

**EARLY AND SAFE RETURN TO WORK
AND
MODIFIED WORK PROGRAM POLICY FOR WORK RELATED INJURY / ILLNESS**

Peto MacCallum Ltd. (PML) and its Employees' are committed to supporting an Early and Safe Return To Work Program for workers who have suffered a work related injury / illness. This Program will be administered by a designated "Return To Work Facilitator (RTWF)" working in conjunction with Managers and Supervisors.

Purpose

The Early and Safe Return To Work Program will facilitate early intervention and / or re-integration of employees who are temporarily or permanently unable to return to their duties as a result of an occupational injury / illness. Re-integration will be carried out in a fair, respectful and consistent manner having regard to each individual's circumstances.

This policy applies to all employees of PML including management.

Policy Statement

All Company employees eligible for Worker's Compensation benefits will be assisted in their rehabilitation where possible through the Early and Safe Return To Work Program.

PML will make every reasonable effort to provide suitable meaningful employment to employees who are temporarily or permanently unable to return to their duties as a result of an occupational injury / illness, in accordance with the Workplace Safety and Insurance Act.

The modified return to work program will end once the disabled employee has been declared fit to resume his / her original position. Where this is not possible, consideration may be given to permanent modification or to providing alternate employment within PML. This may include some training and / or the modification of workstations or equipment to accommodate disabled employees providing that such accommodation does not create undue hardship to the company.

The disabled employee is responsible for participating in the program to the best of his / her ability and capacity.

Early intervention is considered the cornerstone of the Early and Safe Return To Work Program and disability management.

Confidentiality Statement

During the course of an employee's involvement with the Early and Safe Return To Work Program, management may receive / handle private and sensitive information which would remain confidential to all parties involved except as required by law.

Reasonable steps will be taken to maintain the confidentiality of any personal information received, and it would not be released to anyone except those authorized to receive it, or as required by law.

Objectives

This program is intended to achieve effective disability management by:

- Assisting employees in maintaining their dignity and self-respect subsequent to being adversely affected by a disabling work related injury / illness.
- Ensuring the well-being of affected employees and by doing so reducing stresses associated with adjusting to a disability, reintegration to the workplace, financial complications and other factors that may adversely affect disabled employees.
- Early intervention resulting in the expeditious return to work of valuable human resources thereby minimizing the economic and emotional impact of the employee.
- Establishing and promoting good communication between all parties and respecting the need to protect confidential information.
- Periodically reviewing cases under management so that PML could enhance the effectiveness of initiatives undertaken to prevent future occupational injuries / illness.
- Reduction of direct and related costs associated with occupational injuries / illnesses.
- Complying with current and future statutory requirements (Human Rights Act, Employment Standards Act, etc.).

PRINCIPLES AND GUIDELINES

Principles

The Company will provide work opportunities wherever possible to all employees who are temporarily or permanently unable to return to their regular duties as a consequence of an occupational injury / illness.

All employees who are medically able are expected to work.

All employees not medically able to work will seek appropriate treatment and, when medically fit, will return to work.

An employee in this program must not pose a safety risk to themselves or other employees. Care must be taken to ensure that “safety risk” is assessed in the context of the various duties that can reasonably be made available to employees.

Guidelines

Whether a disabled employee is being considered for temporary transitional work or permanent modified accommodation, the following guidelines shall apply in the order listed below:

- First, the disabled employee’s present position shall be considered for modification,
- Second, positions within the disabled employee’s classification shall be considered,
- Third, positions that may be available within the disabled employee’s other academic qualifications or physical abilities shall be considered.

The Early and Safe Return To Work Program will include periodic review of the placement and / or accommodations of disabled employees.

Administrative Responsibility

The designated PML Return To Work Facilitator (RTWF) has overall responsibilities for the administration of all aspects of the Policy and will work with Managers and / or Supervisors.

