Up to 22.7 kg (40 - 50 lbs.)
- More than 22.7 kg (50 lbs.)

How many times per hour is a unilateral carry required?

- \_\_\_\_\_ times
- \_\_\_\_\_ times
- \_\_\_\_\_ times
- \_\_\_\_\_ times
- \_\_\_\_\_ times
- \_\_\_\_\_ times

Please state the heaviest amount carried (kg, lbs): \_\_\_\_\_

On average, per hour, how many times is it carried and for how far? \_\_\_\_\_

If carrying less than hourly, estimate how many times carrying per day, per week, or per month: \_\_\_\_\_

Describe what the worker carries:

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**JIW**

Employer and worker use only - describe actual work activities
<b>Workers' job requirements</b>
<b>Mobile push/pull</b> <b>Description: manual work where all object components move, including the worker, such as a cart, trolley, or wheelbarrow.</b>
<p>What is being pushed or pulled? _____</p> <p>Estimated height of the handles on the item pushed or pulled: _____</p> <p>How far is the item being moved at a time? _____</p> <p>How many times per hour is the item being moved? _____</p> <p>Describe the surface (level, uneven, sloped): _____</p> <p>Maximum weight of an object being pushed/pulled: _____</p> <p>Average weight of an object being pushed/pulled: _____</p>
<b>Static pushing/pulling</b> <b>Description: manual work where only the object moves, such as using a wrench, repositioning a patient or operating a steering wheel.</b>
<p>What is being pushed or pulled? _____</p> <p>How long is the item used for at a time? _____</p> <p>How many times per hour is the item being pushed/pulled? _____</p> <p>Estimated total time in a standard shift the item is being used: _____</p>
<b>Low back movements (bending forward, bending backward, twisting)</b>
<p><b>Work activity involves:</b></p> <p><input type="checkbox"/> <b>Bending forward</b></p> <p style="margin-left: 20px;">How often in an hour?    <input type="checkbox"/> Fewer than 10 repetitions    <input type="checkbox"/> More than 10 repetitions</p> <p style="margin-left: 20px;">How long each time?    <input type="checkbox"/> Less than 1 minute    <input type="checkbox"/> 1 to 5 minutes    <input type="checkbox"/> More than 5 minutes</p> <p><input type="checkbox"/> <b>Bending backward</b></p> <p style="margin-left: 20px;">How often in an hour?    <input type="checkbox"/> Fewer than 10 repetitions    <input type="checkbox"/> More than 10 repetitions</p> <p style="margin-left: 20px;">How long each time?    <input type="checkbox"/> Less than 1 minute    <input type="checkbox"/> 1 to 5 minutes    <input type="checkbox"/> More than 5 minutes</p> <p><input type="checkbox"/> <b>Twisting</b></p> <p style="margin-left: 20px;">How often in an hour?    <input type="checkbox"/> Fewer than 10 repetitions    <input type="checkbox"/> More than 10 repetitions</p> <p style="margin-left: 20px;">How long each time?    <input type="checkbox"/> Less than 1 minute    <input type="checkbox"/> 1 to 5 minutes    <input type="checkbox"/> More than 5 minutes</p> <p><b>These movements are:</b></p> <p><input type="checkbox"/> From a seated position</p> <p><input type="checkbox"/> From a standing position</p> <p><input type="checkbox"/> In postures such as kneeling or squatting</p>

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**JIW**

Employer and worker use only - describe actual work activities	
<b>Workers' job requirements</b>	
<b>Neck movements</b>	
Work activity involves:	
<input type="checkbox"/> Looking up	
How often in an hour?	<input type="checkbox"/> Fewer than 10 repetitions <input type="checkbox"/> More than 10 repetitions
How long each time?	<input type="checkbox"/> Less than 1 minute <input type="checkbox"/> 1 to 5 minutes <input type="checkbox"/> More than 5 minutes
<input type="checkbox"/> Looking down	
How often in an hour?	<input type="checkbox"/> Fewer than 10 repetitions <input type="checkbox"/> More than 10 repetitions
How long each time?	<input type="checkbox"/> Less than 1 minute <input type="checkbox"/> 1 to 5 minutes <input type="checkbox"/> More than 5 minutes
<input type="checkbox"/> Turning the neck more than 30 degrees	
How often in an hour?	<input type="checkbox"/> Fewer than 10 repetitions <input type="checkbox"/> More than 10 repetitions
How long each time?	<input type="checkbox"/> Less than 1 minute <input type="checkbox"/> 1 to 5 minutes <input type="checkbox"/> More than 5 minutes
<b>Reaching overhead</b>	
Is the reach at or beyond the worker's full arm's length?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	
How long is the reach sustained?	
<input type="checkbox"/> Less than 1 minute <input type="checkbox"/> 1 to 5 minutes <input type="checkbox"/> Longer than 5 minutes	
How often in a normal hour?	
<input type="checkbox"/> Fewer than 5 times per hour <input type="checkbox"/> 5 to 20 times per hour <input type="checkbox"/> More than 20 times per hour	
<b>Reaching forward (reach between waist and chest, elbows away from the body)</b>	
Is the reach at or beyond the worker's full arm's length?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	
How long is the reach sustained?	
<input type="checkbox"/> Less than 1 minute <input type="checkbox"/> 1 to 5 minutes <input type="checkbox"/> Longer than 5 minutes	
How often in a normal hour?	
<input type="checkbox"/> Fewer than 5 times per hour <input type="checkbox"/> 5 to 20 times per hour <input type="checkbox"/> More than 20 times per hour	
Is some of this reaching required for computer use, driving or other desk tasks?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	
If yes, how much?	
<input type="checkbox"/> Less than 1 hour <input type="checkbox"/> Up to 4 hours <input type="checkbox"/> Most of a shift	
<b>Kneeling, crawling, crouching or squatting</b>	
Describe the activity: _____	
Number of times this occurs in a standard shift: _____	
Length of time spent in this position in a single, typical instance: _____	
Describe the surface used for kneeling, crawling, crouching or squatting: _____	

