

<p><b>Personnel and Employee Relations 7572</b></p> <hr/> <p>Managed Rehabilitation: ESP Staff – Illness and/or Injury</p>	<b>Administrative Application</b>	
	<b>Last Reviewed /Approved on:</b>	June 18, 2019
	<b>References:</b>	Saskatchewan Regulations of the Human Rights Code Canadian Medical Association Return to Work Policy Educational Support Conditions of Employment, Compensation and Benefits Health Information Protection of Privacy Act (HIPPA) Personal Information Protection & Electronic Documentation Act (PIPEDA) SSBA Insurance Policy Workers' Compensation Legislation Saskatchewan Employment Act 2014 Duty to Accommodate Document Administrative Application 7571 – Return to Work Policy 12 – Role of the Director
	<b>Status:</b>	Operational

**Preamble**

The Regina Catholic School Division (RCSD) realizes that there are circumstances that surround an employee's ability to work due to medical reasons. In order to best support the employee and the needs of the school division the following process is in place regarding short term and long-term leaves due to medical reasons.

**Application**

**1. Managed Rehabilitation for Illness Related Absences**

The following steps outline employee roles for managed rehabilitation for illness related absences, in accordance with terms in of the Regina Catholic School Division's (RCSD) *Education Support Professional Conditions of Employment, Compensation and Benefits*, Board policy and the *Workers' Compensation Act*.

a. Reporting an Illness

- i. Enter absence into Atrieve Absence Management system.
- ii. Call the supervisor/administrator to inform them about the illness.
- iii. Record the absence on his/her time sheet in the month in which it occurs.

b. Absence of More Than Three (3) Days

If the absence is for more than three (3) days, and not necessarily consecutive, a Doctor's certificate may be requested at the discretion of the school division (Refer to section 10.5.1 *Education Support Professionals Conditions of Employment, Compensation and Benefits* booklet):

- i. If required as per 1(b) above, send the medical note to Human Resource Services for collection and storage as per *The Health Insurance and Portability and Accountability Act (HIPAA)*.
    - ii. When the employee returns to work, a medical note may be required to determine capabilities (See – *Administrative Application 7571 - Return to Work*).
    - iii. When returning to work, contact the ESP Administrative Assistant to release the substitute.
- c. Absence of More Than Twelve (12) Calendar Days or Nine (9) Working Days  
If the absence is for more than twelve (12) calendar days or nine (9) working days:
  - i. Supervisor/administrator or designate may contact Human Resource Services Manager.
  - ii. Human Resource Services Manager may contact employee and/or execute an in-house medical request form, letter to physician and employee, or release depending on circumstances with employee approval.
  - iii. Human Resource Services Manager reviews medical documentation and communicates the return to work (RTW) abilities with the employee, and, if requested, the employee representative.
  - iv. If no RTW capabilities or duties are available, the Human Resource Services Manager continue to monitor the situation until there is a RTW for the employee.
  - v. When there is a RTW that requires some form of work place modification, the Human Resource Services Manager should be involved.
  - vi. The RTW plan is formalized and monitored until successful full return or alternative solution is reached.
  - vii. The absence is recorded in the Atrieve Absence Management system and on the employee's time card.
- d. Absence Beyond Thirty 30 Calendar Days  
When absence goes beyond 30 calendar days:
  - i. The Human Resource Services Manager notifies the Business and Finance Department.
  - ii. The Human Resource Services Manager requests required forms.
  - iii. Other pertinent benefits may be affected by the absence.
- e. Absence Beyond 105 Calendar Days  
When an absence goes beyond 105 calendar days (approximately 75 working days):
  - i. The employee is removed from payroll and does not receive a salary however; they may be eligible for Long-Term Disability (LTD) benefits.

