 <p>JOHN AARTS GROUP HEALTH, SAFETY & ENVIRONMENTAL PROGRAM</p>	Section: Return to Work		
	PREPARED BY: Health and Safety Team	COR Elements: 13	
	APPROVAL DATE: February 10, 2023	DATE OF ORIGIN: 02/02/2023	REVISION # 1
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RETURN TO WORK PROCEDURE

PURPOSE

John Aarts Group recognizes that our employees are our most important assets. As such, we are committed to providing a safe and healthy workplace. The Return to Work (RTW) Policy is designed for workers who have been injured on the job and aims to safely return workers to employment at the earliest possible date following an injury or illness. This policy is compliant with applicable Ontario WSIB guidelines and human rights legislation.

DEFINITIONS

Accommodation

Any modification to the work or the workplace, including but not limited to reduced hours, reduced productivity requirements, or the provision of assistive devices, that results in work becoming available that is consistent with the worker's functional abilities and that respects applicable human rights legislation.

Productive

Whether the work produces an objective benefit to the employer's business.

Work

Includes the combining of tasks and duties which together may constitute temporary work.

Suitable Occupation

Jobs suited to a worker's transferable skills that are safe, consistent with the worker's functional abilities, and that to the extent possible restore the worker's pre-injury earnings.

SCOPE

In the event of an accident in the workplace, employees must report the incident immediately. If the injury causes the employee to require substantial time away from work or creates a disability that restricts their ability to work, the employee should return to work as soon as it is safe to do so under the guidelines of this policy.


In accordance with legislative and company requirements it is mandatory that all employees participate in the return-to-work program. It is also mandatory that all employees who sustain a work-related injury report the incident in accordance with protocol.

For the company to properly implement the RTW Policy, it is important that employees provide detailed medical documentation pertaining to their inability to perform their employment duties, so that alternatives may be found. This includes a functional abilities form filled in by their doctor to provide guidelines as to the work that an employee can perform.

Work Reintegration

Work reintegration is a process that begins as soon as the John Aarts Group is aware of a work-related injury or illness. The work reintegration process must continue throughout the recovery period and must be adapted to each individual employee and situation.

Work reintegration is available for injured employees and employees struck by an occupational illness. In the case of an illness, the work reintegration program commences once the employee is functionally fit to report for work and

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includes goals and timelines for recovery. Information in the work reintegration program should be gathered from the employee, employer, doctors, and WSIB contacts. The program must be shared between these parties as needed.

Statutory requirements for the work reintegration program include the values of co-operation (among all parties) and re-employment for the employee. If a suitable return to work or work reintegration assignment cannot be found, John Aarts Group is committed to the retraining of the employee in a different, but still suitable, position. The company will consult with the WSIB for a suitable position and provide any needed information to the WSIB so that the employee is informed of the details and has a choice in their assignment (where possible).

The work reintegration program is not limited to employees who have been absent from their workplace. It also applies to employees who have remained at work but have had accommodations created for them during their recovery period.

The work reintegration program is required until the employee returns to their pre-injury position, or the employee is awarded damages for any loss of earnings if they had to switch positions (for example, a lesser wage).

In any cases where the company or employee does not meet the stated requirements for the work reintegration program, the WSIB may reduce or suspend the employee’s benefits or levy a monetary penalty on the employer. The company and employees may rely on the WSIB for any support required in the work reintegration period. In keeping with their Guiding Principles, the WSIB will schedule a meeting with the involved parties at a date that is not later than 12 weeks following the date of the employee’s injury (if the employee has not returned to work in any capacity).


In a case where the employee and John Aarts Group have difficulty establishing an appropriate return to work program, the WSIB will provide dispute resolution to help and facilitate communication. In addition, the WSIB has services including proactive education, case management support, accommodation assistance, and disability management program counsel.

PROCEDURE

Procedures - In case of injury at work

The injured worker:

1. Report the injury to your supervisor if able;
2. Get first aid immediately if needed;
3. Get medical care from a doctor or health care provider if required. The employer pays for transportation;
4. Accurately report the nature and circumstances of the injury to the doctor. A “Form 8” will be provided by the doctor;
5. If **able** to return to normal work duties that day or the next day with no restrictions, give the Form 8 to your supervisor when you return to work.