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**JIW**

Employer and worker use only - describe actual work activities	
<b>Workers' job requirements</b>	
<b>Working with hands and fingers</b>	
What items are being handled (tools or materials)? <input type="checkbox"/> Hand tools <input type="checkbox"/> Power tools Examples: _____	
Does tool use involve: <input type="checkbox"/> Vibration <input type="checkbox"/> Impact	
How much of a shift is spent:	
Using tools:	<input type="checkbox"/> Less than 1 hour <input type="checkbox"/> Up to 2 hours <input type="checkbox"/> Up to 4 hours <input type="checkbox"/> Most of a shift
Materials handling:	<input type="checkbox"/> Less than 1 hour <input type="checkbox"/> Up to 2 hours <input type="checkbox"/> Up to 4 hours <input type="checkbox"/> Most of a shift
Computer or other desk-based work If completing desk-based work, how long is typically spent per day? _____	
Computer keyboard/mouse:	<input type="checkbox"/> Less than 1 hour <input type="checkbox"/> Up to 2 hours <input type="checkbox"/> Up to 4 hours <input type="checkbox"/> Most of a shift
Writing:	<input type="checkbox"/> Less than 1 hour <input type="checkbox"/> Up to 2 hours <input type="checkbox"/> Up to 4 hours <input type="checkbox"/> Most of a shift
<b>Work environment</b>	
The work environment involves: <input type="checkbox"/> Outdoors <input type="checkbox"/> Indoors <input type="checkbox"/> Heat <input type="checkbox"/> Cold <input type="checkbox"/> Moisture <input type="checkbox"/> Dryness <input type="checkbox"/> Fumes <input type="checkbox"/> Vibration <input type="checkbox"/> Jarring <input type="checkbox"/> Noise <input type="checkbox"/> Noise below 80 decibels <input type="checkbox"/> Noise above 80 decibels	
Describe the work environment:	

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**JIW**

Employer and worker use only - describe actual work activities	
<b>Workers' job requirements</b>	
<b>Restricted working hours</b>	
How long is an average shift?	_____
Is overtime required?	_____
<b>Other</b>	
Are there other physical job duties expected, such as running or throwing?	
If yes, how often are these activities required?	

## Return to work

# Benefits and factors that support success

### Return-to-work benefits

Return-to-work benefits: worker	
Promotes psychological, physical and social health and well-being	<p>Prolonged absence from the workplace is detrimental to a person's mental, physical and social well-being. Studies show that returning to work often results in better health outcomes than if the worker recovers entirely at home.</p> <p>The longer a worker is away from the work environment, the greater the potential for developing secondary conditions. Changes in habits, such as reduced physical activity, unhealthy eating, increased alcohol consumption and changes in sleep habits, can lead to a deterioration in general physical fitness and health, and hinder recovery. Research shows that long-term work disability contributes to two to three times increased risk of poor general health, two to three times increased risk of mental health problems and 20 per cent excess mortality.<sup>1</sup></p>
Prevents unnecessary disability	<p>The longer a worker is away from work, the less likely the worker will ever return. Statistics show that the likelihood is:</p> <ul style="list-style-type: none"> <li>• Fifty five per cent after six months.<sup>2</sup></li> <li>• Thirty-two per cent after one year.<sup>2</sup></li> <li>• Five per cent after two years.<sup>2</sup></li> </ul>

# Appendix G: Benefits and factors that support success

Preserves self-identity and self-worth	<p>A person's self-identity and self-worth are influenced by their view of themselves as a working and contributing member of a family unit and community. When this role is taken away, a person's confidence and self-worth can be weakened.</p> <p>A worker can begin to view themselves as an extension of their injury. Once this happens, regardless of actual medical diagnosis, confidence and motivation to return to work are reduced. Returning to work helps a worker maintain self-identity and self-worth.</p>
Protects employability	While a worker may not be able to do their original job, they can still make valuable contributions to the workplace.
Maintains bond with the workplace	A workplace changes over time — personnel, procedures, policies, tools, equipment, etc. It can be intimidating for a worker to return to the workplace after an extended absence. A return-to-work plan keeps a worker on site and doing productive work.
Maintains social bonds with co-workers	Returning to work helps the worker maintain social relationships with co-workers. Social interaction contributes to psychological health, which in turn contributes to physical health and the recovery process.
Protects worker benefits	Returning to work may help ensure a worker's participation in, and entitlement to, any employer medical/dental programs.
Reduces the impact of injury on the worker's family	Family members are generally very supportive when a worker is first injured, but this can change if the worker's recovery is prolonged or not advancing as expected. Return-to-work planning benefits the worker and their family by facilitating recovery, protecting against development of secondary conditions and reducing further disability.
Meets the Saskatchewan Workers' Compensation Board (WCB)'s legislated return-to-work requirements	<p><i>The Workers' Compensation Act, 2013, Section 51:</i></p> <p>"A worker shall (b) if the circumstances require, co-operate with the board in the development of a rehabilitation plan that is intended to return the worker to a position of independence in suitable productive employment."</p>