PROCESS

Occupational

Employees who incur an occupational injury / illness, requiring medical treatment or potential lost time, must file a Personal Injury Report (Form 7) immediately and return it to their Manager / Supervisor for completion. Should the injury / illness result in or require a doctor visit, and the injury is such that the employee may not be able to return to normal working duties the first working day following the injury, then the Manager / Supervisor is responsible for providing a Functional Abilities Form to the employee. The Functional Abilities Form is to be completed by their doctor at the initial doctor visit if the employee is not able to return to normal working duties the first working day following the injury. The employee is responsible for ensuring the return of the completed Functional Abilities Form to the Manager / Supervisor prior to the start of any subsequent working shifts. The Manager / Supervisor must forward the Personal Injury Report (Form 7), first aid reports (when completed) to 'Administration' who subsequently prepares and forwards a report to the WSIB.

General

Should a company Supervisor or First Aid Attendant accompany the employee to the hospital or doctor, communication of vital information will be provided using the Functional Abilities Form. In order to respect the employee's privacy, Supervisors / First Aid Attendants will not accompany the employee while being examined, nor speak to the doctor or discuss the employee's diagnosis or possibility of a modified work plan.

Where necessary, clarification of abilities / limitations provided on the "Functional Abilities Form" can be obtained by the RTWF, by speaking with the treating physician, after the employee has provided his / her consent.

Employee involvement and participation in the Early and Safe Return To Work Program will begin when the employee and / or doctor returns completed Functional Abilities Form to the Manager / Supervisor indicating that modified duties may be appropriate. The employee will be responsible for contacting his / her Manager / Supervisor in order to discuss his / her injury / illness, the possibility of a modified work program, and action to be taken in the event of a delayed return to work.

The Early and Safe Return to Work Program will include periodic review of the placement and / or accommodation of disabled employees.

Overview

When the Functional Abilities Form is returned to the Manager / Supervisor, it will indicate either:

- 1) The employee is able to return to full duties on a full time basis without the need for a modified work plan. In this instance the return to work date is

confirmed with the Manager / Supervisor, and the employee returns to work without any Early and Safe Return to Work Program involvement

OR

- 2) The employee is able to return to his / her regular duties after a period of absence which may include the need for a rehabilitation and / or modified work plan prior to returning to full duties. (Refer to: Short Term Temporary Disability, and Long Term Temporary Disability procedures) as detailed further below.

OR

- 3) The employee is able to return to work, however they may have a need for some permanent modifications and / or accommodations in the workplace. (Refer to: Permanent Disability procedure) as detailed further below

The RTWF will contact the disabled employee to review the requirements of a modified return to work program when the returned Functional Abilities Form indicates:

- The return to work date is unknown
- The return to work date is more than 5 working days away
- The physician has indicated rehabilitation support would be appropriate

The RTWF and / or Manager / Supervisor is responsible for:

- 1) Outlining the Early and Safe Return To Work and Modified Work Program to the disabled employee and providing a description of the associated process.
- 2) Maintaining contact with the disabled employee, the physician and / or the health care provider / professional treating the employee and others, as required, depending upon the type and duration of absence to coordinate suitable transitional graduated or modified work as indicated in the GUIDELINES. **Modified work plans typically will not exceed eight (8) weeks.**
- 3) Providing ongoing support during work absences and coordinating rehabilitation services when appropriate.

Temporary Disability

Early intervention is the cornerstone of the Early and Safe Return To Work Program and disability management. Employees recovering from a work related illness / injury will be offered where possible, the opportunity to return to work in a safe manner that is consistent with their physical abilities. Transitional work may involve a reduction in work tasks and / or hours during the period that the employee is disabled and will be reviewed periodically with the view to increasing job tasks and hours as soon as the employee is medically able to do so.