- ii. All required documents for LTD benefits are completed whenever possible 30 days before the 105 days and submitted to the policy provider and/or insurer for approval.
  - iii. The Human Resource Services Administrator may assist the employee in the completion and submission of the LTD package.
  - iv. The Human Resource Services Administrator will continue to have contact with the employee and the insurer while the employee is on LTD and until a RTW occurs or other solutions identified.
- f. The Business and Finance Department and/or Human Resource Services or designate will advise and assist the employee to obtain their insured benefits and government/sponsored benefits.
- g. When an employee's utilization rate is over the standard for the employee group and depending on the circumstances, the Superintendent of Human Resource Services and the Human Resource Services Manager will meet with the individual to determine an appropriate plan for attendance improvement. This plan may include, but is not limited to:
- i. An Independent Medical Evaluation or a Medical Review to ensure they are able to meet the needs of their respective position within the school division, or
  - ii. An outline for improving the overall health of that employee.
- h. When a decision is made to conduct an Independent Medical Evaluation or wellness plan, the Human Resource Services Manager will arrange for such an examination and report at the school division's expense.

**2. Managed Rehabilitation for Work Injury or Illness - Regardless of Absence**

The following steps outline employee roles for managed rehabilitation for work injury or illness, regardless of absence, in accordance with terms in of the *Education Support Professional Conditions of Employment, Compensation and Benefits*, Board policy and the *Workers' Compensation Act*.

a. Reporting Work Injury or Illness

The employee reports work injury or illness by:

- i. Informing the immediate supervisor and the Human Resource Services Manager the day of injury/illness.
- ii. Seeking appropriate medical intervention.
- iii. Advising treating agency of RTW options available at work.
- iv. Completing the WCB Workers' Report of Injury Form.
- v. Faxing the WCB Worker's Report of Injury Form to the Human Resource Services Administrator (306-791-1765)
- vi. Advising the Human Resource Services Administrator of the need to be off or the ability to return to work as per advice of treating agency. (*Medical Document that*

*advises of restrictions/ability is required)*

- vii. Contacting the ESP Administrative Assistant and arranges for a substitute, if required.
  - viii. Recording absence on the appropriate time sheet.
  - ix. Contacting the supervisor and ESP Administrative Assistant when able to return work.
- b. The employee may require medical documentation releasing them for work or a structured RTW plan (Human Resource Services Administrator will assist in conjunction with the Workers' Compensation Board).
- c. Anytime there is a RTW that requires some form of work place modification, the Human Resource Services Administrator must be involved.
- d. The RTW plan is formalized and monitored until successful full return or alternative solution is reached.
- e. The absence is recorded in the Atrieve Absence Management system, as confirmed with the employee's time card.
- f. Employee is kept on full salary continuance as outlined in the *ESP Conditions of Employment (Refer to section 14.1)*. If the WCB claim is not approved, salary and/or sick leave storage banks will be adjusted accordingly for a period not in excess of six (6) months.
- g. Absence Beyond 30 Calendar Days  
When absence goes beyond 30 calendar days:
- i. The Human Resource Services Manager notifies the Business and Finance Department.
  - ii. The Human Resource Services Manager requests required forms.
  - iii. The absence may affect other pertinent benefits.
- h. Absence Beyond 105 Calendar Days  
On approved WCB claims, when the absence goes beyond 105 calendar days;
- i. The employee is not removed from payroll as per ESP Conditions of Employment.
  - ii. All required documents for LTD benefits are to be completed whenever possible, 30 days before the 105<sup>th</sup> day and submitted to the policy provider and/or insurer for approval.
  - iii. The Human Resource Services Administrator may assist the employee in the completion and submission of the LTD Package.

- iv. The Human Resource Services Administrator will continue to have contact with the employee, the insurer and the WCB while employee is on LTD and WCB until a RTW is realized or other solutions identified.
- v. A school division can terminate employment after qualifying for a long-term disability benefits “Any and All Provision” and when it is medically known the employee is not likely to recover in order to return to employment. The decision to terminate employment does not impact or affect the employee’s disability benefits. This decision allows management to fill permanent positions, avoid unnecessary bumping, work unit disruptions and provides the employee with the school division’s retirement benefits.