

## **Early & Safe Return to Work Policy: Non-Work-Related Illness or Injury**

<b>Reviewed Date</b>		<b>Number</b>	HS0121
<b>Revised Date</b>	June 23, 2021	<b>Approved Date</b>	September 9, 2020

### **Introduction**

The Simcoe Muskoka District Health Unit (SMDHU) recognizes that accommodation may be required to assist employees in remaining in the workplace or to support their reintegration to the workplace following an absence for a non-work-related illness or injury. SMDHU's goal is to try and facilitate where possible the necessary accommodation when an employee is absent due to illness or injury as the contributions of each employee are essential to the achievement of the SMDHU's vision, mission and values. Employees are therefore required to co-operate and participate fully in the non-work-related illness or injury return to work process.

Our Non-Work-Related Illness or Injury Early & Safe Return to Work program attempts where possible to provide accommodation for an employee who is temporarily or permanently unable to perform their duties as a result of a non-work-related illness or injury, hereinafter referred to as an illness or injury. The program provides opportunities to perform the regular job with modifications or, when available and appropriate, to perform alternate work that meets the ill or injured employee's functional abilities.

### **Purpose**

To support staff and establish an effective return to work for employees who are absent from work due to a **non-work-related** illness or injury, in a safe and timely manner, and to accommodate where reasonably possible within the SMDHU, any employee unable to perform their regular duties, due to illness or injury.

This policy is applicable to all employees of SMDHU. Staff returning to work following an absence on Long Term Disability benefits may have their return-to-work program coordinated in conjunction with the Long Term Disability benefit provider.

### **Legislative Authority**

[Human Rights Code R.S.O. 1990, CHAPTER H.19](#)

[O. Reg. 191/11: INTEGRATED ACCESSIBILITY STANDARDS REGULATION](#)

### **Policy Definitions and Interpretation**

**HCP** - Health Care Provider – a licensed medical professional acceptable to SMDHU, who is providing medical treatment to the ill/injured employee in their care, whom the health unit may speak to or require a medical opinion from. SMDHU reserves the right to determine the appropriate HCP whom medical information will be required from.

**HR** - Human Resources

**RTW** – Return to Work

**Modified Work / Duties** – tasks that an employee would perform in an alternative fashion to their normal process or duties but that meets the functional abilities of the employee and the needs of the employer.

**Modified Hours**- Hours other than the staff member's FTE or regular work schedule.

**Supervisor** - the person to whom the employee directly reports (may be a Supervisor, Manager, Vice President or the Medical Officer of Health)

## **Policy**

Employees are required to immediately, or as soon as reasonably possible, report all illness or injury that will require either a workplace absence or accommodation to their immediate supervisor and to fully cooperate and participate in their return to work from a non-work-related illness or injury. The SMDHU will then endeavor to implement an Early & Safe Return to Work program that facilitates both the rehabilitation of the ill or injured employee and lessens the amount of time away from work. The SMDHU shall work in co-operation with the ill or injured employee and their HCP and attempt to accommodate the safe return to work of the employee. Each case will be assessed on an individual basis with the support of the involved employee, HCP, SMDHU's medical consultant, immediate supervisor and Human Resources.

The RTW Program recognizes the employer's and employee's joint responsibility to participate and fully cooperate in the return to work and effective rehabilitation of an ill or injured employee.

When SMDHU requires the employee's HCP to complete medical documentation, it will be at the employer's expense, provided such costs are deemed reasonable by SMDHU.

Management will adhere to the SMDHU Early and Safe Return to Work Procedures (non-work related) document for returning an employee to work.

## **Procedures**

### **Procedures to adhere to the non-work related Early and Safe Return to Work**

1. It will be the responsibility of the Human Resources (HR) Team to ensure that:
  - The coordination, implementation and maintenance of the SMDHU Early and Safe Return to Work program and related processes, in conjunction with the employee and their immediate supervisor, are carried out in accordance with the SMDHU Early and Safe Return to Work Procedures (non-work related) document.
  - All medical information and correspondence is kept strictly confidential and separate from all other personnel information within the HR department.
2. It will be the responsibility of all Supervisors to ensure that they:
  - Support and comply with this policy and ensure related processes are carried out.
  - Manage absences for illness or injury and accommodations of up to five (5) working days and if assistance is required contact HR.

- Advise HR when an employee absence requiring a workplace accommodation of greater than five (5) work days is required or anticipated.
  - Facilitate employee RTW initiatives by arranging suitable modified work.
  - Assist in coordinating an employee RTW in conjunction with HR and in accordance with the SMDHU Early and Safe Return to Work Procedures (non-work related) document.
  - Ensure that any medical information received is kept strictly confidential and forwarded to HR. Employees are not required to disclose personal health information to their supervisor and no medical information will be kept in the department files.
3. It will be the responsibility of all ill or injured employees to ensure that they:
- Immediately or as soon as reasonably possible, report to their direct supervisor all illness and/or injury that will require either a workplace absence or an accommodation, in order to allow the SMDHU to immediately facilitate their RTW.
  - If required, seek medical attention immediately or as soon as is reasonably possible for their illness or injury and ensure the required documentation is submitted to the SMDHU in a timely manner, in order to expedite the RTW process.
  - If medical attention is required, inform their HCP that an Early & Safe Return to Work program exists at the SMDHU and that there are opportunities available to accommodate all functional ability levels.
  - Communicate with their supervisor on a regular basis throughout their recovery period and cooperate in finding suitable work and/or accommodations for their successful return to work.
  - Cooperate in their RTW and abide by the policies, practices and recommendations of the SMDHU, the health unit's disability benefit carrier and their HCP regarding their illness or injury, in order to promote a safe and healthy rehabilitation and successful RTW.
4. Clarifications and Independent Medical Assessments may be required:
- Where Human Resources and the Vice President feel there are discrepancies, clarifications required in the documents submitted or differences in opinion regarding the employee's prognosis or functional abilities, medical clarifications may be required in order to assist in returning the employee to work in a timely manner. The Health Unit may engage the services of a medical consultant if necessary. In addition, SMDHU or the benefit carrier may also require that an independent medical assessment be completed in an attempt to resolve the issue. The cost of the assessment will be paid by the SMDHU or the benefit carrier

**Note:**

1. It is a responsibility of all parties to maintain regular communication and exchange of information.
2. If an employee is not able to return to their pre-illness/injury duties due to an illness or injury, the SMDHU will attempt to accommodate the employee as soon as possible. The SMDHU will make every reasonable effort to provide meaningful modified work

and shall attempt to accommodate the worker to the extent that the accommodation does not cause the employer undue hardship.

3. For further information see the Early & Safe Return to Work Procedures (non-work related).

***Related Policies***

HS0121 Early & Safe Return to Work Non-Work Related - Procedures

HSO117 Early and Safe Return to Work Policy: Work-Related Illness and Injury

HR0704 Sick Leave

***Related Forms***

N/A

***Final Approval Signature:*** \_\_\_\_\_

Review/Revision History:

June 23, 2021 Vice President and HR consult clarification