# Appendix G: Benefits and factors that support success

<b>Benefits: employer</b>	
Maintains skilled and stable workforce	<p>Safe and timely return to work improves workers' health outcomes and preserves a skilled and stable workforce.</p> <p>Returning to work prevents loss of valuable worker knowledge, skills and experience.</p> <p>It also allows for cross training and in-house transfer of worker knowledge, skills and experience.</p>
Reduces costs	<p>Returning to work reduces the cost of replacing and hiring new staff (ads, interviews, intake, training, etc.).</p> <p>Workers who are satisfied with their employer's response to injury or illness return to work 50 per cent faster with 54 per cent lower cost.<sup>3</sup></p>
Maintains productivity	<p>Returning to work minimizes disruptions to productivity.</p>
Meets the WCB's legislated return-to-work requirements	<p><i>The Workers' Compensation Act, 2013, Section 53:</i></p> <p>"Duty of employer to co-operate to achieve worker's return to employment requires an employer to co-operate with the board and the worker to achieve the early and safe return of a worker to his or her employment."</p>
Reduces the WCB's costs and premiums	<p>An employer's WCB premium is determined by the employer's claims history and rate code as a whole.</p> <p>Returning to work positively impacts an employer's claim cost experience by reducing costs as the worker is returned to alternate/modified work as soon as they are medically able.</p> <p>Lower claim cost decreases the likelihood of the employer being surcharged and increase the likelihood of the employer receiving a discount.</p>

# Appendix G: Benefits and factors that support success

## Return to work – factors that support success

Factors that contribute to the success of a return-to-work process include:

- Provision of a healthy and safe work environment.
- Collaborative approach: effective return-to-work planning requires collaboration of all partners, including the worker, the employer, the WCB and the health-care provider as needed.
- Team approach in the development, implementation, monitoring, review and revision of the return-to-work process and individual return-to-work plans.
- Organizational commitment to continuous improvement:
  - Regular review of the return-to-work process to identify and act on opportunities for improvement.
- Visible senior management commitment to return-to-work planning:
  - Demonstrated through an organization's actions that prioritize the health and well-being of workers.
  - Active participation in the development, implementation, administration, maintenance and promotion of the return-to-work process, including providing necessary resources to make the return-to-work process successful.
- Engagement and support from all levels of the organization in the return-to-work process.
- Orientation and return-to-work training strategy for workers and leaders:
  - Providing suitable training for all positions on the return-to-work process, including expectations and responsibilities.
- Organizational communications on return-to-work process:
  - Have ongoing open and transparent communications with all workers regarding the return-to-work process, including any changes and addressing concerns or questions. Apply the return-to-work process fairly and consistently across the organization.
- Flexibility in defining alternative/modified work in individual return-to-work plans.

## References

1. Handbook of Work Disability Prevention and Management, 2013.
2. IAIABC Disability Management and Return to Work Committee. (2016). Return To Work: A Foundational Approach To Return To Function.
3. Kenneth Mitchell, Ph.D., testimony to the U.S. Senate Committee on Health, Education, Labor and Pensions, 2012.

# Appendix H: Collaborative return-to-work planning and developing a suitable return-to-work plan

## Return to work

### Collaborative return-to-work planning: developing a suitable return-to-work plan

Effective return-to-work planning requires collaboration of all partners – the worker, the employer, the Saskatchewan Workers' Compensation Board (WCB) and the health-care provider, as needed. A collaborative return-to-work discussion should take place as early as possible after the injury, either by phone call or a meeting. In these calls or meetings, the WCB may facilitate to ensure the worker and employer are engaged in the discussion about return to work and ideas are elicited from both partners regarding what the return to work could look like.

Ensuring that the worker is actively engaged in the return-to-work discussion, including input on potential modified/alternative work, in addition to jobs or tasks identified by the employer, can be critical to gaining their trust and respect, along with making it easy for the health-care provider to approve the return-to-work plan. After all, the worker knows the day-to-day work better than anyone. Any issues or concerns the worker may have can also be addressed at the planning stage.

The worker's medical abilities and restrictions may be partially known, fully known or not be known at all during the initial planning stage. The purpose is to open the conversation and hopefully agree to a plan between the worker and the employer. If there are questions about the medical suitability of any plan, the health-care provider can be engaged to confirm that there are no medical contraindications or risks of harm to the plan.

A return-to-work plan should proactively support the worker to return to productive employment in a timely and safe manner:

- Many workers can safely perform productive and meaningful work while they recover.
- Returning to work benefits the worker and is an important part of the recovery process.
- People who stay connected to the workplace after an injury usually recover more quickly.

The ultimate goal of return-to-work planning is to return the worker to the job they held before their injury. When the worker can return to their routines, the employer, the worker and their co-workers benefit. When this is not possible, other alternatives should be considered.



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# Appendix H: Collaborative return-to-work planning and developing a suitable return-to-work plan

When considering modified work for a worker's return-to-work plan, these priorities should be followed:

1. Worker's pre-injury job with modifications.
2. Alternate job, no modifications.
3. Alternate job, with modifications.
4. Re-bundled work tasks (alternate and/or modified) from across the workplace.

**Modified work** involves work duties or tasks, which may or may not be associated with a worker's pre-injury job, that have been changed or modified to accommodate the worker's medical abilities so that they may safely return to work. Modifications of work can include, but are not limited to, job tasks and functions, changes to the work area and environment, work hours and tools and equipment used.

Modified work must be:

- Within the physical abilities and skills of the worker.
- Safe. In other words, modified work should not endanger the worker's recovery or the safety of others.
- Productive. Duties should be meaningful to the organization.

**Re-bundling** means assigning the worker tasks from their pre-injury job position, work unit/department and/or from jobs across the workplace that are within their medical abilities. The redistribution of work must not create unsafe conditions for any worker.

