



SUBMISSION TO REVIEW COMMITTEE WORKERS COMPENSATION ACT
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On the Part of the Employee:

- Paid 100% of net (gross less income tax, CPP, EI)
- Must cooperate in full with RTW program.

On the Part of the Employer:

- Must identify RTW modified duties within the company.
- Must submit these duties to WCB along with injury report and update as required, WCB will then have these duties on file.

On the Part of the Union:

- Must be supportive of any and all RTW duties within the company.
- Must agree to RTW duties even if 'cross' unions

On the Part of the Physician:

- Must be an active responsible party in RTW program for the employee
- Must set out what is reasonable RTW for injury and give reasons why this is not achieved
- Must fill out and return medical certificates within a reasonable amount of time.

On the Part of the WCB

- Must supply a set of forms that could enable the employer and the physician to deal with RTW programs. I.e. functional job analysis form, physical assessment form, return to work form. *If these forms were the same, all parties would become very familiar with them and the forms could be completed more quickly and efficiently. If they were on the web site and could be electronically transmitted – even better.*
- Must supply employee with WCB's 'reasonable recovery period' as an expectation, if this is at odds with the physician's report WCB should be dealing directly with the physician. Employer should be kept informed.
- If an employee does not actively participate in RTW program, what action does WCB take? There should not be a delay when dealing with the employee on this.

- Medical certificates should be charged directly to WCB rather than employer or employee. Do physician's charge for visit and also charge for filling out the form? Why is this allowed? The physician sometimes charges 2x's what he would normally charge for a visit just to fill out the certificate.
- Claim conclusion plan should be set up and put in place with full knowledge of employee, employer, and physician. This should be done in a proactive way, before the employee goes into long term disability.
- There is a very real problem with employees coming back to work for a full day but at modified work duties, they are not back to pre-disability duties and therefore should not have the claim closed. Some physician's are content to keep the employee in these modified positions for years; the employer not having medical expertise has no choice but to continue this employee in modified duties until such time as they are medically cleared to go back to regular duties. A claim conclusion plan would help with this type of problem.