

Return-to-work (RTW) policy review – Stakeholder feedback

Feedback theme	Response
RTW assessment threshold	
<ul style="list-style-type: none"> The draft “RTW Assessments and Plans” policy stated that the WSIB “may” conduct a RTW assessment and “may” provide a RTW plan. Stakeholders were concerned that this language would reduce entitlement to RTW assessments and not reflect the legislative requirement for the WSIB to conduct a RTW assessment in certain circumstances. The draft “Overview and Key Concepts” policy incorporates similar language in one section. 	<ul style="list-style-type: none"> The policy statement outlines a simple threshold for when the WSIB may conduct RTW assessments, which aligns with the practice of conducting assessments in a broad set of circumstances that go beyond what legislation requires. The use of the word “may” was not intended to reduce entitlement to RTW assessments. To address stakeholder concerns, we have adjusted the language to codify in policy the operational practice of providing a RTW assessment in a broad set of circumstances. The legislation indicates the WSIB shall arrange for a RTW plan if the WSIB determines the injured or ill person needs one, based on the results of the RTW assessment. To address stakeholder concerns in this area, we have replaced the “may” language with “if necessary”.
Notification of ability to RTW	
<ul style="list-style-type: none"> A section in the draft “Overview and Key Concepts” policy indicates that an injured or ill person must notify the WSIB and injury employer if they are able to return to some form of work. Stakeholders were concerned that this was a new requirement that placed an unnecessary burden on injured or ill people (e.g., how will they know when suitable work may be available for them?). 	<ul style="list-style-type: none"> The intent was not to introduce new reporting requirements for injured or ill people when they are able to return to some form of work, or to their pre-injury job. Rather, we included this section to address situations in which a change in functional abilities may affect benefits and/or the obligations of the employer. To clarify this, we have changed the language to reflect the requirement to report a change in functional abilities so that appropriate RTW activities may take place.

Further details requested

- In some cases, stakeholders asked us to add more details about certain topics, including:
 - the role of the WSIB in the RTW process
 - the role of the “time to heal” concept
 - We accommodated these requests as much as possible, noting that a key objective of the policy review was to simplify and streamline the policies, in part, by removing unnecessary and/or repetitive information.
 - We accommodated suggestions under this theme, except for when the policy either already gave enough detail, or similar details were already included elsewhere in the RTW policy suite.
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Minor clarifications

- In some cases, we could address feedback with minor clarifications. For example:
 - Clarifying that when assessing reasonable commuting distance under the draft “RTW Assessments and Plans” policy, the WSIB will consider “physical or psychological” limitations on the injured or ill person’s ability to travel. The current policy just says “limitations”.
 - The minor clarifications addressed feedback from stakeholders without adding significant length, complexity or making substantive changes to the policy.
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Practice issues

- In some cases, stakeholders raised issues related to operational practices and/or issues regarding WSIB employee expertise, rather than specific policy content.
 - Addressing this feedback did not require any policy changes. We have shared the feedback with the appropriate operating areas at the WSIB, who will consider it as part of their continuous service improvement efforts.
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If you have any questions about our policy consultations, please email the Consultation Secretariat at: consultation_secretariat@wsib.on.ca.