# WSCC PASSPORT

to Recovery



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## Whatis Workers' Compensation?

Workers' compensation is insurance for both workers and employers that covers work related injuries. **Workers' compensation is the law**.

Contact: Workers' Safety & Compensation Commission of the Northwest Territories and Nunavut

WSCC Head Office

Centre Square Tower, 5th Floor

Box 8888

Yellowknife, NT X1A 2R3

Tel: (867) 920-3888

Website: wscc.nt.ca

Toll Free: 1-800-661-0792 Fax: (867) 873-4596

Toll Free Fax: 1-866-277-3677

WSCC Iqaluit Office

Qamutiq Building, 2nd Floor

Box 669

Igaluit, NU XOA 0H0

Tel: (867) 979-8500

Toll Free: 1-877-404-4407 Fax: (867) 979-8501

Toll Free Fax: 1-866-979-8501

Website: wscc.nu.ca

### Injured Worker Checklist

□ Get medical attention. Tell your health care provider you were hurt at work and ask them to send your medical reports to the WSCC. Tell your employer you are hurt. ☐ Fill out the Worker's Report of Injury form. Make sure you answer all applicable questions. Send the form to the WSCC as soon as possible. ☐ Ask your employer to send the *Employer's* Report of Injury form to the WSCC within 3 days of the incident (as per legislation). Write down all medical treatment you receive related to your incident (i.e. doctor appointments, x-rays, physiotherapy, etc.).

If you need help or have questions, call the WSCC at 1-800-661-0792 in the Northwest Territories, or at 1-877-404-4407 in Nunavut.

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## If I get hurt at work, what does the WSCC do?

The WSCC gets involved once notified of your workplace incident. If you get hurt at work you must complete the Worker's Report of Injury form. Your employer must complete the Employer's Report of Injury form.

The WSCC reviews your claim. Once accepted, the WSCC may do one or more of the following:

- · pay for medical treatment that you need;
- · help you get ready to return to work;
- · pay part of your salary or wage; and/or
- pay you a pension if you have a permanent disability.

## What is the Claims Process?

The claims process determines what benefits you can recieve from the WSCC when you are injured at work.

#### Benefits are:

- compensation for wages lost while you recover from a work injury;
- · medical care and other non-monetary benefits;
- · permanent disability awards (pensions); and
- other services like help to return to work, prescriptions, and out-of-pocket expenses.

#### The claims process has four steps:

- 1 Information Gathering: your claim is filed with the WSCC.
- 2 Claim Entitlement: the WSCC makes a decision on your claim.

- 3 Benefit Calculation: upon acceptance of your claim, the WSCC calculates your benefits.
- 4 Ongoing Communication: you work closely with a WSCC Adjudicator or Case Manager throughout your recovery.

What are my responsibilities while receiving compensation benefits?

#### You need to:

- inform your WSCC Adjudicator or Case
   Manager of your progress and upcoming tests
   or examinations every two weeks;
- follow the treatment plan developed by your health care provider, and have your health care provider send reports to the WSCC;
- talk about your progress with your health care provider, so you understand when you can return to suitable or full work duties;

- advise your WSCC Adjudicator or Case Manager of any situation, or other medical conditions, that might affect your return to work;
- on a regular basis, talk about your progress, expected return to work date, and if necessary, suitable work options with your employer;
- let your WSCC Adjudicator or Case Manager know when your health care provider tells you that you can return to work; and
- tell your WSCC Adjudicator or Case Manager
  if you leave the territory, move out of the
  territory, or change your contact information.

## WSCC Wage Loss Payments

#### When do I start getting wage loss payments?

Most people get their first payment issued within 20 days of their incident. You are paid starting from the first day of work missed because of your injury. You are not paid by the WSCC for the day of your incident.

#### How much money will I receive?

Your wage loss payments are based on 90% of your estimated net annual earnings, or the Year's Maximum Insurable Remuneration (YMIR), whichever is lower. YMIR is a limit on benefits that are set each year.

When calculating how much money you get, the WSCC considers:

 your earnings at the time of the incident (including regular overtime, bonuses, vacation pay, housing allowance, northern allowance, and other benefits);

- your employment status (permanent full-time, permanent part-time, or non-permanent);
- · your work schedule;
- the start and end dates of your season or contract; and
- · your employment history.

If you have more questions about how much money you receive, please contact your WSCC Adjudicator or Case Manager.

#### How do I get paid?

There are three ways:

- 1 Direct deposit into your bank account;
- 2 Cheque in the mail; or
- 3 Cheque for pick-up at the WSCC Head Office (5th Floor, Centre Square Tower, Yellowknife, NT).

#### How often do I get paid?

You're paid for scheduled days of work every two weeks. If your employer pays you while you can't work, your wage loss payments go directly to your employer.

#### How long do I get paid?

This varies from case to case and depends on recovery. Payments usually continue until you are medically capable of safely returning to some type of work. There are WSCC policies outlining other reasons why payments may end or be suspended.

If you have questions about your payments or WSCC payment policies, please contact your WSCC Adjudicator or Case Manager.

## What does *Return to Work* (RTW) mean?

RTW is a process that helps get you back to suitable work as soon as medically possible, and as safely as possible. It takes a team effort of workers, employers, health care providers, and the WSCC working together toward this common goal.

### What is considered suitable work?

#### Suitable work is:

- work you can do (and that is within your functional abilities):
- work you already have the skills to do, or can be safely trained to do;
- work that does not pose a health or safety risk to you or your co-workers;
- work that restores your pre-injury earnings, where possible; and
- work that is meaningful and promotes recovery (serves a purpose or valuable function to your employer).

