

Accommodation and Return to Work: Developing a Collaborative, Systemic Approach

Workers' Compensation



Webcast

Date: Thursday, February 25, 2021 | 9:00 am to 11:30 am

Location: Webinar Only

Program Chair: **Alexander Farquhar**, Chair, Engagement, Centre for Research on Work Disability Policy

This program contains 2h 30m of Substantive Content.



Join us as we examine the legal framework around accommodation and return to work as well as practical considerations in how to approach these situations. There is broad agreement between employers, employees and labour that the best outcome for an injured or disabled worker is safe and sustainable accommodation to support the worker to remain at work or to return to work following absence. Further, the *Workplace Safety and Insurance Act* contains a comprehensive regime to support this on a case by case basis. Putting this into practice, however, can be a significant challenge and lead to disputes and litigation.

Our expert faculty will review the legal framework for accommodation and return to work, after which an employer and union will provide a detailed look into their decade-long collaboration to develop a comprehensive proactive return to work and accommodation strategy.

9:00 am	Opening Remarks by the Program Chair	<ul style="list-style-type: none"> • The availability of mediation and expedited dispute resolution • Key jurisprudence
9:05 am	Ontario's Accommodation and Return to Work Regime Carissa Tanzola , Filion Wakely Thorup Angeletti LLP Malini Vijaykumar , Nelligan O'Brien Payne LLP Sandra Shime , Vice-Chair/Alternate Chair, WSIAT Sean Ryan , Vice Chair/Lead, ADR Program, WSIAT Kerry Towndrow , WSIB Operational Policy Branch Blayne Nicholl , Director, WSIB Return-to-Work Program Key provisions of the Workplace Safety and Insurance Act <ul style="list-style-type: none"> • Accommodation and return to work provisions • Penalty provisions • Cost implications to employers under the Rate Framework • Interface with human rights and grievance arbitration WSIB Policies and Programs <ul style="list-style-type: none"> • How the WSIA provisions are implemented • Supports provided by WSIB for return to work • Dispute resolution process at WSIB The Role of the Workplace Safety Insurance Appeals Tribunal <ul style="list-style-type: none"> • How accommodation and return to work issues reach the WSIAT 	10:15 am Proactive Strategies for the Workplace Parties What we can learn from the Niagara Health System and the Ontario Nurses' Association Krystle Etherington , OT Reg. (Ont.) Niagara Health System, Injury Prevention Consultant Loretta Tirabassi , RN, President, Ontario Nurses' Association Local 26, Niagara Health Pauline Lefebvre-Hinton , Ontario Nurses' Association <ul style="list-style-type: none"> • Key elements of a proactive approach: <ul style="list-style-type: none"> ○ Situational assessment ○ Policy and program development ○ Joint training ○ Metrics ○ Proactive process to address specific cases ○ The link with prevention and mitigation of occupational disability – primary, secondary and tertiary prevention • Dealing with mental health issues • How this approach could be adapted for small and medium sized businesses
		11:25 am Questions and Closing Remarks
		11:30 am Program Concludes

PROGRAM REGISTRATION IS ONLINE www.oba.org/pd

Questions? pd@oba.org