Short Term Temporary Disability (greater than 5 calendar days and less than 21 calendar days)

- 1) When the absence period is expected to be more than five (5) days and less than twenty-one (21) calendar days, and the abilities / limitations indicated by the physician would permit the employee to return to meaningful modified, graduated or transitional duties, a modified work plan can be agreed upon by the employee's Manager / Supervisor and the disabled employee. The Standard Return to Work Modified Work Plan form should be used. This form must be updated weekly and forwarded to the RTWF.
- 2) Should the RTWF not be immediately available for contact in order to discuss the modified work plan, and providing that agreement exists between the employee and the Manager, the Manager / Supervisor may implement the work plan. In this case the Manager must contact the RTWF at first opportunity to confirm arrangement of the plan. If consultation between the Manager / Supervisor and employee fails to result in a modified work plan, then the issue will be forwarded to the RTWF. Conflicts may include but are not limited to:
 - Management's inability to provide an opportunity for modified duties
 - Duties considered inappropriate by the employee
 - A request for specific duties is considered inappropriate by management
- 3) A re-evaluation will be done when it is indicated that the disabled employee will go beyond the scheduled modified work plan completion date. This re-evaluation will include:
 - An updated Functional Abilities Form completed by the health care provider / professional
 - A review of the updated Functional Abilities Form, with the disabled employee, the Manager / Supervisor and the RTWF with the intent to either:
 - i) Adjust the modified work plan duties
 - ii) Adjust the modified work plan completion date
- 4) If an employee is not placed on a modified return to work plan at the outset of their injury / illness, the RTWF and Manager / Supervisor will monitor recovery on a weekly basis with the intent of initiating a return to work program when the employee becomes fit to return on a restricted or graduated basis prior to being fit to return to full duties. The Branch Manager will complete the Injured Worker Weekly Contact Sheet and forward it to the RTWF.

Long Term Temporary Disability (21 calendar days or greater)

- 1) This classification includes injury / illness when the prognosis calls for a rehabilitation or recovery period that extends beyond twenty-one (21) calendar days and it is anticipated the employee will return to their regular duties. Short term cases that extend beyond twenty-one (21) days will be dealt with as long term temporary disabilities.
- 2) In consultation with the employee, the RTWF and Manager / Supervisor of the disabled employee will make every reasonable effort to establish a modified work plan for the anticipated recovery / rehabilitation period. The modified work plan will be based on objective medical prognosis and / or functional assessment. The modified work plan will be designed in consultation with the RTWF, Manager / Supervisor, disabled employee and other stakeholders as may be required. Such a plan must include meaningful work and not create undue hardship for the company. Employees on a temporary modified work plan exceeding 21 calendar days will be subject to re-evaluation on a regular basis to determine the status of their condition. Use the Standard Return to Work Modified Work Plan form. This form must be updated weekly and forwarded to the RTWF. **Typically modified work plans will not exceed eight (8) weeks.**
- 3) Accommodation may require an adjustment of work process or schedule, financial investment made by the company to modify a work station, equipment, or additional training of reasonable duration and will not create an undue hardship on the company.
- 4) Accommodating long term temporary disabilities of twenty-one (21) days or greater, may require special arrangements and / or discussions with Senior Management.
- 5) Particulars of the Modified Work Plan must be agreed upon by the employee and Company. Such a work plan will be documented and signed off by the parties involved. The Standard Return to Work Modified Work Plan form should be used.
- 6) If an employee is not placed on modified duties at the outset of the injury / illness due to functional and / or medical restrictions, the RTWF and Manager / Supervisor will monitor recovery on a weekly basis with the intent of initiating a modified work plan when the employee is medically fit to return to service on a restricted duties basis. The Branch Manager will complete the Injured Worker Weekly Contact Sheet and forward it to the RTWF.
- 7) Where temporary or permanent modified return to work plans are more complex, the RTWF and Manager / Supervisor may refer the disabled employee case to Senior Management for further review and consideration. Cases referred to Senior Management will document and outline:
 - Case file summary, including prognosis and expectations
 - Documented work plan and rehabilitation program if applicable
 - Efforts made to accommodate the employee

- Issues outstanding and reasons why they remain outstanding
- Recommended solution

Permanent Disabilities

Permanent disabilities will be dealt with following the same procedures as previously outlined for long term temporary disabilities.

