

# Strategies for a Successful Return to Work:

## Collaboration and Early Rehabilitation

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# Land acknowledgment

*Welcome, everyone, and thank you for being here. I would like to acknowledge that we are on the traditional, ancestral, and unceded territory of the Coast Salish Peoples, including the:*

- *Squamish*
- *Tsleil-Waututh (SLAY-wa-tooth), and*
- *Musqueam (MUS-kwee-um) Nations*

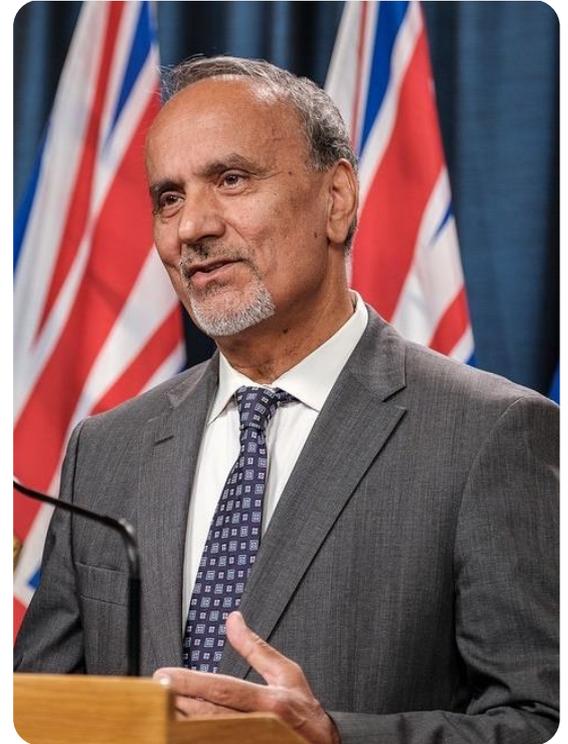
**Duty to Cooperate (DTC) and  
Duty to Maintain Employment (DTME)**

# Purpose of the new legislation

- Provides legal framework
- Establishes duty of cooperation
- Establishes duty to maintain employment
- Provides financial consequences
- Leads to better outcomes

“ People injured on the job need to know that there is a workers' compensation system that meets their needs ... With these changes, we're making sure that workers are properly supported when they need it the most.”

Harry Bains, Minister of Labour



# Duty to cooperate

- 1 **Duty to cooperate** – Adds legal duty for workers and employers to cooperate in the worker's early and safe return to work (RTW), or continuation of work
- 2 Duty to maintain employment
- 3 Consequences of non-compliance

## Duties

### Employer

- Maintain contact.
- Identify suitable work options.
- Make available suitable work.

### Worker

- Maintain contact.
- Identify suitable work options.
- Not unreasonably refuse suitable work.

### WorkSafeBC

- Facilitate communication.
- Assist with RTW planning.
- Intervene and resolve disputes in a timely way.
- Determine compliance.

# Duty to maintain employment (DTME)

- 1 Duty to cooperate
- 2 **Duty to maintain employment** – Adds legal duty for eligible employers to maintain employment of an injured worker
- 3 Consequences of non-compliance

## Duties

### Employer

- Offer and provide suitable work in accordance with worker's abilities.
- Accommodate worker (to point of undue hardship).

### Worker

- Update employer on abilities.
- Participate in suitable or accommodated work offer.
- Inform WorkSafeBC if terminated due to injury.

### WorkSafeBC

- Perform essential duties.
- Assess in determining functional abilities.
- Assist with RTW planning.
- Resolve disputes.
- Determine compliance.

# Consequences of non-compliance

- 1 Duty to cooperate
- 2 Duty to maintain employment
- 3 **Consequences of non-compliance** – Adds legal authority to impose administrative penalties, reduce or suspend wage-loss equivalency benefits, and entitle worker benefits

## Impacts

### Employer

- Administrative penalties for employer if they fail to cooperate or maintain employment.

### Worker

- Workers' benefits may be reduced or suspended for failing to cooperate.
- Entitlement to specialized benefits where employer failed to comply.

### WorkSafeBC

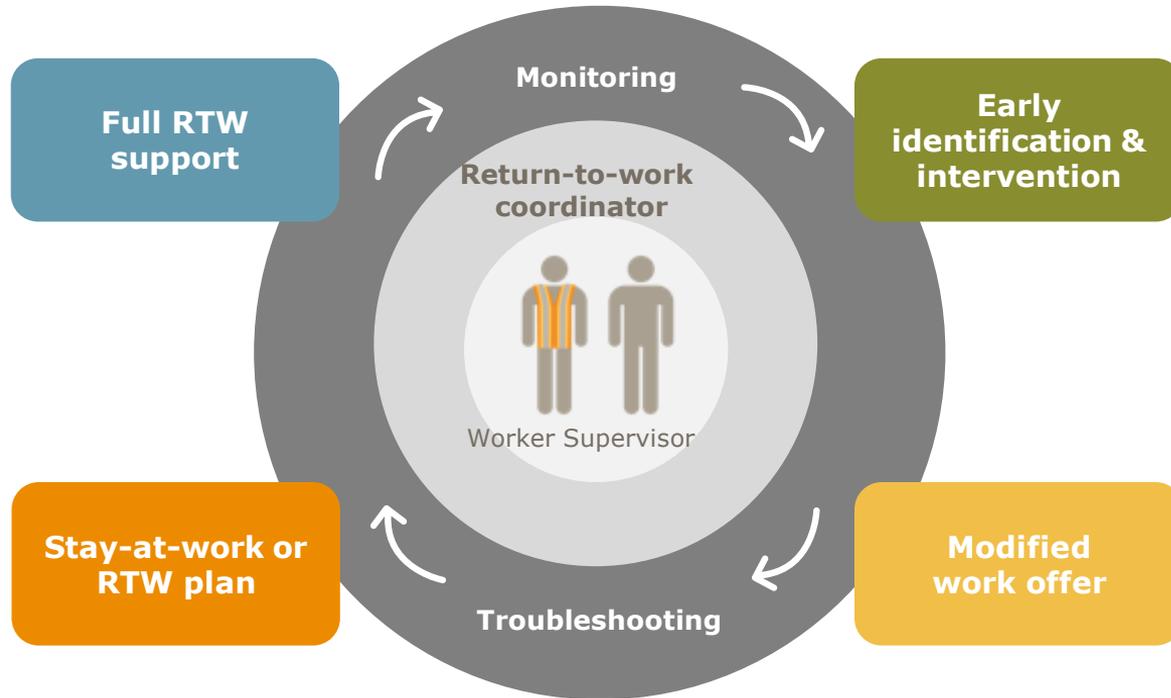
- Adjudicate failure to comply with law and policy.
- Determine and impose penalty amounts.
- Payment of benefits.

# The return-to-work waiting game



# **Collaboration and Early Active Rehabilitation**

# Return-to-work (RTW) process



# Collaboration is vital

“When ‘I’ is replaced by ‘we,’ even  
‘illness’ becomes ‘wellness.’”

— Anonymous

# Benefits of collaborative RTW

## Employer

- Demonstrates that employees are valued
- Maintains employer-employee relationships
- Maintains productivity
- Retains skilled workers
- Experiences reduced costs

## Employee

- Experiences faster recovery
- Sustains less of a financial impact
- Maintains connection with employer and co-workers
- Maintains job skills
- Increases sense of self-efficacy and self-confidence

# Quality of communication

## Do

- ✓ Ask how the employee is and how you can help
- ✓ Ask what duties they feel they can do
- ✓ Ask them to call you regularly
- ✓ Set program expectations

## Don't

- ✗ Imply their job or pay is at risk
- ✗ Repeatedly phone or text
- ✗ Ask for information that you are not entitled to
- ✗ Forget to ask for help!