**Graduated return to work** is the gradual increase of a worker's work hours and/or work activities, until the worker can return to full hours and duties. Graduated return to work may involve job tasks from the worker's pre-injury job or alternate work from other positions within the place of employment (temporary re-bundling).

- A graduated return to work may be required in situations where the worker is able to perform all their pre-injury job tasks, but lacks endurance or is in a treatment program. In such situations, it is usually the hours worked that are adjusted.
- If a worker cannot safely perform certain pre-injury job tasks, a graduated return-to-work plan may be limited to work tasks that the worker can perform safely and gradually add more tasks as they recover.
- Graduated return to work may also be a combination of modified hours and tasks.

Potential modifications to methods or equipment to enable a worker to perform tasks:

- A portable hoist/crane to lift objects, rather than manually.
- A team member or buddy to assist with lifting.
- Break heavy loads into smaller ones (changing a 50-lb lift into two 25-lb lifts).
- A trolley to transport materials, rather than manually.
- Rotation through a variety of tasks.
- Conduct work from a seated, rather than standing, position.

# Appendix H: Collaborative return-to-work planning and developing a suitable return-to-work plan

- Cordless headset.
- Wheeled laptop bag.
- Chair with adjustable lumbar support.
- Adjustable workstation.
- Tools requiring less physical force to operate.
- Tools with ergonomically designed handles.
- Localized heating source to raise room temperature.
- Scent-free workplace.
- Work-from-home option.
- Flexible work hours.
- Additional rest breaks.
- Conduct work from an alternate facility/location.

## **Additional task opportunities suitable for return to work**

- Training and/or refresher courses that may be required in the near future or skill building for existing and future positions.
- Any type of value-added work that contributes to the employer's goals and objectives.
- Tasks that have been deferred for other priorities, such as document management and storage, inventory control or customer surveys.
- Support other areas that need to complete deferred tasks that are not aligned with the worker's abilities. Support may include telephone duties, responding to customer enquiries, etc.

# Appendix I: Confidentiality

## Return to work

## Confidentiality

Medical abilities, restrictions, diagnoses, treatments and appointments are a worker's personal health information. Employers have a general duty to use appropriate safeguards to protect the confidentiality of a worker's personal information and personal health information and ensure records containing this information are stored in a secure manner.

An employer should only use the personal information and personal health information received respecting a worker's abilities or restrictions for the purpose of facilitating a safe return to work. An employer should not:

- Share a worker's medical abilities or restrictions with any other person, including others in the organization without the worker's consent, or
- Use the information for any purpose other than to facilitate the worker's return to work without the worker's consent.

A medical abilities and restrictions form completed by a health-care professional should include a written release signed by the worker consenting to the disclosure of information to the employer before it is sent to the employer.

An employer should designate only a limited number of employees who know the worker's medical abilities and restrictions to facilitate the return to work. If a health care professional sends a completed medical abilities and restrictions form to the employer or another authorized destination, it should be sent to a location only accessible by those designated employees.

An employer should not contact a health care professional to ask for a worker's abilities or restrictions. If an employer is unable to obtain the medical abilities or restrictions from the worker and a completed medical abilities and restrictions form, the employer should call the WCB through the claims entitlement specialist or customer care facilitator for more information.

Effective return-to-work planning requires collaboration of all partners, the worker, the employer, the WCB and the health-care provider as needed.

It is the responsibility of the employer to ensure that it complies with all applicable privacy legislation. In addition to the liability risk that could arise if the employer is non-compliant with applicable privacy legislation, ignoring confidentiality obligations could damage workplace relationships and trust.



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# Appendix J: Guide to scheduling and planning the return-to-work meeting

## Return to work

## Guide to scheduling and planning the return-to-work meeting

This guide outlines the procedure for how to schedule, conduct and take follow-up actions for a collaborative return-to-work planning meeting. Although a formal collaborative return to work meeting is not always possible, or required, depending on circumstance, effective return-to-work planning requires collaboration of all partners: the worker, the employer, the Workers' Compensation Board (WCB) and the health-care provider as needed.

A collaborative return-to-work discussion should take place as early as possible after the injury either by phone call or a meeting. In these calls or meetings, the WCB may facilitate to ensure the employer and worker are engaged in the discussion about return to work and ideas are elicited from both parties regarding what the return to work could look like.

### Steps for scheduling a meeting to discuss return to work:

- The worker is to contact their employer as soon as possible after their initial medical appointment to advise if the health-care provider has identified abilities/restrictions.
- If there are restrictions, the worker is to report to work for their next scheduled shift, and to bring the completed medical abilities/restrictions form with them.
- If the worker is hospitalized, and/or restrictions are such that the worker is unable to report to work for their next scheduled shift, the employer is to establish contact with the worker.
- The employer is to schedule a collaborative return-to-work planning meeting with the worker and, where appropriate the WCB and other partners as required (for example: health care providers, union, return-to-work co-ordinators) at the beginning of their next shift. Alternatively, the WCB may initiate a collaborative return-to-work planning meeting if it is identified the worker has not returned to work.
- The worker is to be actively engaged in developing their return-to-work plan.
- If the worker is medically unable to report to their next scheduled shift, the employer should communicate at least weekly with them until they can start a return-to-work plan. If the worker is medically able and fails to report to work and/or the collaborative return-to-work planning meeting, it is the responsibility of the employer to immediately contact the worker and then inform the WCB.

### At the return to work planning meeting:

- Review the medical abilities/restrictions outlined by the health-care provider.
- Follow the employer's process for identifying and discussing suitable modified work options within the worker's medical abilities/restrictions.
- Agree on the modified work that will be part of the worker's return-to-work plan.
- Document the return to work plan on the return-to-work plan form.



