



Northeastern Catholic District School Board

DISABILITY SUPPORT:

Early Intervention, Accommodations, and Return to Work

Administrative Procedure Number: APP013-3

POLICY STATEMENT

The Northeastern Catholic District School Board (NCDSB) is committed to creating and maintaining a safe and healthy workplace. As a witness to God's healing activity in the world, the NCDSB is called to act out of a deepened sense of responsibility for the health and wellness of its students and staff. The NCDSB believes that both individual and organizational health are important factors affecting the ability of all employees to attend work and to contribute fully to its mission. This strategy combines both prevention and intervention to achieve the goals of personal and workplace wellness as well as student achievement.

In order to carry out the NCDSB's mandate, regular attendance by all employees is essential to support student achievement. The Employee Support Program (ESP) is a comprehensive program aimed at positively supporting the health of employees and the organization. The Employee Support Program will be supported by Disability Support, Attendance Support and Wellness Programs.

REFERENCES

Ontario Human Rights Code

Workplace Safety and Insurance Act

Employment Standards Act

Municipal Freedom of Information and Protection of Privacy Act

NCDSB Policy

E-24 Personal Information Management

P-13 Employee Support Program

NCDSB Administrative Procedures

APP013-1 Absence Reporting

APP013-2 Confidentiality of Medical Records

APP013-4 Attendance Support

DEFINITIONS

Disability Support Program

An integrated partnership among employees, supervisors/administrators, unions, and health care providers that provides support to employees to attend work. It fosters a widespread understanding that the way to reduce the incidence and duration of an employee's absences is through early intervention and support.

Supervisor

Refers to a Supervisory Officer, Principal, Manager or Supervisor.

PROCEDURES

1.0 PURPOSE OF THE PROGRAM

- 1.1 The Disability Support Program provides employees with a safe and timely transition from illness/injury that allows them to remain at work or return to work.
- 1.2 When appropriate, the program assists employees by providing rehabilitation support, accommodations or modifications to remain at work, gradual return to work and/or modified work prior to commencement of regular full-time, part-time or occasional work.
- 1.3 When a permanent disability exists, the NCDSB will endeavour to modify both the work and the workplace to accommodate the needs of the permanently disabled employee, based on medically-supported restrictions/limitation, provided that it does not cause undue hardship to the Board.

2.0 TEMPORARY DISABILITY

- 2.1 Restrictions and Limitations
 - i) When an employee becomes ill or is injured and it appears that an absence from work will result, the employee is responsible for providing medical restrictions/limitations identified by the appropriate treating medical practitioner or specialist for assessment by the Human Resources Officer, or designate.
 - ii) The restrictions and limitations shall be shared with the appropriate supervisor, and at the discretion of the employee, the union representative.

3.0 PERMANENT PARTIAL DISABILITY

- 3.1 An employee who becomes permanently disabled from an illness or injury, such that they are unable to meet the demands of their former position, may be provided with appropriate accommodations or modifications and/or suitable work based on their physical, mental and vocational capabilities.
- 3.2 The conditions for providing such work are:
 - i) The employee provides current medical restrictions and limitations from the appropriate treating medical practitioner and/or by submitting a Functional Abilities Evaluation.
 - ii) The Board will consider the retraining of injured employees as circumstances warrant.
 - iii) Employees who have a permanent partial disability may be given preference for suitable job postings, subject to mutual agreement by the employer and the relevant union(s).

- iv) Employees are accommodated on the basis of availability of positions, ability to perform the essential duties of the job, and terms and conditions as outlined by the relevant collective agreement, individual contract and/or relevant legislation.

4.0 RESPONSIBILITIES

4.1 The Human Resources Officer, or designate:

- i) On initial contact, inform the employee that should they desire, they may have a union representative attend any meetings;
- ii) Contact the employee directly by phone or in writing to provide relevant details of the Disability Support Program;
- iii) Work with the employee to assess restrictions and/or limitations;
- iv) Co-ordinate the return to work of all disabled employees with the employee, the appropriate treating medical practitioner, the supervisor, and the union representative (at the employee's discretion);
- v) Notify the appropriate union(s) of an employee's participation in the Disability Support Program;
- vi) Assess the employee's work capabilities in conjunction with medically-supported restrictions and/or limitations provided by the appropriate treating medical practitioner(s);
- vii) Inform the employee's immediate supervisor of the work restrictions/limitations and initiate the development of the Remain at Work Plan or Return to Work Plan;
- viii) Perform a workplace assessment with the appropriate supervisor to ensure compatibility of work restrictions and the duties to be performed within the work environment, including but not limited to:
 - a) Co-ordinate the modification of the work or workplace, as needed, in conjunction with medically-supported restrictions/limitations;
 - b) Review proper body mechanics with the employee and provide instruction, as required;
 - c) Assess the need for change in location and/or assignment.
- ix) Co-ordinate the development of a Remain at Work Plan or Return to Work Plan with the employee, the appropriate supervisor, the appropriate treating medical practitioner(s), the employee's union representative, Workplace Safety and Insurance Board (WSIB), LTD Insurance Carrier, Human Resources and Supervisors, as appropriate.
- x) Distribute a copy of the Remain at Work Plan or Return to Work Plan to the above parties and the employee;
- xi) Maintain regular contact with the employee and their supervisor for the duration of the Remain and Work Plan or Return to Work Plan;
- xii) Maintain an ongoing assessment of the Remain at Work Plan or Return to Work Plan;
- xiii) Arrange regular follow-up during the Remain at Work Plan or Return to Work Plan to modify the Plan, as required.