# Collaboration to prevent disability



- Involve supervisors in return to work
- Include the injured employee in planning modified work
- Communicate with genuine care
- Consider every employee's unique factors
- Refer worker to physiotherapy for early active rehab

# Benefits of Early Active Rehabilitation

## For workers

- Early and active treatment
- Faster recovery
- Maintain connection with workplace

## For employers

- Reduce needless time loss
- Improve engagement
- Guides return-to-work planning



# Standard Physiotherapy

- For musculoskeletal injuries
- Claim initiated - teleclaim
- 1 visit on pending claim
- No referral required
- Costs covered by WSBC

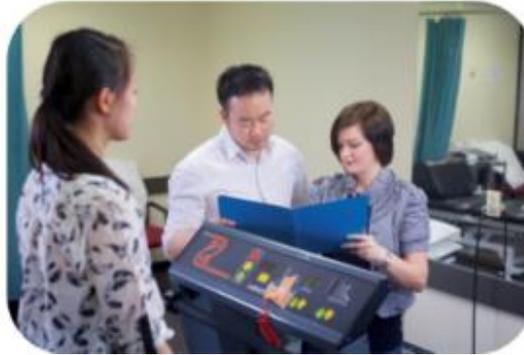


# Early Access to Physiotherapy Program (EAPP)

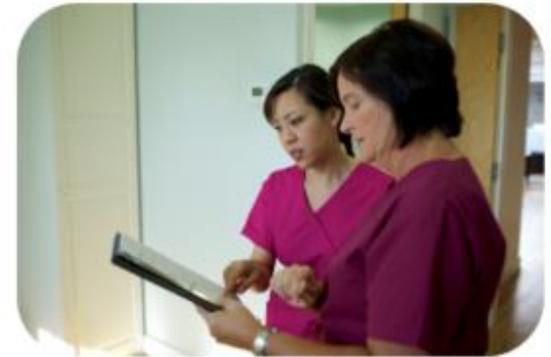
Connecting workers and employers with physiotherapy clinics



**Assessment within  
72 hours**



**Functional abilities forms**



**Onsite coaching for RTW  
plan support**

# How employers get started

## Process



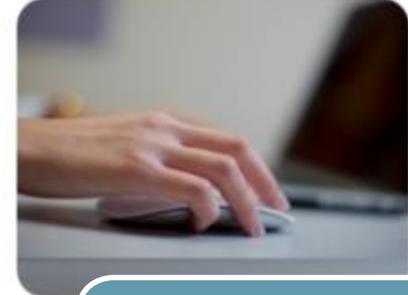
### Self-assessment

Complete the Return to Work Program Self-Assessment



### Physiotherapist selection

Interview EAPP physiotherapist from our provider list



### Submission

Submit Self-Assessment and chosen physio(s) to

**RTW Consultation and Education Services**

Phone: 604.279.8155 (Lower Mainland) Toll-free: 1.877.633.6233  
rtw-ces@worksafebc.com

# **Return to Work Consultation and Education Services**

# RTW Consultation and Education Services

## Self-help tools

Online tools to help guide employers in managing RTW and developing RTW programs

## Early access to physio program

Direct access to physiotherapy clinic with treatment and RTW planning for qualified employers

## Employer RTW support

Help line and email to provide employers with RTW support and advice: 1.877.633.6233  
rtw-ces@worksafebc.com

## Short-term interventions

Focused assistance to address employers' issues and to improve their RTW performance

## RTW training and education

- RTW for leaders
- RTW for supervisors
- RTW coordinator workshop

## Engagements

Partnership with employers to provide RTW program consultations

**Questions?**

# Contacts

## **RTW Consultation and Education Services Support**

- 1.877.633.6233
- [rtw-ces@worksafebc.com](mailto:rtw-ces@worksafebc.com)