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# Appendix J: Guide to scheduling and planning the return-to-work meeting

## **Responsibilities of the employer\***

**\*This can be the supervisor, the return-to-work co-ordinator or whoever is responsible for the return-to-work planning.**

- Assign responsibility for ensuring any modifications and/or assistive aids/equipment required to implement the return-to-work plan are put in place. Who is responsible for what, when and how is to be documented as part of the return-to-work plan.
- Ensure the agreed upon documented return-to-work plan is dated and signed by the worker and management position or person.
- Discuss what, if any, information about the worker's return-to-work plan (for example, return date, assigned work duties within abilities/restrictions, dates return-to-work plan is in effect, scheduled workdays and work hours) will be shared with affected co-workers.
- Assure the worker that confidential medical information (medical diagnosis, medical treatments/appointments) will not be shared with co-workers unless required, and only with the worker's consent.
- Identify who will be responsible for monitoring the worker's return-to-work plan and providing the worker with information on the return-to-work monitoring process.
- Remind the worker that the return-to-work plan will be in place for a defined time frame and amended if needed to reflect any changes in the workers medical abilities/restriction.
- Inform the worker that if, during their return-to-work plan, they experience any problems, they are to stop work and immediately report to their supervisor/manager.
- Remind the worker to have their health-care provider give an updated medical abilities/restrictions form if they are experiencing problems and/or their medical abilities/restrictions change, and to return the completed form to their employer.
- Remind the worker that they must work within their current abilities/restrictions and agreed return-to-work plan.
- Provide the worker with information as to how the worker will be paid during the return-to-work plan as relates to any work time lost due to the injury and treatment plan.

## **Following the completion of the return-to-work planning meeting:**

- The employer must provide the worker and immediate supervisor(s) with a copy of the documented return-to-work plan before the return to work starts.
- A copy of the documented return-to-work plan should be forwarded (if not already) to the WCB and the health-care provider following the meeting. The WCB would also require a copy of the medical abilities/restrictions form for their file.
- The employer and/or the worker is to contact the WCB if there are any concerns or problems with the adjustments/changes made to the worker's return-to-work plan.

This guide outlines the steps to take:

- when there is an absence due to the work injury
- to initiate the return-to-work plan
- to monitor a return-to-work plan
- if there are concerns with the return-to-work plan
- after completing the return-to-work plan

### When the worker is absent due to a work injury

The employer is to:

- Immediately inform the necessary people (that is, managers, supervisors) if the worker is at any time medically unable to return to the workplace.
- Establish and maintain at least weekly contact with the worker for any period of time they are unable to return to the workplace.
- Collaborate with the worker, the Saskatchewan Workers' Compensation Board (WCB) and the health-care provider as appropriate to jointly develop a return-to-work plan based on the worker's abilities/restrictions.
- Communicate updates to the WCB about any changes in the worker's ability to return to work.

### Day one of the return-to-work plan

The supervisor/manager is responsible for:

- Welcoming the worker back to the workplace.
- Reviewing the return-to-work plan developed in the collaborative return-to-work planning meeting and reviewing these expectations with the worker:
  - The worker and the supervisor/manager are responsible for abiding by the abilities/restrictions outlined in the return-to-work plan.
  - The worker is to immediately report concerns with their return-work-plan to their supervisor/manager or other assigned point of contact.
  - The worker is to follow their medical treatment plan and contact the employer and the WCB immediately if their health-care provider updates abilities/restrictions so that the return-to-work plan can be updated.
  - The worker is to participate in any collaborative return-to-work planning meetings with the employer as needed in response to updated abilities/restrictions.

## Ongoing monitoring of the return-to-work plan

The employer is responsible for:

- Directly monitoring and supporting the worker on their return-to-work plan.
- Ensuring the health and well-being of the worker and that no type of discrimination or harassment occurs.
- Ensuring the worker and their supervisor/manager adhere to the abilities/restrictions identified in the return-to-work plan.
- Providing training and job coaching if the worker is learning/performing new work tasks.
- Checking in with the worker daily, as the return-to-work plan progresses. If the plan is going well, decrease to twice per week, then once per week. Use the return-to-work proactive worksheet to document the meeting, store the information and/or forward the worksheet to the appropriate person.
- Completing the job information worksheet, which outlines the worker's pre-injury job position. This form is to be completed with the worker collaboratively.

## Addressing concerns during the return-to-work plan

- The employer must ensure the worker is performing their job duties/tasks safely and that they are not at risk for any further injury.
- If the worker or the employer identifies a concern with the worker's return-to-work plan, the employer is to meet with the worker immediately to discuss the concern/problem.
- The employer is to immediately schedule a collaborative return-to-work meeting to address any concerns with the return-work-plan and document on the return-to-work proactive worksheet. It is important that the employer contacts the WCB with the changes to the worker's return-to-work plan after the meeting. This is to ensure all collaborating partners have the updated/correct information.
- There may be times when the employer encounters difficulties in returning a worker to suitable modified/alternate work in a timely manner and may require the WCB's assistance. Examples of when an employer should contact the claims entitlement specialist or the customer care facilitator at the WCB include:
  - The employer has concerns or questions about the need for additional medical abilities/restrictions to determine suitable return-to-work options.
  - The employer has questions or concerns about a worker's ability to return to work and/or limited return-to-work options available.
  - An employer has offered a worker modified/alternate work within the worker's abilities, but the worker is not prepared to accept the work.
  - The worker is refusing to take the employer's medical abilities/restrictions form to their health-care provider.
  - The worker's health-care provider is refusing to complete the employer's medical abilities/restrictions form and/or provide a "total time off work" note.