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- If **unable** to return to normal work duties that day or the next because of restrictions, contact the office right away. The office will review the "Form 8" and develop a modified work plan if possible.

The supervisor:

- Provide first aid immediately to the injured worker;
- Transport worker to get medical care if required;
- Report the injury to the main office;
- Complete an Incident Report describing the nature and circumstances of the injury the same day;
- If worker returns to normal work duties that day or the next day, review Form 8 from the doctor confirming they are able to perform their regular duties. Forward the Form 8 to the main office.

In the case of injury that prevents the worker from returning to regular work duties:

The employer will:

- Forward all appropriate documents to the WSIB within the prescribed time;
- Request and review a "Functional Abilities Form" (FAF) from health care professional and determine what type of suitable work is available for the injured worker;
- Create a modified work plan and present it to the injured worker for acceptance.

What are functional abilities and how are they determined?

The term "functional abilities" refers to what the injured worker is physically capable of doing. The doctor or other health care professional initially provides this information on the Form 8 (Health Professional's Report) After the initial visit:

- The doctor provides updated information about the functional abilities on a WSIB Functional Abilities Form (FAF) when the worker or employer requests it.
- It is extremely important that the Form 8, FAF and any other medical reports, accurately state what the worker is capable of doing. **If work is refused that is within the functional abilities set out in these reports, they will be treated as un-cooperative and their benefits may be reduced or taken away.**

WSIB Decision (if required):

- If JAG and the effected employee cannot come to a modified agreement/appropriate new position the WSIB may get involved and levy a decision on the situation


Employee Returns to Regular Duties:

- In most situations the return-to-work policy is a short term solution and the employee can resume their normal duties after a sufficient amount of recovery time. Once they are capable of returning to their regular duties employees will leave the work reintegration program and resume their regular duties.

RESPONSIBILITIES

Senior Management:

- Cooperate with the RTW policy and procedure
- Review the procedure at least annually

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- Allow for suitable modified work
- Assist Health and Safety/HR in developing suitable modified work

Supervisors:

- Maintain and document all contact conducted throughout the employee's absence.
- Identify employment opportunities based on the returning employees' abilities and limitations.
- Establish a timeline for the return of the absent employee, and any changes in their ability to work.
- Take an active part in the planning and implementation of return-to-work arrangements for the employee

Workers:

- helping your employer, if asked, to find appropriate employment
- giving the WSIB any information requested
- attending health examinations as directed by the WSIB
- informing the WSIB about any change in circumstances

Health and Safety Team /Human Resources:

- Establish and maintain communication with employees who are absent due to a workplace injury.
- Request that the employee produce documentation from their physician to establish their physical and mental abilities and any information on limitations resulting from the injury through the completion of a functional abilities form.
- Coordinate and implement the RTW process.
- Provide the absent employee with information regarding the RTW process, and ensure that they understand the procedures and their responsibilities.
- Communicate with the employee, union or association, supervisor, and attending physician to ensure a complete understanding of the absent employee's abilities, possible job restrictions, the physical job demands required, and a timetable for a return to work.
- Attempt to find an appropriate job match if an injured employee cannot return to their pre-injury position.

Health and Safety Committee/Rep:

- Review policies and procedures as required
- Assist with investigations when required


Subcontractors:

- Review policies and procedures as required
- Assist with investigations when required

Visitors:

- Review policies and procedures as required
- Assist with investigations when required

REQUIREMENTS

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Documentation:

- Corporate Hazard Identification and Risk Assessment Matrix
- Site Specific Safety plan
- Job descriptions
- FAF's
- Occupational Health & Safety Act
- Construction Regulation 213/91
- Mining Regulation 854/90
- Industrial Regulation 851/90

DOCUMENT CONTROL

All documents and records generated for this procedure will be stored indefinitely on the HCSS or John Aarts Group servers. They can be accessed by management at anytime.

ENFORCEMENT

Following this procedure is a condition of employment for all employees. This will be enforced strictly by management and supervision. Failure to follow this procedure, as set out, may lead to progressive discipline up to and including dismissal or removal from site as deemed appropriate by John Aarts Group.

REVIEW

This procedure will be reviewed and revised as required. Revisions are required when there are changes in business conditions, scope of work, regulatory requirements or when deficiencies become known.