COMPENSATION

Workplace Safety and Insurance Board (WSIB)

Disabled employees are compensated according to the current legislation outlined under the Workplace Safety and Insurance Act. With regard to transitional work, WSIB policy stipulates that where a disabled employee is offered modified duties which are consistent with their medical restrictions, wage loss benefits will not be continued. Where an employee is working on a full time basis in transitional or modified work assignments he / she is paid by the Company. Where the transitional work is on a part -time basis, the Company pays the employee for the hours worked and the WSIB pays the remaining hours not worked in accordance with the legislation. There are some exceptions exercised at the discretion of the WSIB to these general principles. For example, in some cases an employee participating in temporary transitional work may continue to be compensated directly through the WSIB for a short period.

Where an employee with a permanent disability cannot return to their regular position and as a result is provided suitable alternate employment within the Company, the appropriate wage rate will be established by considering the rate of that particular position and the pre-injury rate of the employee. Where the rate the permanently disabled employee is paid by the Company is lower than their normal rate, they may be eligible for additional disability benefit income payable through the group insurer.

ROLES AND RESPONSIBILITIES

Employee

An employee who suffers an occupational injury / illness must first seek medical help. Reporting the injury and communication of vital information to the employee's Manager must be accomplished as soon as possible. It is the employee's responsibility to supply the attending physician with Functional Abilities Form if the injury is such that the employee is not able to return to normal working duties the first working day following the injury. The form must be completed and forwarded to the Manager / Supervisor as soon as possible.

It is the responsibility of the employee to:

- Work in a healthy and safe manner
- In the event of an injury obtain prompt medical attention, as necessary
- Report all work related incidents / illness immediately to his / her supervisor and where necessary complete the appropriate forms
- Meet with his / her physician for appropriate care and treatment and to determine when participation in the Early and Safe Return To Work Program is appropriate

- Ensure completion and return of the Functional Abilities Form and all other necessary forms relevant to the injury / illness. All relevant forms are to be returned by the employee as directed on the form or as indicated by the Manager / Supervisor
- Comply with recommendations of treatment provider(s)
- Attend all medical or rehabilitation appointments as required
- Inform the Manager / Supervisor of his / her functional and / or medical status via the Functional Abilities Form
- Attend meetings as required, in order to develop suitable modified duties and schedule with the expectation that the duties and hours recommended will be followed
- While participating in the Early and Safe Return to Work program, maintain contact with his / her physician, Manager / Supervisor and the RTWF advising of progress or concerns and work together to make adjustments as necessary to ensure every opportunity for his / her successful return to work

If unable to continue with the modified return to work plan, the employee will provide and outline reasons for discontinuing and will be asked to provide medical certification documenting any change in medical status.

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It is PML's responsibility to contact the injured worker as soon as possible after the injury and supply the disabled employee with the Functional Abilities Form. If a disabled employee has not returned the Functional Abilities Form within four (4) days, the Manager / Supervisor must follow up with the employee to determine the status of the injury / illness and communicate this information to the RTWF.

It is the responsibility of PML to:

- To notify the WSIB of the injury, where necessary
- Develop and maintain an atmosphere of trust and mutual support by ensuring that employee's rights are respected and that confidentiality is assured
- Work with the RTWF and the employee in finding suitable modified work which:
 - Is safe and within the workers physical capabilities
 - The worker has the skills to do
 - Restores the workers pre-injury earnings as closely as possible
- Help establish a trusting relationship with disabled employees to ensure their willing participation in the Early and Safe Return To Work Program
- Ensure completion and return of the Functional Abilities Form within four (4) days.
- Monitor and evaluate the disabled employee's performance during his / her return to work