## **Follow up after the completion of the return-to-work plan**

- The employer is to follow up with the worker after the completion of their return-to-work plan to ensure there are no ongoing concerns/problems.

## How to complete the job information worksheet

A job information worksheet is a Saskatchewan Workers' Compensation Board (WCB) form that a worker completes with input from their employer that identifies the physical, psychological, sensory and environmental demands of their essential job duties. The form quantifies job demands, and includes descriptive information on the tools, equipment and processes necessary to do the work.

The WCB uses the job information worksheet to determine if a worker:

- Is medically able to perform some essential job duties as part of a treatment program or return-to-work plan.
- Has recovered sufficiently to return to their original job.

A job information worksheet is used by health-care providers such as physiotherapists or occupational therapists to help develop a worker's treatment program. The job information worksheet can be used to incorporate essential job duties into return-to-work planning.

As part of the return-to-work process, the employer completes and retains job information worksheets for all job positions in advance of any injury. Completed job information worksheets are reviewed and revised every three years, and/or whenever there is a significant change in a job position.

The employer should have a specific person or position responsible for forwarding the completed job information worksheet for a job position to any of the following upon request: the WCB, physiotherapist, occupational therapist, physician and the worker.

In the event of a disagreement between a worker and an employer about the accuracy of a job information worksheet, the WCB will work with the employer and worker to resolve the disagreement.

If the employer does not have completed job information worksheets on file, they will be forwarded a copy to complete, if the employee has a work injury claim. The employer is then asked to complete the job information worksheet with the employee and return it to WCB.

An employer can take these steps to complete a job information worksheet for each specific job position:

1. Supervisor selects a worker to complete a draft job information worksheet for their job position.
2. Supervisor provides the worker with a blank job information worksheet form, or the most current copy (if one exists), and job information worksheet instructions.
3. Workers completes draft job information worksheets for their job position and submits to their supervisor.



# Appendix L: How to complete the job information worksheet

4. Supervisor reviews the draft job information worksheet and provides a copy for review to all workers currently in the same position.
5. Workers provide their supervisor with feedback.
6. Supervisor reviews feedback, and circulates any changes to all workers currently in the job position.
7. Repeat steps five to six as needed.
8. Supervisor completes the final draft of the job information worksheet and forwards to the appropriate area.
9. The appropriate person/area maintains a file of the completed job information worksheets for all job positions in the organization.

## **Job information worksheet completion instructions:**

- Complete a separate job information worksheet for each job position in the organization.
- Complete the job information worksheet based on the typical demands for the job position.
- Only complete categories on the job information worksheet that are applicable to the job position.
- If demands of the job position vary greatly depending on any of the following variables, complete a separate job information worksheet for each:
  - location/department/unit
  - shift
  - season
  - product line/project
- Use quantitative measurements (for example, five times a day, 20-40 lbs., three times per hour), not subjective descriptors (for example, often, frequently, hardly ever, heavy).
- Indicate the actual weight lifted, carried, pushed or pulled for any task that involves handling weights of more than 50 lbs.
- If a physical demand is only required under certain circumstances, note the circumstances on the job information worksheet. For example: "Required to climb stairs: rarely occurs and only when visiting clients outside the organization."

A blank job information worksheet can be obtained from the WCB website: [wcb.sask.com](http://wcb.sask.com)

If you have questions or need assistance with the completion of the job information worksheet, please feel free to contact the WCB.

Phone number: 1.800.667.7590

The goal of the Saskatchewan Workers' Compensation Board (WCB) is always to return a worker to normal life activities, including work, in a timely and safe manner. The return-to-work process is a collaborative partnership between the worker, employer, health-care provider and the claims entitlement specialist or customer care facilitator at the WCB. Under Saskatchewan's workers' compensation legislation, workers and employers have legal obligations for participating and co-operating in the recovery and return to work.

Under *The Workers' Compensation Act, 2013*, a worker has a legal obligation to cooperate with the WCB in the development of, and participation in, a return-to-work plan that will help them return to suitable productive employment.

### Duties of worker

**51** A worker shall:

- a) take all reasonable action to mitigate the worker's loss of earnings resulting from an injury; and
- b) if the circumstances require, cooperate with the board in the development of a rehabilitation plan that is intended to return the worker to a position of independence in suitable productive employment.

2013, c.W-17.11, s.51.

Under *The Workers' Compensation Act, 2013*, an employer has a legal obligation to notify the WCB of work injuries and co-operate in facilitating the timely return to work of a worker. When any person intentionally fails to notify the WCB of a worker's return to work, the WCB has the right to seek penalty against that person.



# Appendix M: Legislation and duty

## **Duty of employer to notify board of injury**

**52** Within five days after the date on which an employer becomes aware of an injury that prevents a worker from earning full wages, or that necessitates medical aid, the employer shall notify the board in writing of:

- (a) the nature, cause and circumstances of the injury;
- (b) the time of the injury;
- (c) the name and address of the injured worker;
- (d) the place where the injury happened;
- (e) the name and address of any physician who attends the worker for his or her injury; and
- (f) any further particulars of the injury or claim for compensation that the board may require.

2013, c.W-17.11, s.52.

## **Duty of employer to co-operate to achieve worker's return to employment**

**53** An employer shall co-operate with the board and the worker to achieve the early and safe return of an injured worker to his or her employment.

2013, c.W-17.11, s.53.

## **Duty to accommodate**

Duty to accommodate is a legal obligation defined by case law, labour standards and human rights legislation. Duty to accommodate requires an employer to make every reasonable effort, short of undue hardship, to accommodate a person protected against discrimination by human rights legislation.

