

## Returning to Work After an Injury

Returning to work after a workplace injury can be a long, complicated process.

You must work together with the employer and the union to get you back to work in a timely manner, doing appropriate work within your functional abilities.



You should contact your employer as soon as possible following your injury and stay in touch.

Your Union Representative and Workers' Compensation Department personnel are here to assist you with your WSIB claims and appeals. Call us 905-821-8329 or Toll Free 1-800-565-8329



**United Food & Commercial Workers  
Locals 175 & 633**

**Kelly Tosato – President  
Jim Mc Lean – Secretary-Treasurer  
Karen Vaughan – Recorder**

**Workers' Compensation Department  
2200 Argentia Road  
Mississauga, ON L5N 2K7**

**Phone: 905-821-8329  
Toll Free: 1-800-565-8329  
Fax: 905-821-7144**

**[www.ufcw175.com](http://www.ufcw175.com)  
[workerscomp@ufcw175.com](mailto:workerscomp@ufcw175.com)**

# RETURN TO WORK and THE DUTY TO ACCOMMODATE



An information pamphlet provided by your Union.



**Jim McLean  
Secretary-Treasurer**

**Kelly Tosato  
President**

**Karen Vaughan  
Recorder**

## **Worker's Responsibilities in Return to Work**

As an injured or ill worker, you are required to follow these steps:

1. Get proper medical treatment immediately.
2. Report.
3. After your initial healthcare treatment contact your employer to discuss return to work.
4. Provide the employer and/or the WSIB with information on your recovery.
5. Work with your employer to identify suitable work opportunities. That means work which is:
  - Safe,
  - Productive,
  - Within your functional abilities,
  - Available,
  - Restores your pre-injury earnings.

### **For WSIB Injuries:**

- Provide the WSIB with any relevant information concerning your return to work.
- Report any significant changes in your medical condition or income that may affect your benefits (known as “material change”).
- You must report any material change within 10 days of it occurring.

### **Examples include:**

- Returning to work
- Beginning to receive other income or government benefits

- Significant changes in your medical condition
- Notify the WSIB of any disputes or disagreements with your return to work.

## **Duty to Accommodate**

The accommodation process is a shared responsibility. This process equally treats those injured in or away from the workplace.

Everyone involved should cooperate (worker, employer, union), engage in the process, share information and be open-minded to potential accommodation solutions.

The person with a disability is required to:

- Advise the employer of the disability (generally the employer does not have the right to know the nature of the disability).
- Make her/his needs known to the best of their ability.
- Answer questions or provide information regarding relevant restrictions or limitations.
- Participate in discussions regarding possible accommodation solutions.
- Cooperate with any experts whose assistance is required to assist in the accommodation process.
- Meet agreed upon performance and job standards once accommodation is provided.
- Work with the employer/union on an ongoing basis to monitor the process.

## **The employer is required to:**

- Accept the employee's request for accommodation in good faith, to the point of undue hardship.
- Obtain expert opinion or advice where needed.
- Take an active role in ensuring that alternative approaches and possible accommodation solutions are investigated.
- Canvass various forms of possible accommodation and alternative solutions.
- Keep a record of the accommodation request and any action taken.
- Maintain confidentiality.
- Limit requests for information to those reasonably related to the nature of the limitation or restriction.
- Grant accommodation requests in a timely manner.
- Bear the cost of any required medical information/documentation.

## **Unions are required to:**

- Take an active role as partners in the accommodation process.
- Share joint responsibility with the employers to facilitate accommodation.

***If you refuse to cooperate in fulfilling your responsibilities, the WSIB can reduce or suspend your benefits.***