

Construction Industry – Return to Work and Recovery

Duty to cooperate in Early and Safe Return to Work (ESRTW)

All employers and workers are obligated under section 100 of the Workplace Health, Safety and Compensation Act, 2022 to cooperate in a worker's early and safe return to suitable and available employment with the injury employer.



Challenges within the construction industry:

- Difficulty identifying ESRTW duties due to limited lighter work being available.
- Difficulty accommodating workers who do not fully recover from their injuries (permanent accommodation).
- Collective agreement provisions impact availability of ESRTW and permanent accommodation options.
- Identify alternate return to work options that restore the pre-injury earnings of higher wage earners.

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ESRTW Tips - Construction Industry Highlights

The Construction Industry includes sectors such as building, developing and general contracting, industrial and heavy construction, and trade contracting.

Lost time claims by top 5 occupations, 2016-2020

Occupations	% Total Lost time Claims
Construction trades helpers/labourers	24%
Carpenters	23%
Heavy Equipment operator – except crane	4%
Truck drivers	4%
Electrician except industrial systems	4%

Tactics and Possible Solutions - Employers

Program level

- Start talking about return to work and recovery at orientation.
- Compile a list of modified duties for various positions within your company.
- Have clear roles and responsibilities for everyone involved in the Return to Work (RTW) process.
- Evaluate the RTW program each year to ensure it is meeting objectives.

Claim specific

- Maintain regular communication with injured workers (once a week for anyone in ESRTW).
- Ensure you are receiving Health Care Provider reporting forms from injured workers within 24 hours after each doctors visit.
- Involve the injured worker in development of ESRTW plan.
- If difficulty in obtaining functional information, contact the case manager to see if a functional assessment can be completed.



Contact a WorkplaceNL RTW Facilitator

ESRTW

St. John's

t. 709.778.1000

For immediate assistance, call **1.800.563.9000**

Corner Brook

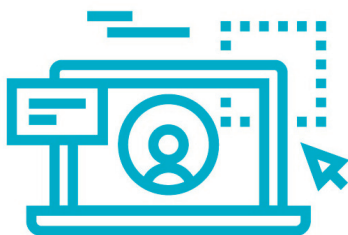
t. 709.637.2700

For immediate assistance, call **1.800.563.2772**

Grand Falls-Windsor

t. 709.489.1600

For immediate assistance, call **1.800.563.3448**



connect

Employers can enter and maintain their ESRTW plans, review claims cost information and obtain injury statistics through their **connect** account.

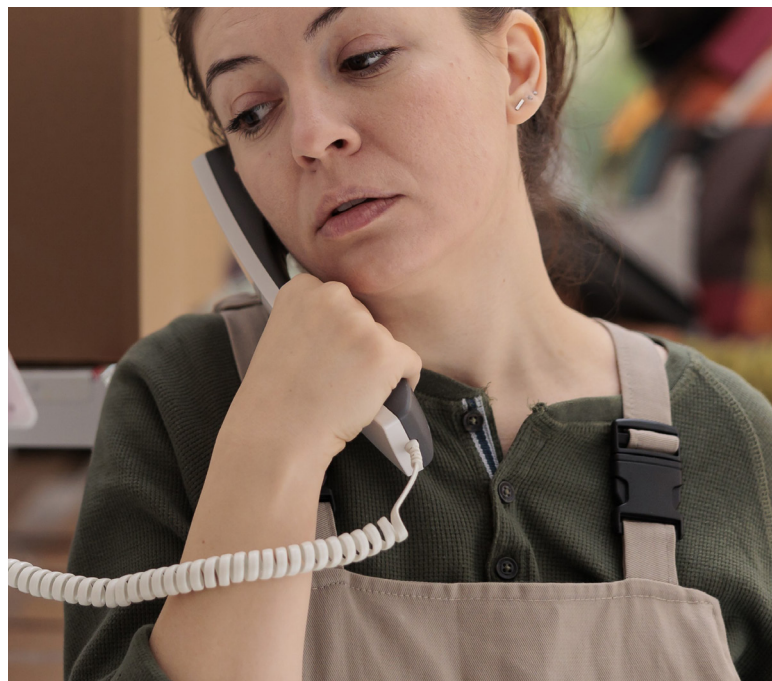
Register for **connect** at workplacencn.ca

If you are having difficulty arranging ESRTW you can:

- Ask the RTW Facilitator. They can:
 - Assist in developing the ESRTW plans before the claim is adjudicated.
 - Assist with clarifying medical information.
 - Provide education sessions to staff.
 - Monitor ESRTW plans and mediate disputes between workplace parties.
 - Help identify potential ESRTW duties (suitable & available work).
- Contact the Case Manager. They will:
 - Assist with early ESRTW intervention.
 - Ensure progression of the ESRTW plan.

Tactics and Possible Solutions - Workers

- Report the injury to your supervisor immediately.
- Ensure that all Health Care Provider reporting forms are returned to the employer within 24 hours.



- Help identify potential ESRTW duties with your employer.
- Discuss ESRTW options with your health care providers.
- Maintain communication with your employer.

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