In Canada, an employer cannot discriminate on the basis of prohibited grounds, which includes temporary or permanent disability, whether occupational or non-occupational.

Duty to accommodate is not a WCB regulation. The WCB cannot say, for any given case, whether or not the duty applies or whether an employer's legal obligations have been met to the point of undue hardship.

In the event of a dispute about duty to accommodate involving a worker, the courts or a Saskatchewan Human Rights Commission tribunal would determine whether the duty to accommodate had been met.

A worker's refusal of an employer's reasonable offer of accommodation may have an impact on an employer's duty to accommodate.

## ***The Saskatchewan Human Rights Code***

Part 3 – Prohibition of Certain Discriminatory Practices

## **Right to engage in occupation**

**9** Every person and every class of person has the right to engage in and carry on any occupation, business or enterprise under the law without discrimination on the basis of a prohibited ground.

2018, cS-24-2, s.9.

# Appendix M: Legislation and duty

## **Section 16(1) cS-24.2 Saskatchewan Human Rights Code, 2018**

### **Discrimination in employment prohibited**

**16(1)** No employer shall refuse to employ, refuse to continue to employ or otherwise discriminate against a person or class of persons with respect to employment, or a term or condition of employment, on the basis of a prohibited ground.

## **The Saskatchewan Employment Act**

### **Employer must reassign employee or modify employee's duties**

**2-41** An employer shall modify an employee's duties or reassign the employee to other duties if:

- (a) the employee becomes disabled and the disability would unreasonably interfere with the performance of the employee's duties; and
- (b) it is reasonably practicable to do so.

2013, c.S-15.1, s.2-41.

### **Undue hardship**

An employer is legally required to accommodate a worker who has been injured, up to the point of undue hardship.

Undue hardship refers to the limit of an employer's capacity to accommodate without experiencing an unreasonable amount of difficulty based on health, safety and/or financial considerations. Typically, undue hardship occurs when an employer cannot sustain the economic or efficiency costs of an accommodation.

There is no standard formula for determining undue hardship. Each worker's accommodation situation is unique and must be evaluated individually.

The Supreme Court of Canada has provided guidelines as to what might constitute undue hardship. A court or human rights tribunal takes these guidelines into consideration when deciding.

An employer cannot just investigate whether an existing job is a suitable accommodation option. An employer must look at all other reasonable alternatives, including, but not limited to:

- Modifying job descriptions, hours of work, work speed, workstations and work environments.
- Providing technical and mechanical aids, ergonomic enhancements and training.

An employer is required to carefully review all options before deciding that accommodation would cause undue hardship. An employer cannot claim undue hardship based on assumption or opinion, but must provide evidence to prove undue hardship.

The worker has a responsibility with workplace accommodations. The worker has an obligation to inform an employer of their need of accommodation and assisting with the process. They are obligated to provide the necessary medical or other information to their employer that justifies the need for the accommodation. However, there are circumstances under which the employer may have a responsibility to initiate the accommodation process.

# Appendix M: Legislation and duty

A worker may not be able to identify and/or express their need for accommodation. In such circumstances, a failure to accommodate the complaint may be successful, even if the worker did not clearly request accommodation, if it can be argued that the employer should reasonably have known of the need, but failed to act.

If an employer is unsure of whether they have gone far enough in attempting to accommodate a worker, the employer should seek legal advice.

A documented return-to-work process can assist an employer in meeting the duty to accommodate. A documented return-to-work process provides a structure to follow for identifying and providing alternate/modified work and the tools to document the accommodation process.

### **Duty to accommodate and union involvement**

In a unionized workplace, an employer is required to work with the union(s) in defining accommodations if:

- The proposed accommodation will affect the rights (for example, seniority rights) of other workers under collective bargaining agreements.
- The worker tells the employer they want union representation present during accommodation option discussions.

In a unionized workplace, the union has a responsibility to co-operate with an employer's reasonable efforts to accommodate a worker within the organization and ensure that any collective agreement does not prevent accommodation.

## Return to work

# Return-to-work plan proactive worksheet

The return-to-work plan proactive worksheet is an employer's guide to proactively engaging with workers and supervisors regarding an individual's specific return-to-work plan.

Ensuring that the worker is actively engaged in ongoing return-to-work discussions – including their progress and input on potential modified or alternative work identified by the employer – can be critical to gaining their trust and respect. After all, the worker knows the day-to-day work better than anyone.

Any issues or concerns the worker may have can also be addressed at this return-to-work plan update stage.

This worksheet identifies any issues from the worker's perspective and the supervisor's perspective. It also presents an action plan to address any items that need to be corrected.

The worker's supervisor is responsible for ensuring this form is completed and forwarded to the employer's return-to-work co-ordinator when:

- The worker starts their return-to-work plan,
- Any changes are made in the worker's return-to-work plan (amendments, planned graduated return to work, updated medical restrictions, etc.),
- A regular review is scheduled, or
- Any problems or issues are identified.

Worker: \_\_\_\_\_ Supervisor: \_\_\_\_\_

Claim number: \_\_\_\_\_ Date: \_\_\_\_\_



# Appendix N: Return-to-work plan proactive worksheet

## Worker comments/observations

Worker completes this section if experiencing problems or issues with the return-to-work plan.	
1	List any difficulties you are experiencing in conducting any work task assigned in your return-to-work plan. Indicate which task(s) and describe the problem.
2	Do you have any suggestions for how your return-to-work plan can be improved?

## Supervisor comments/observations

Supervisor completes this section if problems or issues are identified with the return-to-work plan.	
1	List any difficulties you have observed the worker experiencing with their return-to-work plan.
2	Do you have any suggestions for how the worker's return-to-work plan can be improved?
3	List any difficulties you have observed, and/or have been reported to you, on the impact the return-to-work plan has had on co-workers.

# Appendix N: Return-to-work plan proactive worksheet

	Action or discussion item	Details	Date completed	Date reviewed with worker
1	Review return-to-work plan job tasks.			
2	Outline abilities or work activities worker can engage in.			
3	Outline restrictions or work activities worker must not engage in.			
4	List job modifications made as required by return-to-work plan.			
5	List additional equipment provided as required by return-to-work plan.			

# Appendix N: Return-to-work plan proactive worksheet

	Action or discussion item	Details	Date completed	Date reviewed with worker
6	List equipment and procedural training as required by return-to-work plan.			
7	Remind worker to report any concerns or problems with return-to-work plan immediately.			
8	Inform co-workers if return-to-work plan affects their work.			
9	List adjustments or changes to return-to-work plan made at the supervisor level.			

The supervisor is to keep a copy of the completed form.

The supervisor is responsible for providing the worker with a copy of the completed form.

The return-to-work co-ordinator is responsible for keeping a copy of the completed form in the worker's return-to-work file.

# Appendix O: Roles and responsibilities

## Return to work

## Roles and responsibilities

Effective return-to-work planning requires collaboration of all partners — the worker, the employer, the Saskatchewan Workers' Compensation Board (WCB), the health-care provider as needed and union (if applicable).

The success of a worker's return-to-work plan depends on each partner not just fulfilling return-to-work responsibilities, but also establishing and maintaining timely and proactive communication with each other.

### Worker:

- Get medical help after a work injury and determine medical abilities/restrictions.
- Follow the prescribed treatment plan.
- Report the injury and any medical abilities/restrictions to your employer and the WCB.
- Collaboratively develop a return-to-work plan with your employer.
- Return to work as soon as a suitable alternate/modified work is arranged.
- Participate in the return-to-work plan.
- Provide your employer with any updated medical abilities/restrictions.
- Report any concerns with the return-to-work plan to your employer immediately.
- Work in partnership with your employer, the WCB and the health-care provider.
- Continue regular communication with your employer.
- Continue regular communication with the WCB.

### Employer:

- Report the workplace injury to the WCB within five days of being notified.
- Initiate collaborative return-to-work planning with all partners, if the health-care provider or the WCB have not already done so.
- Provide the worker with the modified work options and the medical abilities/restriction forms to take to their health-care provider, if necessary.
- Collaborate with the worker to identify suitable alternate/modified work that meets the worker's medical abilities/restrictions as outlined by the health-care provider.
- Arrange suitable alternate/modified work for the worker to return to work as soon as medically safe.



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# Appendix O: Roles and responsibilities

- Pay the worker for any hours worked.
- Report any time loss to the WCB.
- Monitor the worker's return-to-work plan and adjust the return-to-work plan as needed, based on updated medical abilities/restrictions.
- Work in partnership with the worker, the health-care provider and the WCB to address any problems with the worker's return-to-work plan.

## **Health-care provider:**

- Identify any abilities/restrictions the worker's injury places on their ability to work.
- Provide the worker with a list of their medical abilities/restrictions to share with their employer.
- Update the worker's medical abilities/restrictions as their condition progresses.
- Maintain communication with the worker and the WCB about the extent of the worker's injury and expected recovery timeline.
- Work in partnership with the worker, other health-care providers, the employer and the WCB.
- Follow the College of Physicians and Surgeons of Saskatchewan Policy: "Role of physicians in certifying illness and/or assessing capacity for work."

## **The WCB:**

- Work in partnership with the worker, employer and health-care provider.
- Facilitate collaborative return-to-work planning with the worker, employer and health-care provider as needed to resolve concerns or barriers to an appropriate return-to-work plan.
- Provide vocational services if required.
- Monitor the worker's recovery and return-to-work progress and address any issues with the appropriate partners.

## **Union (when applicable):**

- Participate in return-to-work planning meeting where required.
- Assist in resolving barriers and/or problems with a worker's return-to-work plan.

## The importance of mutual goals

Returning to work while recovering is a healthy and safe approach for most people with work-related injuries. Working is good for physical and mental health, and often supports the healing process. Making safe, sustainable work arrangements for people who were injured at work takes collaboration and a partnership approach based on the mutual goals of returning a worker to safe, meaningful and medically supported work. Workers, employers, the WCB and health-care providers all have important roles in this partnership.

A return-to-work plan is developed collaboratively as early as possible, taking into consideration the worker's abilities, current job duties and modified work options to prevent further injury.

Supporting workers in returning to work while they recover is good for them and good for business. When workers can do suitable duties while they recover, it keeps them connected to the workplace, it helps restore their dignity and self-worth and can prevent long-lasting disability. Returning to work safely while recovering requires intentional collaboration between all partners in this partnership.

### Return to work: mutual goals

The worker, employer, health-care provider and the WCB all share the mutual goal of supporting return to work and minimizing loss associated with a workplace injury. The reasons may differ, but no one in this partnership wants to see an injury get worse and all want to see an optimal recovery from the physical and/or psychological effects of a work injury.

Mutual goals include:

- Preventing further injury.
- Facilitating recovery.
- Maintaining current capabilities/function.
- Restoring function.
- Maintaining connections and relationships in the workplace.
- Retaining skills of experienced workers.
- Maintaining financial stability.



# Appendix P: The importance of mutual goals

- Preventing compounding psychosocial risk factors that may result from being away from work.
- Reducing burden on co-workers.
- Returning the worker to physical and psychological wellness.

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*Work to live.*