

BASIC INFORMATION ON MODIFIED DUTIES

Keep staff working and WCB costs down

No matter how safe your workplace is there is always the possibility of an employee being injured. It is very important to ensure that your company has a system in place for managing WCB claims. The following is some information that you, as employers, may wish to consider as you develop your plan.

- When an employee is injured on the job it is the employer's responsibility to ensure proper medical attention is provided. The employer is also responsible to ensure the employee is paid a full day's wages for the 'day of incident'.
- When an employee sees a doctor and reports that the injury occurred at work, the doctor will complete a WCB form. This form is sent to WCB where they will wait for 'Employer' and 'Employee' WCB reports. As an employer you have 72 hours to submit this report to the WCB after the incident or you could be fined up to \$25,000.
- Once all three forms are submitted the claim can be handled in one of three ways.....

1. ***NO INJURY***– These are claims where an employee has been injured but the injury does not impair him/her from performing the duties of the job.

BENEFITS OF REPORTING

- The employee is able to clearly identify where and when the injury occurred should the condition worsen in the future.
- The employer is able to clearly identify the severity and condition under which the injury occurred. This will help to negate any costs should the employee make future claims against the company or attempt to associate an unrelated injury to a claim.

2. ***INJURY with MODIFIED DUTIES***- These are claims where an employee is injured and can not perform their regular duties. Changes may be made to the way in which duties are performed or temporary meaningful duties may be assigned until the employee recovers.

BENEFITS OF REPORTING

- The employee has direction from a doctor about what is to be done in order to ensure recovery. Maintaining some type of work will help the employee to remain active in the workplace and this has been shown to decrease the length of the recovery time as apposed to those who stay home with injuries.
- The employer is aware of what the restrictions are and can tailor the employee's work or allocate alternate duties to them in order to help facilitate their recovery while minimizing the WCB costs to the company.

3. ***LOST-TIME CLAIM*** – These are claims where the employee is off of work due to an injury sustained on the job. The majority of lost-time claims do not exceed 28 days. The ones that do are assigned to a WCB case worker who coordinates compensation and benefits.

BENEFITS OF REPORTING

- The employee is paid by WCB for any lost time from work and for the costs of any medical treatment.
- The employer may stay up to date on the progress being made by the employee and co-ordinate with the WCB to bring them back to work as soon as possible to their date of accident position or one with modified duties.

TIPS & HINTS

- Have a written company policy in place that outlines how injuries are to be dealt with in your company. Ask other companies or visit the WCB site at http://www.wcb.ab.ca/employers/mod_work.asp to get advice on what a policy should look like and then tailor it to your own workplace.
- Make the policy one that is specifically reviewed at each employee orientation so that they are aware of what is expected. Even if they can't remember all of the details they will know enough to ask the question 'What do I do now?'
- Everyone should be aware of the policy, especially supervisors and managers. Have one or two people designated to take care of all WCB related incidents so that employees and management staff know who to ask questions to. This/ these people will also be helpful in monitoring the situation so that it can be handled in the most efficient way possible. If everyone thinks someone else is responsible.... Nothing will get done properly.
- WCB holds free seminars that you can take advantage of to help train your staff which include developing or overseeing your claims management program. You can find listings at <http://www.wcb.ab.ca/employers/seminars.asp>
- Make sure that any contractors working for you have their own WCB coverage. You can check them out and get a free 'Clearance Letter' from the WCB internet site <http://www.wcb.ab.ca/onlineservices/decc.asp> at any time. If a janitor, window washer or any other contractor does not have coverage and gets hurt doing work for you, the claim may go against your WCB account.
- Think ahead about how different positions can be modified or alternative duties that employees can be assigned so that you are not left scrambling at the last minute when you need to find something for an injured employee to do. It is a good idea to do this for workplace AND non-workplace injuries. It helps to keep the employee in the workplace, they can still be productive and if you have a benefits program it can help to manage you Short-Term Disability claims.
- Do everything that you can to modify your employee's duties. If they are off work past the day of the incident it is considered 'lost time' and a lost time claim will stay on your WCB assessment for three years.
- If the restrictions that a doctor has placed on an employee due to the injury do not seem reasonable do not be afraid to question them. They may not have been aware that you have a modified duties program. You may always call WCB directly and ask them for advice. WCB wants to see people stay at work on modified duties as long as what is being offered is reasonable.
- Whenever possible help your staff member fill out the WCB forms. It is a reasonably long form that poses difficulty for some. This way you will be able

to ensure it is completed properly and that all of the information matches what you have been given. Forms that are correctly completed are processed faster.

- Fill out your employer report carefully. If reasonable modified duties are offered and the employee chooses not to accept them the claim for compensation may be rejected. Be sure to make note should this happen (section 4, 10c or in an attached letter)
- If you are unsure of what to do or an unusual situation comes up, call the WCB and ask them (780) 498-3999. They will make sure you are on the right track and can offer great advice on unique situations.
- Even if someone does go off on a lost-time claim, have someone in the office keep in touch with them. Not only does it show concern for the individual but it also gives you the latest news on what their timeline looks like giving you the information necessary to base your staffing decisions on.