



Policy Type: Human Resources

Policy #: HR-600-08

Approved by Council on: June 25, 2018

Human Resources – Workplace Accommodation

Policy

The Town of Prescott is dedicated to providing affordable and high quality services to the public and residents we serve and the operations we manage. Healthy and work ready employees assure the Town's ability to meet and maintain this level of quality.

In order to facilitate return to work, the Town of Prescott engages in a cooperative discussion with the employee, their Health Care Professional(s), the Insurance Carrier and/or the Workplace Safety and Insurance Board (WSIB), in order to determine the appropriate return to work plan and the availability of meaningful, purposeful work. The Town is also committed and complies with all applicable legislative Acts including but not limited to: the tenets of the Ontario Human Rights Code (OHRC) and the duty to accommodate set out in the Act as well as the Accessibility for Ontarians with Disabilities Act (AODA).

Objective

To expedite the safe and effective return to work for employees who have been absent for a period related to an occupational or non-occupational injury or illness.

To assist an employee who requests an accommodation.

Definitions

Occupational illness/injury:

Cases of illness, injury, or medical conditions of either a physical and/or psychological nature incurred by an employee in the performance of, or in connection with, his or her work.



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Non-Occupational illness/injury:

Cases of illness, injury, or medical conditions of either a physical and/or psychological nature not incurred in the performance of, or in connection with his or her work.

Modified work:

Temporary work designed for employees returning from an injury or illness. Generally, recovery takes up to twelve (12) weeks. Modified work is designed for employees, who temporarily cannot fully perform the essential duties of their own positions, provided meaningful and purposeful work is available.

Work hardening:

Temporary work designed for employees who have fully recovered from an injury or illness but require a short reconditioning period to prevent injury and build work stamina after a prolonged absence.

Sponsored work hardening:

Temporary work designed for employees who have fully recovered from an injury or illness but require a longer (up to 6 weeks) reconditioning period to prevent injury. This period is financially sponsored by the Insurance Carrier.

Accommodated work:

Permanent alterations to an employee's duties or working conditions which will enable them to return to their pre-injury/illness position.

Employees who cannot fully perform the essential duties of their own position on a permanent basis or who have accessibility needs due to a disability will be accommodated provided;

- the accommodation required does not necessitate the creation of a new position.
- the alteration of one position to meet the accommodation needs does not require additional staffing for that position on a permanent basis.
- the employee is able to fulfill the bona fide requirements of the position.



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Health Care Professional:

A member in good standing of one of the 26 regulatory colleges/licensing bodies in Ontario such as; Physicians, Nurses, Practitioners, Surgeons, Physiotherapists, Chiropractors, Chiropodists, Psychiatrists, Midwives, etc.

Supervisor:

For the purpose of this policy, the term “supervisor” refers to anyone in a supervisory role. This term would therefore include titles such as but not limited to supervisor, manager, director, and CAO.

Procedure

Upon receipt of notification and/or documentation supporting an accommodation, Management will make every effort to expedite all return to work plans within five (5) business days. When additional or clarifying information is required and/or other extenuating circumstances arise, the commencement date may be delayed.

The employer can request an employee who is or has been absent due to illness/injury to be evaluated by a second, objective health care professional at the employer's expense.

Occupational Injury (WSIB)

An employee should follow the procedures outlined in Health & Safety Policy Employee Occupational Illness/Injury Reporting when experiencing an occupational illness/injury. The supervisor will maintain regular contact with the ill/injured employee during their leave period the supervisor will initiate discussions of the return to work process and the modified work /accommodation program when appropriate. When ready to return to work from an occupational illness/injury, accommodation may be provided where applicable as per the following procedures;

- In collaboration with Human Resources the employee's supervisor, will design an individualized modified work program to facilitate the early and safe return to work of the employee. The supervisor may utilize a standardized plan that has been designed for that position.



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- The employee and if requested by the employee, their union representative, will meet their supervisor and Human Resources to review and discuss the return to work plan and schedule of shifts.
- The employee is responsible for working within the identified functional abilities so as not to prolong recovery.
- The employee will maintain regular contact (at least weekly) with the supervisor to discuss progress and problem solve any obstacles or concerns. If any concerns exist about the appropriateness of assignments, the employee will advise their supervisor of their concern.
- As updated Functional Abilities Forms (FAF) are received, the supervisor and Human Resources will update the work assignment to reflect the changes.
- On occasion, a meeting of the workplace parties with a Return to Work Specialist from WSIB may be scheduled to facilitate the return to full duties.
- Management shall determine the place and duration of an employee's individualized RTW taking into consideration what is in the best interests of the work hardening process.

Non-Occupational Injury/Illness

When an employee has incurred a non-occupational illness or injury, the supervisor will maintain regular contact with the employee during their leave period. Once the employee is ready to return to work, either the employee or the employer may initiate the discussion concerning the need for modified work where applicable. The employee is then responsible for submitting their request in writing to their supervisor, along with a current FAF (completed by their Health Care Professional) outlining their precautions and prognosis.

*All confidential medical information will be maintained according to the applicable privacy legislative requirements in secured health care files.



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- On receipt of this information, the supervisor/manager and Human Resources will meet to review the request. The Employer has the right to request an Independent Medical Examination (IME) by a health care professional of their choice in any case.
- If the requirements can be met and there is sufficient meaningful and purposeful work available, the employee, supervisor/manager, and Human Resources will collaboratively design and review an individualized work plan and schedule. The use of an outside consultant or professional may be utilized if necessary.
 - If the requirements cannot be met, the supervisor and Human Resources will meet with the employee to advise of the reason for the decision.
 - The employee is welcome to bring union representation to any meeting concerning return to work.
- The employee will maintain regular contact throughout the modified work program with the supervisor/manager, the Health Care Professional, and the Insurance Carrier (if applicable).

The plan will be amended each time there is a change in the FAF. Employees participating in modified work are expected to be re-assessed by a Health Care Professional at least every two weeks

The employee is responsible for working within the identified functional abilities so as not to prolong recovery.

Whenever possible, the employer will try to place employees on modified work in their own position. However, as this is not always possible, the employer reserves the right to place the employee in another position according to their abilities and limitations and the requirements of the job assignment.

Declared Disability

When an employee has a permanent disability and requires permanent workplace accommodation, he/she is responsible for submitting this request in writing to their supervisor/manager.



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On receipt of this information, the employee, supervisor/manager, and Human Resources will meet to review the application for workplace accommodation within the following parameters;

- the accommodation required does not necessitate the creation of a new position.
- the alteration of one position to meet the accommodation needs does not require additional staffing for that position on a permanent basis.
- the employee is able to fulfill the bona fide requirements of the position.

The employer will make every effort to install any equipment or devices which would enable the employee to fulfill the requirements of the position.

The Employer has the right to request an Independent Medical Examination (IME) by a health care professional of their choice in any case.

A 'buddy' will be assigned to employees whose mobility is compromised to ensure their safety and/or assist them to evacuate the premises in the event of an emergency situation.