

Why Have an **Approach to Job Accommodation?**

Research indicates that employers who have a process in place to make an early and considerate contact with injured/ill workers are more successful in achieving a safe and suitable return to work (RTW). It also shows that the likelihood of return to any employment decreases rapidly with the passage of time away from work.



While your employee may not be able to fully perform the physical and/or cognitive demands of the pre-injury job in the same way as prior to the onset of the condition, providing temporary or permanent accommodation(s) will help them reintegrate back into the duties and hours required of the job.

For your employee, returning to work following an absence can often be the most critical component to their recovery. Being at work benefits overall health by providing structure and routine, social interaction, physical and mental stimulation and a sense of accomplishment.

As an employer, absences due to injury/illness are among the most challenging human resource situations you face, and they represent a significant human and financial cost if not managed well through safe and suitable RTW and job accommodation. Employers who provide a safe workplace and supportive RTW programs develop a culture of consultation and goodwill. The benefit is reduced lost time from work injuries or illnesses.

By facilitating an early, safe and suitable RTW employers are also meeting their legal responsibilities as set out in the following legislation governing workplaces:

Workplace Safety and Insurance Act (WSIA)

The purpose of this act is to accomplish the following in a financially responsible and accountable manner:

1. To promote health and safety in workplaces.
2. To facilitate the RTW and recovery of workers who sustain personal injury arising out of and in the course of employment or who suffer from an occupational disease.
3. To facilitate the re-entry into the labour market of workers and spouses of deceased workers.
4. To provide compensation and other benefits to workers and to the survivors of deceased workers.

Occupational Health and Safety Act (OHSA)

Employers and supervisors are responsible for taking every reasonable precaution in the circumstances for the protection of workers. Workers are responsible for reporting defective equipment and hazards.

Ontario Human Rights Code (OHRC)

The OHRC is the overarching legislation that requires employers to accommodate employees who are seeking accommodation due to disability up to the point of undue hardship.

Accessibility for Ontarians with Disabilities Act (AODA)

This legislation establishes mandatory accessibility standards to identify, remove and prevent barriers for people with disabilities in the areas of employment, information and communication, and transportation. The AODA adopts the broad definition of disability found in the OHRC.

Disability Prevention Model

Disability prevention principles are based on the practice of identifying the barriers and the root cause(s) or source(s) of hazards. When hazards are addressed or removed at the source, workers can participate fully and safely in the workplace.

This approach to job accommodation is in keeping with the purpose of the WSIA. It also seeks to incorporate disability prevention principles and therapeutic RTW into the job accommodation process. In so doing, it integrates the obligations of employers under the OHSA, the OHRC, the AODA as well as the WSIA.

The idea is that all applicable workplace parties, including the worker seeking the accommodation, employer, union (if any), and the Joint Health and Safety Committee (JHSC) or Health and Safety Representatives (HSR) (for workplaces with six to 19 workers), work in collaboration to implement solutions that accommodate both the worker and eliminate future risk to them and other workers.

This approach is in contrast with the disability management model, which focuses on early RTW and often fits the worker into an existing environment instead of safely adjusting the environment to the worker's accommodation needs. Approaching RTW more holistically, by addressing environmental barriers or hazards that caused the workplace injury/illness or that may cause further injury, illness or disability, provides a more effective strategy for sustained return to work.

The illustration below shows the contrast between disability management and disability prevention from the [OHCOW PDD Handbook](#).



EXAMPLE: A worker is returning to work. The restriction is no lifting or carrying more than 10 Kg. Currently, the job requires carrying a 12 Kg box.



Steps in the Accommodation Process

The approach outlined in this document promotes engagement between all RTW parties in order to achieve a smooth, successful, safe and suitable RTW.

RTW parties vary by workplace and these can include but are not limited to the employer, employee, supervisor, occupational health department representative, Human Resources representative, union/employee representative if applicable), and JHSC or HSR.

This process begins with the following:



- Contact by immediate supervisor (ideally) with an injured/ill worker;
- Contact “within the first week or two” should be seen as a guideline only, as the actual timing will depend on the worker’s specific situation/medical information;
- A conversation that conveys concern for the worker’s health, safety and well-being.

The coordination of an employee’s RTW following an injury/illness involves:

- Individualized planning and coordination adapted to the worker’s initial and ongoing needs;
- Ensuring that the necessary communication does not break down at any point;
- Ensuring the worker and other parties involved understand what to expect and what is expected of them;
- Considering the impacts of the RTW plan on co-workers’ health and safety and involves educating co-workers on their role in supporting the RTW.