4.2 The Employee's Supervisor

- i) Participate in the development of the employee's Remain at Work Plan or Return to Work Plan;
- ii) Modify the work or workplace, as outlined in the Remain at Work Plan or Return to Work Plan;
- iii) Assign work or duties according to the employee's Remain at Work Plan or Return to Work Plan;
- iv) Closely monitor the progress of the employee through the Remain at Work Plan or Return to Work Plan and immediately report any issues or concerns to the Human Resources Officer, or designate.

4.3 The Employee

- i) Engage in medical rehabilitation and/or treatment that can be expected to facilitate a timely return to work;
- ii) Participate in development of their Remain at Work Plan or Return to Work Plan and recovery goals;
- iii) Maintain regular contact as identified in the Disability Support Program;
- iv) Work with the Human Resources Officer or designate, to provide updates on status, changes in condition, and review progress through their Remain at Work Plan or Return to Work Plan;
- v) Must provide appropriate documentation in accordance with NCDSB policy and procedures.

5.0 DEVELOPMENT OF INDIVIDUAL REMAIN AT WORK PLAN OR RETURN TO WORK PLAN

5.1 Identification of likely candidates for the Disability Support Program shall be made initially by the Human Resources Officer or designate, based on information received from the appropriate treating medical practitioner and, when appropriate, representatives of the Workplace Safety and Insurance Board and Long-Term Disability (LTD) Insurance.

5.2 A Remain at Work Plan or Return to Work Plan in general, may include, but is not restrict to, some or all of the following:

- i) Volunteer work;
- ii) Reduced work hours;
- iii) Modification of duties;
- iv) Workplace modifications;
- v) Removal of physical barriers;
- vi) Re-assignment to another available position if the employee has the necessary skills and abilities to perform the essential duties of that position. (If it is deemed that the employee cannot perform the essential duties of their current position with accommodations).

5.3 The employee may be provided with a letter to be given to the appropriate treating medical practitioner that outlines the Remain at Work Plan or the Return-to-Work Plan and indicates which accommodations and/or modified work is available. The letter

may also include information regarding the employee's job description and physical demands analysis. A release of medical information consent form will also be provided.

- 5.4 Modified work is provided within the employee's own school or service area, wherever possible.
- 5.5 While participating in the Disability Support Program, the employee's status will be monitored by the Human Resources Officer or designate, and the appropriate supervisor, in consultation with the appropriate medical practitioner(s).
- 5.6 Ongoing reviews of the employee's Remain at Work Plan or Return to Work Plan will be conducted with any necessary adjustments made to support the employee's success. The frequency of these reviews is established prior to the placement of an employee in the Plan.
- 5.7 The Board will endeavour to modify both the work and the workplace to accommodate the needs of permanently disabled employees, provided that it does not cause undue hardship to the Board.
- 5.8 All medical documentation will be maintained by the Human Resources Officer or designate, filed separately from the personnel file and will not be further released without the employee's written permission.
- 5.9 The Human Resources Officer or designate will review the documentation and then contact the employee to discuss the employee's participation in an individualized Remain at Work Plan or Return to Work Plan.
- 5.10 The Human Resources Officer or designate, and the employee will develop a Remain and Work Plan or Return to Work Plan based on the supported limitations or restrictions. A copy of the plan will be distributed to all parties, as well as the WSIB for WSIB claims. The initial meeting may include the employee's supervisor and/or union representation. A written Remain at Work Plan or Return to Work Plan may be shared with the employee's appropriate treating medical practitioner and/or union representative.
- 5.11 Any necessary changes to the work environment will take place prior to the employee's commencement of the Remain at Work Plan or Return to Work Plan.
- 5.12 Should the employee not be able to participate in a Return-to-Work Plan, the employee and the Human Resources Officer or designate will maintain regular contact. Ongoing, updated documentation will be obtained to determine when participation in the Return-to-Work Plan will be feasible. The Human Resources Officer, or designate, shall advise the employee's supervisory accordingly.

- 5.13 The employee may be required to participate in a Functional Abilities Evaluation and/or Independent Medical Evaluation, conducted by a third party, to determine limitations and/or restrictions and to assist in the development of an individual Remain at Work Plan or Return to Work Plan.
- 5.14 The individual Remain at Work Plan or Return to Work Plan may include the following information:
- i) Essential job duties/tasks;
 - ii) Specific physical requirements;
 - iii) Restrictions and limitations;
 - iv) Work schedule;
 - v) Follow-up work assessment dates by the Human Resources Officer of designate;
 - vi) A gradual resumption of duties assigned under the Disability Support Program;
 - vii) A gradual increase in hours worked;
 - viii) Expected date of completion of plan;
 - ix) Signatures of the employee and the Human Resources Officer or designate, immediate supervisor and other relevant parties to the plan;
 - x) Next meeting date;
 - xi) Conditions for withdrawal of the employee from the Disability Support Program.
- 5.15 Regular follow-up meetings may occur during the Remain at Work Plan or Return to Work Plan to ensure that the employee's needs are being met and to make any necessary changes to the modifications or accommodations should there be a change in the employee's restrictions or limitations.
- 5.16 The employee continues to participate in their Remain at Work Plan or Return to Work Plan until they have reached maximum medical recovery and are working at full capacity within any restrictions or limitations, including those that may be permanent in nature.

6.0 RELATED FORMS AND DOCUMENTS

Template: Remain at Work Plan
Template: Return to Work Plan

Director of Education:

Date: