



DIVISION: HUMAN RESOURCES

Policy #: HR-809

POLICY NAME

DISABILITY MANAGEMENT

POLICY STATEMENT

The Newfoundland and Labrador English School District (“NLESD”), in consultation with its employees, is committed to the development, implementation, monitoring and continuous improvement of a progressive disability management program. The District commits to the utilization of the Workplace Health, Safety and Compensation Commission (WHSCC) policy ‘Hierarchy of Return to Work and Accommodation’ (RE-18) in the implementation of the Early and Safe Return to Work (ESRTW) process. The program shall utilize ease back, modified work, rehabilitation, suitable and available job placement, constant communication and follow-up to ensure that ill, injured and disabled employees can remain at work or quickly return to productive and meaningful work, with the ultimate goal of returning the employee to pre-injury employment. This policy has been developed in joint and meaningful consultation with employee groups and will be reviewed on an annual basis.

BACKGROUND

The NLESD Disability Management Policy is guided by the principles of early intervention and the provision of ESRTW opportunities for employees who have experienced a workplace injury or a disabling illness. The NLESD, in meeting its re-employment obligation as outlined in the WHSCC policy (RE-05), has committed to a co-operative and consistent program in accordance with section 89 of the *Workplace Health Safety and Compensation Act* as well as all other applicable Commission policies. With a cooperative approach by all workplace parties, it is the District’s belief that ill and injured employees can return to the workplace in an expedited manner to the benefit of both the employee and the District.

APPROVED: June 5, 2015

EFFECTIVE: June 8, 2015

AMENDED: _____

POLICY DIRECTIVES

1. Throughout the disability management process, the NLESD shall respect the principles of seniority and human rights and shall ensure the protection of all confidential information.
 2. Managers and supervisors shall make every reasonable effort to accommodate employees who require workplace modifications in order to perform the duties associated with their position.
 3. Where this is not possible, managers and supervisors will co-operate in meeting the District's policy of locating suitable and available alternate employment. This shall be done in consultation with the injured worker, the health care provider, the group insurance provider, the Commission, and where appropriate, the union.
 4. All employees are expected to fully participate in all rehabilitation and ESRTW initiatives.
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SCOPE

This policy applies to all NLESD employees: unionized, non-unionized and management; full-time, part-time, casual, substitute; permanent or temporary; apprentice, work-term/intern or contract.

DEFINITIONS

AVAILABLE WORK

Available work is defined as work that already exists within the NLESD at the pre-injury work site, or at a comparable site arranged by the District, and is determined in accordance with any applicable collective agreement.

COMMISSION/WHSCC

For the purposes of this policy, Commission refers to the Workplace Health, Safety and Compensation Commission (WHSCC).

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CONTINUOUS EMPLOYMENT

Employees who are hired one year or more before an injury occurs are considered to be continuously employed, unless the year was interrupted by a work cessation intended by the employee or the employer to sever the employment relationship.

CONTINUOUS EMPLOYMENT – SEASONAL EMPLOYEES

A seasonal employee is considered to be continuously employed where it is shown there has been a pattern of rehiring the employee for more than one season and there is no evidence that the employment relationship was officially terminated with no intention to rehire the employee at the next season. (e.g., an employee who works ten months each year, September to June, for the same employer.)

EASE BACK

Ease back opportunities let injured workers return to their work gradually, while building up strength and tolerance in the process. The objective is to allow a steady progression of hours and/or duties with the end result being a return to full hours and duties.

FUNCTIONAL ABILITIES

Functional abilities refer to the duties an employee is able to perform, given any limitations due to the workplace injury. An employee’s functional abilities are determined by his/her health care provider or by a health care provider appointed by the NLESD.

LOST-TIME INJURY

A lost-time injury is a personal injury which results in the employee losing time at work beyond the day of the injury.

SUITABLE WORK

Suitable work is defined as:

- Work within the employee’s functional abilities;
- Work for which the employee has, or is reasonably able to acquire, the necessary skills;
- Work which does not pose a health or safety risk to the employee or co-employees; and,
- Work which restores the employee’s pre-injury earnings, if possible.

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