General Approach to Safe and Suitable Return to Work Planning and Job Accommodations:

STEP

1

Contact Employee



- Discuss how he/she is doing.
- Discuss functional abilities information from the treating health professional (physician or therapist), the WSIB or the insurance provider, and his/her current activities of daily living.
- Arrange a joint meeting to discuss “how”, not if, the worker can be accommodated and barriers removed.
- Ensure the worker is able to travel safely to the meeting and offer assistance in making travel arrangements if needed; and ensure that the meeting location is accessible as per the worker’s needs.

STEP 2

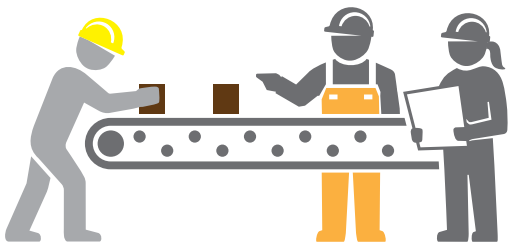
Facilitate Discussion



- Discuss functional abilities information with the workplace parties and consider how the worker's activities of daily living are being affected, such as, "It now takes me two hours to vacuum my house instead of 30 minutes because I need frequent breaks."
- Ask the worker to identify the job duties they feel they can do and any barriers regarding the job duties/tasks they feel unable to currently perform due to their injury/illness.

STEP 3

Together Observe all Tasks Pertaining to the Job Being Performed



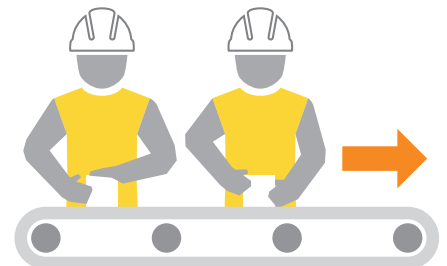
- Ask the worker questions about the job duties/tasks. Make sure the supervisor is also present to provide input or additional information about the job duties and tasks.
 - Where safe and suitable (includes within functional abilities and where barriers are removed) try the job duties/tasks and have the worker demonstrate how they safely perform all duties/tasks.
 - Break down which parts of the duties/tasks the worker cannot do and identify exactly the functional abilities that are required to perform the tasks/duties. Try and simplify it as much as possible.
- Considerations to address these challenges/obstacles include:
1. **Force:** An exertion usually with hands or arms (sometimes another body part such as a foot when operating a foot pedal). *Examples: lifting and lowering (check weights on boxes, use a scale), pushing and pulling, carrying, gripping*
 2. **Posture:** Review body part posture(s) and movements. *Examples: overhead activity, forward flexion, neck rotation*
 3. **Time:** Repetition (the performance of like tasks over and over) and duration (how long a task is performed or how long a posture is held).



FORCE



POSTURE



TIME

STEP 4

Brainstorm Accommodation Solutions



- List all job duties that exceed the worker’s functional abilities.
- Ask for input from the workplace parties (worker, union, supervisors), who know and understand the job well, about possible ways to accommodate. Brainstorm accommodations “without commitment” to any idea and advise them not to criticize any idea. Discussion around the best solution will come later. Focus on coming up with as many ideas as possible. All ideas are good ideas at this point.
- Guide participants to come up with ways to address the problem. Consider the following accommodation strategies in the following order:

Engineering controls: (physical changes to the workplace or use of technology, for example workstation layouts/equipment or assistive devices)

Address the source of the problem by designing the work so the issue is either eliminated or reduced. This often works well when a worker has a permanent impairment, and/or in workplaces where there are limited or no modified duties or alternate jobs available. Often the controls are not costly, and are things that the employer can address with little effort. Keep in mind that these costs can be offset by reducing the need for payment of wage loss benefits.



Assistive devices or assistive technologies are types of engineering controls. These controls include devices, equipment or technology aids that are used to maintain or improve the functional abilities of a worker, and remove the barriers to allow the worker to safely perform a job duty/task. Assistive devices can range from low tech (telephone headsets, sit-stand stools) to high tech (voice recognition technology, motorized scooter), and may also include Personal Protective Equipment (PPE) to control exposure to irritants within the workplace (for example, latex gloves or respirators).

Administrative controls: (establishment of processes or procedures for example scheduling, duty reassignment, reordering of tasks, micro-breaks)

Address the source of the problem by assigning work in a way that reduces an individual’s exposure to the problem. Examples include assigning a specific duty/task to a co-worker (ensuring there is no hazard created for the co-worker); reordering or rotating duties/tasks to allow the worker an opportunity to rest the injured body part; and scheduling break periods (a good option when a full recovery is anticipated within a short time period).