- Provide the WSIB information about the workers return to work including wage changes, change in duties or duration of program, failure to cooperate, and end of program.
- Support the employee during the recovery process by maintaining frequent, open and regular contact to ensure the modified return to work plans have a successful outcome
- Attend meetings to assist with the planning and development of suitable work schedules and duties, exploring various opportunities for a safe and timely return to work for the employee
- Where appropriate inform co-workers in advance of an employee commencing the Early and Safe Return to Work program, outlining any relevant details with respect to the modified work plan, duties and schedules
- Upon successful completion of the program ensure the employee resumes his / her regular duties, or other work assignments they are medically able to perform
- Track modified work plan hours against schedule and report hours worked / not worked to the WSIB to ensure accurate and timely payment of benefits
- Offer to re-employ the injured worker if the worker is medically fit to do the essential duties of the job or suitable work and if they have worked at PML continuously for at least 1 year.

Return To Work Facilitator (RTWF)

A RTWF is a designated PML representative who is responsible for coordinating the arrangement of a modified work plan along with monitoring and communication of work plan status. Such plans will be based upon objective medical information and / or the Functional Abilities Form.

The RTWF works together with the employee, employee's physician, health care provider / professional, Manager(s), and other resources to ensure the employee is able to return to work in a safe and timely manner.

It is the responsibility of the RTWF to:

- Ensure the employee along with management, have the required information to fully participate in the Early and Safe Return To Work Program
- Develop and maintain an atmosphere of trust and mutual support by ensuring that employees rights are respected and that confidentiality is assured.
- Help establish a trusting relationship with disabled employees to ensure their willing participation in the Early and Safe Return To Work Program
- Establish systems, including written procedures as well as links with groups / agencies to facilitate effective co-ordination of the return to work program
- Ensure the disabled employee is contacted regarding their recovery and progress and coordinate early intervention, treatment and rehabilitation programs

- Ensure contact is maintained with the employee participating in a modified work program as well as Manager / Supervisor to ensure adjustments in the work schedule and modified duties are made at the appropriate times based on the employees progress and medical information;
- Along with Manager / Supervisor co-ordinate information, functional assessments, treatments, job demands analysis and accommodations for employees participating in the Early and Safe Return To Work program as necessary.
- Maintain files and compile information such as statistics on Early and Safe Return To Work program evaluation and job demands analysis
- Remain abreast of current legislation and industry standards with respect to disability management trends / concepts and workplace based return to work program standards. (Legislation includes but is not limited to Human Rights Act, Employment Standards, and WSIB)
- To administer all aspects of the Early and Safe Return To Work Policy and Program.

WSIB

The WSIB will:

- 1) Help the employee understand:
 - What to expect through the Return to Work (RTW) process
 - What the employee and employer are expected to do
 - Employee rights and obligations
 - Who to ask for help
- 2) Monitor activity, progress, and cooperation between the employee and employer throughout the RTW process.
- 3) Obtain and clarify functional abilities information.
- 4) Assess the need for a Labour Market Re-entry (LMR) Plan if early and safe return to work is unlikely.
- 5) Help resolve difficulties and disputes through the Return to Work and Labour Market Re-entry process.
- 6) Provide ergonomic and / or mediation services, and / or site visits to help the employee and employer through the RTW / or LMR process.
- 7) Make decisions on all claim-related and compliance issues.

Employee's Physician

The employee's physician will:

- Provide appropriate medical treatment to the disabled employee to ensure optimal recovery
- Complete required forms such as the Functional Assessment Form and returns same to the employee
- Communicate with the disabled employee and RTWF to obtain a clear understanding of the employee's job duties and any modified work plans
- Work with the employee and RTWF to determine an appropriate return to work date, duties and hours of work
- Maintain an ongoing medical relationship with the employee participating in the Early and Safe Return To Work Program to ensure the employee has the necessary support and resources for a successful return to work
- Provide pertinent medical / functional information upon receipt of a signed consent by the disabled employee.