

# COLLECTIVE BARGAINING LANGUAGE FOR RETURN TO WORK AND WSIB

## **Workplace Safety and Insurance Board and Modified Work**

### *(a) Workplace Safety and Insurance Board*

Insurance is provided for Employees in the event of an accident occurring while engaged on in the course of employment through the Workplace Safety and Insurance Board (WSIB).

Where an Employee suffers a workplace injury, the Employer agrees to supply the Union with a copy of the Workplace Safety and Insurance Board's Form 7 (Employer's Report and Accidental Injury or Industrial Disease) at the same time as the form is sent to the Board and the worker, or as soon as practicable.

The Employer shall notify the Union by the fifteenth (15th) of each month, of the names of all bargaining unit Employees off work due to a work-related injury whether or not the Employee is in receipt of Worker's Compensation (WSIB) benefits.

### *(b) Modified Work*

The Employer and the Union agree that Employees, who have been off work due to work related injury, accident or illness, resulting in temporary/permanent impairment, should be returned to active employment as quickly as possible. In recognition of the above, and both the Employer's and the Union's legal obligations under the Ontario Human Rights Code, the Employer and the Union agree to work together to identify suitable work for Employees returning to work and requiring accommodation.

When identified, an accommodation for the employee due to illness and or injury will be considered and when possible alternate/modified work will be assigned in accordance with the restrictions/capabilities (i.e. FAF - Functional Assessment Form or similar assessments(s) provided by a qualified medical professional), whether the disability is permanent or temporary.

When it is determined that a member of CUPE XX is unable to perform the full duties of their position due to medical restrictions, The Employer and Member will meet to discuss the restrictions/capabilities surrounding the employee's return to work/accommodation. The Employer will notify the Union of this meeting and will inform the employee of their right to be accompanied by a Union Representative prior to the meeting.

With the Employee's consent, the Employer shall share with the Union information relevant to the accommodation of the affected employee and information regarding the requirements/duties of the employee's position.

Notwithstanding the above, the Employer agrees to provide the Union with copies of the workplace accommodation arrangements made for the CUPE member.