Job process/technique: (physical changes to how the job is performed, for example, lift techniques/posture changes through job coaching)

Address the source of the problem by changing the body mechanics so that the worker is using their body to perform the duty in a different way than how they normally perform the task to reduce exposure to the problem. For example, the worker can turn their body versus twisting at the waist.

Note: The Job Accommodation Network, (www.askjan.org) is a leading source of free, expert, and confidential guidance on workplace accommodations and disability employment issues. Data collected suggest that more than half of all accommodations cost nothing, while the rest typically cost only \$500.

STEP **5**

Evaluate Options

Begin analyzing all options. Note a combination of different options may be the best solution. Factors to consider include:



- Type of accommodation – temporary or permanent?
- Health and safety – does the accommodation put the worker or co-workers at risk?
- Complexity of the accommodation – will a third-party assessment or installation be required? How long will it take to put in place? Will training for the worker and co-workers be required?
- Suitability – will the work be safe, productive, consistent with the worker’s functional abilities, and restore the worker’s pre-injury earnings to the greatest extent possible?
- Resources required – have all decision makers and budgets been included/approved?
- Cost – consider all sources of funding up to the point of undue hardship. Does the business have employees that can help build/install the accommodation(s), reducing time and cost involved (for example, engineering or maintenance department staff)?

STEP **6**

Collaboratively Reach Agreement on Accommodation Solution(s)



- As a group, work together to reach agreement on the best option or options based on the outcome of the analysis and removal of barriers/hazards.
- Steer the parties to commit to a solution or, at the very least, a trial of the accommodation with defined timeframes. Actions speak louder than words so the parties may have to see the accommodation in action before a full commitment.
- It is important to remain positive and to ensure all parties’ perspectives are acknowledged, as this will lead to a solution that all parties support.
- Consideration may be given to renting or trialing equipment to confirm suitability.
- Subsequent meeting(s) will be needed if equipment is being trialed to debrief on how well it is working and incorporate a process for the worker to report any concerns/hazards during the trial to the parties.
- Where a solution has not been identified to accommodate a job duty/task, consider bringing in a Certified Ergonomist (CCPE) and/or third-party assessment provider.

STEP 7

Plan for the Return to Work



- Create a progressive plan for RTW with input from all parties.
- Take into consideration the employee's initial and ongoing needs.
- A written RTW plan ensures the employee and other parties involved understand what to expect and what is expected of them; the implementation of the activity needs to be a coordinated effort with all parties having a role and buy-in.
- Encourage the employee to maintain a daily log of activity/performance, and to report challenges/hazards or unanticipated barriers, as they arise to their immediate supervisor or designate, as well as to their JHSC or HSR (in workplaces with 6 to 19 workers).
- Build into the plan a schedule for formal and informal reviews to address concerns as they come up and ensure the parties communicate and remain supported, and that necessary adjustments are made particularly at points of transition.
- Elements of a RTW plan include goals, accountabilities, dates, list of agreed upon accommodations, and reviews.

STEP 8

Manage the Plan to Success



- Regular communication and follow-up allows for adjustments to be made in a timely manner.
- Acknowledge and discuss the social factors (new relationships and work routines, productivity expectations), as well as the physical or job demands and ensure the injured employee, supervision and co-workers remain supported.
- Adjust the RTW plan as the worker's abilities change or new barriers and hazards are identified.
- Obtain feedback from the workplace parties on what worked well, what needed improvement and/or to celebrate successes.
- Share best practices and learnings on accommodations throughout the organization, and with the WSIB.

References

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- Institute for Work & Health
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- Levy, B. S. and Wegman, D. H. (2000). *Occupational Health: Recognizing and Preventing Work-Related Disease*. Fourth Edition. Philadelphia: Lippincott Williams & Wilkins.
- National Institute of Disability Management and Research
Occupational Health Clinics for Ontario Workers

Additional Accommodation Resources



- Occupational Health Clinics for Ontario Workers: www.ohcow.on.ca
- Workbooks: www.ohcow.on.ca/workbooks
- Canadian Centre for Occupational Health and Safety: www.ccohs.ca
- Workplace Job Accommodations: www.safemanitoba.com
- Job Accommodation Network: www.askjan.org
- Construction Solutions: www.cpwrconstructionsolutions.org
- Mental Health Accommodations: www.mentalhealthworks.ca

The Workplace Safety and Insurance Board can support workplace parties in returning injured or ill workers to work. For more information on collaborative intervention, please visit www.wsib.on.ca

Disclaimer: *The material contained in this resource is for general guidance information only and not intended as legal or professional advice. The adoption and/or use of the information, and/or suggestions described in this document may not meet the needs, requirements or obligations of individual workplaces or individual return to work cases.*