

<b>Administrative Application</b>	
<p><b>Personnel and Employee Relations 7573</b></p> <hr/> <p>Managed Rehabilitation: CUPE Staff - Illness and/or Injury</p>	<p><b>Last Reviewed /Approved on:</b> January 15, 2020</p>
	<p><b>References:</b></p> <p>Saskatchewan Regulations of the Human Rights Code Canadian Medical Association Return to Work Policy CUPE Local 1125 Local Collective Bargaining Agreements Health Information Protection of Privacy Act (HIPPA) Personal Information Protection &amp; Electronic Documentation Act (PIPEDA) SSBA Insurance Policy Saskatchewan Employment Act 2014 The Workers' Compensation Act Administrative Application 7571 – Return to Work Policy 12 – Role of the Director</p>
	<p><b>Status:</b> Operational</p>

### Preamble

When an absence from work is a result of an illness, this application will apply to all CUPE Staff in accordance with terms of the Regina Catholic School Division (RCSD) and *CUPE Local 1125 Collective Agreement* and/or Board Policy. When an employee has a work related injury or illness regardless of whether or not the employee is absent from work, this application will apply to all CUPE staff in accordance with terms in the CUPE collective agreement and/or Board policy.

### 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 CUPE Local Collective Bargaining Agreement, Board policy and the *Workers' Compensation Act*.

##### a. Reporting an Illness

- i. Call the Custodial Services Supervisor or engineer to arrange for a substitute if required
- ii. Enter Absence into Atrieve Absence Management system
- iii. Record the absence on the time sheet in the month in which it occurs.

##### b. Medical Certificate

If the absence is in excess of three (3) consecutive days:

- i. A Doctor's certificate may be requested at the discretion of the school division. (Refer to *CUPE Collective Agreement – Article 9.3.1 – sick leave*)

- ii. The immediate supervisor or engineer shall advise the Human Resource Services Superintendent of the absence.
  - iii. If requested as indicated in 1(b)(i) above, the medical note goes to Human Resource Services for collection and storage as per HIPPA.
  - iv. When the employee returns to work a medical note is required to determine capabilities (See *Administrative Application 7571 - Return to Work*)
  - v. When the employee is to return to work they contact the Custodial Services Supervisor or the engineer in order to release the casual or substitute.
- c. Absence of More than Twelve (12) Days or Nine (9) Working Days
- i. Human Resource Services may contact employee and/or execute in-house medical request form, letter to physician and employee, or release depending on circumstances.
  - ii. If acted upon as per 2(c)(ii) above, Human Resources reviews the medical documentation and communicates the return to work abilities with the employee and supervisor.
  - iii. Human Resource Services will explore options for modified duties or continue to monitor until there is a return to work for the employee.
  - iv. When there is a return to work that requires some form of work place modification, Human Resource Services must be involved.
  - v. A return to work plan is formalized and monitored until successful full return or alternative solution is reached.
  - vi. Absence is recorded into the Atrieve Absence Management system and time card.
- d. Absence Beyond 30 Calendar Days  
When the absence goes beyond the 30 calendar days, the Human Resource Services Manager notifies the Business and Finance Department. The absence may affect other pertinent benefits. There are some required forms to complete at this time.
- e. Absence Beyond 105 Calendar Days  
When the absence goes beyond 105 calendar days (approximately 75 working days):
- i. The employee moves off the 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 and submitted to the policy provider and/or insurer for approval.
  - iii. The Human Resource Services Administrator will 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 employee is on LTD until a RTW is realized or other solutions identified.
  - v. A school division employee 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.
  - f. The Business and Finance Department and/or Human Resource Services will advise and assist employees to obtain their insured benefits and government-sponsored benefits.
  - g. When a decision is made to conduct an Independent Medical Evaluation or to create a wellness plan, the Human Resource Services Manager will arrange for such an examination and report at the school division's expense.
2. **Work Injury/Illness Regardless of Absence from Work or Not**  
When an employee has a Work Related Injury or Illness regardless of whether or not the employee is absent from work this application will apply to all CUPE Staff in accordance with terms in the CUPE Collective Agreement and/or Board Policy.
- a. Reporting Work Injury or Illness  
In cases of work injury or illness, the following steps shall apply:
    - i. Seek appropriate medical intervention.
    - ii. Inform his/her immediate supervisor and the Human Resource Services Manager.
    - iii. Advise treating agency of RTW options available at work.
    - iv. Complete the WCB Workers' Report of Injury Form (fax to 306-791-1765 – Human Resource Services Administrator).
    - v. Advise the supervisor/administrator of need to be off or the ability to return to work as per advice of treating agency. (Medical Document required that advises of restrictions/ability)
    - vi. If unable to return to work, the employee must call the Supervisor of Operations or high school engineer to implement the substitute.
    - vii. Employee records the absence on the time sheet in the month in which it occurs.
    - viii. When the employee is able to return to work he/she will contact their supervisor to release the substitute or cease the overtime.
    - ix. The employee may require medical documentation releasing them for work or a structured RTW plan. The Human Resource Services Manager will assist in conjunction with the Workers' Compensation Board.

- x. Anytime there is a RTW that requires some form of work place modification, the Human Resource Services Manager must be involved.
  - xi. RTW plan is formalized and monitored until successful full return or alternative solution is reached.
  - xii. The absence is recorded into the Human Resource Information system and confirmed with time card.
  - xiii. The employee is kept on full salary continuance as outlined in the CUPE Collective Agreement. If WCB claim is not approved then salary and/or sick leave storage banks will be adjusted accordingly.
- b. Absence Beyond 30 Calendar Days  
When the absence goes beyond the 30 calendar days:
- i. The Human Resource Services Manager notifies the Business and Finance Department.
  - ii. Other pertinent benefits may be affected by the absence.
  - iii. There are some required forms to complete at this time.
- c. Absence Beyond 105 Calendar Days  
When the absence goes beyond 105 calendar days:
- i. The employee remains on the payroll as per CUPE Collective Agreement.
  - ii. All required documents for LTD Benefits are to be completed whenever possible 30 days before the 105 and submitted to the policy provider and/or insurer for approval.
  - iii. The Human Resource Services Manager will assist the employee in the completion and submission of the LTD Package.

The Human Resource Services Manager will continue to have contact with the employee, the Insurer and the WCB while employee is on LTD and WCB until a return to work is realized or other solutions identified.