

# Quick facts:

## Facts for return-to-work programs

### Elements

A return-to-work program is a documented process for communication and action in the event of a work-related injury. The Program will facilitate an injured worker's recovery and return to work as early and safely as possible in accordance with legislative and workplace requirements. A well-designed return-to-work program may be used for all injuries regardless of their source.

Return-to-work programs have six (6) elements defined for the purposes of PRIME through WorkplaceNL policy.

#### 1. Commitment

You must develop a return-to-work policy statement that:

- Is signed and dated by the highest ranking official or designate.
- Is posted in a prominent place in hard copy or available electronically at all workplaces.
- Is reviewed annually and updated as required.
- Is communicated to all workers, with information on how it applies to their specific workplace.
- Demonstrates the employer's commitment to return to work in accordance with WorkplaceNL's Policy Re-18: Hierarchy of Return-to-Work and Accommodation and section 89 of the *Workplace Health Safety and Compensation Act (the Act)*.
- Reflects the re-employment obligation under section 89.1 of the *Workplace Health Safety and Compensation Act* (refer to Policy Re-05 "Re-employment Obligation") for those employers who have this obligation.
- Includes references to:
  - Communicating with the worker during the return-to-work process and protecting confidential information
  - Committing to co-operation
  - The roles and responsibilities of the parties involved in return to work including, but not limited to: the employer, injured worker, health care provider(s), co-workers, WorkplaceNL and where appropriate, the union, return-to-work representatives.
- Reference to joint consultation with workers in the development, monitoring, evaluation and revision of

the return-to-work program for large PRIME assessment employers.

- Is developed in joint and meaningful consultation with workers as defined in Criteria 5 of Policy PR-06 for provincially-regulated employers and Policy PR-07 for federally-regulated employers.

#### 2. Injury Reporting System

You must establish an injury reporting process that:

- Is communicated to all workers and outlines the steps to be taken in the event of a work injury. This process would include but not be limited to:
  - Designating a person(s) to whom an injury(ies) will be reported
  - Facilitating employer transportation of the worker to appropriate medical care (as defined in per section 87 of the *Act*).
  - Submitting forms to WorkplaceNL
  - Ensuring the injured worker returns the employer's copy of the Physician's Report Form 8/10 or Chiropractor's Report Form 8/10C

#### Forms

- Updated WorkplaceNL forms must be available either in paper copy or online. These forms would include:
  - Form 6 – Worker's Report of Injury
  - Form 7 – Employer's Report of Injury
  - Early and Safe Return-to-Work Plan Form or an alternate form acceptable to WorkplaceNL
- Forms that are considered acceptable to WorkplaceNL include the following:
  - Employee name
  - Claim number
  - Pre-injury position
  - Return-to-work schedule including dates, hours and hourly wage
  - Signed and dated by the employee and employer
- Injury reporting system must be developed in joint and meaningful consultation with workers as defined in Criteria 5 of Policy PR-06 for provincially regulated employers and Policy PR-07 for federally regulated employers for large PRIME assessment employers.

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### 3. Return-to-Work Planning

You must establish a planning protocol that:

- Is done in accordance with the section 89 of *the Act* (refer to Policy RE-02 “The Goal of Early and Safe and the Role of the Parties”) and section 89.1 (refer to Policy RE-05 “Re-employment Obligation”). Your protocol must:
  - Outline the steps to be followed from the time of injury to the completion of return-to-work and reflect Policy RE-18 (Hierarchy of Return-to-Work and Accommodation).
  - Be supported by using the appropriate forms such as the Early and Safe Return-to-Work Plan or alternate form acceptable to WorkplaceNL to ensure that workers are involved in the development of the return-to-work plan.
  - Indicate that confidential information is protected (refer to Policy RE-03 “Functional Abilities Information for return-to-work”).
  - Demonstrate that employer communicates with WorkplaceNL as required by section 89 of *the Act*.

### 4. Return-to-Work Program Documentation

You must establish policies and/or Procedures that:

- Outline the roles, responsibilities and accountabilities of the parties involved in the return-to-work program as outlined in your return-to-work policy statement.

- Include guidelines for addressing workplace accommodation issues required by legislation for your specific workplace.
- Include guidelines for advising WorkplaceNL of disputes between the workplace parties regarding a return-to-work plan.

### 5. Joint Mechanism for Consulting

#### Consultation Mechanism

- Meaningful consultation must occur between management and employees on return-to-work program elements.
- Meaningful consultation must occur between management and employees on complex return-to-work issues.

### 6. Evaluation and Communication

#### Evaluation Protocol

- Your return-to-work program must be evaluated through a joint mechanism on an annual basis.

#### Communication Protocol

- Your return-to-work program must be communicated through a joint mechanism to all employees on an annual basis.

#### Revision Protocol

- Your return-to-work program must be revised through a joint mechanism.

### For more information on return to work program injury reporting please contact

St. John's	t 709.778.1000	t 1.800.563.9000
Grand Falls-Windsor	t 709.489.1600	t 1.800.563.3448
Corner Brook	t 709.637.2700	t 1.800.563.2772