## RTW Roles and Responsibilities

wscc	Explains to employers and workers their responsibilities in the RTW process.
	Monitors activities, progress, and cooperation of worker, employer, and health care provider.
	Assists all parties in the RTW process.
	Mediates disputes when required.
	Communicates with worker, employer, and health care provider throughout recovery.
Worker	Contacts employer as soon as possible

s possible after the injury happens.

- · Completes and submits a Worker's Report of Injury form.
- · Provides employer with updates on medical status, functional abilities, and progress throughout the period of recovery.
- · Attends medical follow-up appointments every two weeks or as required.

#### Worker Con't

- Helps employer identify suitable and available work, consistent with their functional abilities and, where possible, restores pre-injury earnings.
- Informs health care provider of available suitable work.
- Accepts suitable work when identified.
- Provides WSCC with information on their RTW plan.

#### Employer

- Contacts worker as soon as possible after the injury happens.
- Completes and submits an Employer's Report of Injury form.
- Stays in regular communication with worker and WSCC throughout the recovery period.
- In collaboration with worker identifies and provides suitable work, consistent with worker's functional abilities and, where possible, restores worker's preinjury earnings.

#### Employer Con't

· Provides WSCC with information concerning worker's RTW including the RTW plan and progress updates.

#### Health Care **Providers**

- · Diagnoses and treats illness or injury.
- Submits completed medical reports, (includes functional abilities and objective findings), to WSCC within three days of treating worker.
- · Provides worker with continued medical advice and supports in RTW.
- · Provides and communicates appropriate functional abilities information to worker, employer, and WSCC.
- · Works closely with other health care professionals to facilitate worker's safe and timely return to the most productive employment possible.

#### Union (when applicable)

- Helps employer, worker, and WSCC identify suitable temporary work, and where required, permanent accommodation measures.
- Supports reasonable re-employment or accommodation offers.
- Shares concerns regarding RTW with worker, employer and WSCC.

### RTW Process

- 1. Get First aid and/or medical treatment
  - · Get medical treatment or first aid as required;
  - If required, your employer provides transportation to a medical centre; and
  - Tell your health care provider the injury is work related.

#### Report the injury

- · Report the injury to your employer;
- · Complete the Worker's Report of Injury form;
- Receive a copy of the Employer's Report of Injury form from your employer; and
- Provide your employer with information regarding your functional abilities.

#### 3. Communicate and work together

- If unable to return to work immediately, tell your employer and keep them updated with regular communication;
- Communicate at least every two weeks with your WSCC Case Manager to update them on your recovery; and

 Participate in prescribed treatment and rehabilitation programs.

#### 4. Identify suitable work

- Work with your employer, health care provider, and the WSCC to identify suitable work and create a RTW plan; and
- Contact the WSCC as soon as suitable work is identified to discuss it with your Case Manager.

#### 5. Check in

- Meet regularly with your employer to discuss progress, concerns, etc and make any necessary adjustments to the RTW plan;
- Continue to attend medical and rehabilitation appointments; and
- Maintain contact with your WSCC Case Manager to discuss progress.

#### 6. Completion

 You recover and return to pre-injury job duties or new permanent modified duties are identified.

## Common RTW Questions

#### What are the benefits of returning to work?

Returning to work is good for you and your employer. It helps with your recovery and rehabilitation. It allows you to be productive and may provide new work opportunities to gain additional skills and valuable experience. In addition, returning to work can have financial benefits, minimizing or eliminating lost earnings.

#### Who decides when I should RTW?

Your doctor and other health care providers regularly send progress reports on your recovery to the WSCC. Your employer receives your functional abilities information to determine if there is suitable work available. Your WSCC Adjudicator or Case Manager use these reports and information to determine when you are fit to safely return to work.

#### Can I RTW before I fully recover?

Yes! At some point during your recovery you may be medically fit for some type of work. You might be capable of doing some of your regular duties

and/or suitable work. Some workers are even able to return to all of their regular work duties full time before they are completely recovered from their injury.

#### What is a RTW plan?

A RTW plan helps get you back to suitable work as soon as medically possible, and as safely as possible. The plan varies from worker to worker and takes into consideration the type of injury, the recovery process, and the available suitable work.

#### Who develops the RTW plan?

A RTW plan is a team effort involving you, your employer, your health care providers, your union (if applicable), and the WSCC.

#### What are some of the RTW options?

The most common RTW options are:

 Modified Duties - Your duties are modified according to your functional abilities. This may include a different way of completing job duties such as sitting rather than standing,

- changes to the work environment, and reorganizing and removing some duties.
- Alternate Duties This option allows you
  to perform other job duties that you don't
  normally perform, that your employer has
  available within your skills and abilities. The
  need for alternate duties is usually temporary
  and depends on your injury.
- Graduated Return to Full Duties This option
  allows you to return to your regular duties while
  building your strength and tolerance for work.
  Usually your work hours are reduced and duties
  are modified to match your tolerance level. The
  goal is to allow a steady progression of hours or
  duties with the end result being a
  return to full duties, full time.

Your functional capabilities and recovery are taken into consideration when deciding what option is best.

## Do I have to accept the suitable work if my employer offers it?

If you choose to refuse the suitable work, you need to explain why. The WSCC considers your reasons. If the WSCC disagrees with your reasons and believes the work is reasonable, you are expected to return to work. If you still choose not to accept the work, your benefits could be suspended or terminated.

## Will I get paid my regular wages during my RTW plan?

It depends. Your employer might pay your regular wages. If so, the WSCC will not pay you wage loss payments. If your employer is unable to pay your regular wages while you are performing the suitable work, the WSCC pays you temporary partial disability (TPD) benefits. TPD benefits are based on the amount your employer pays you for the suitable work you're doing and the amount the WSCC would

have paid you if you were totally disabled from working. TPD benefits are subject to the Year's Maximum Insurable Remuneration (YMIR).

## What are my Worker Rights?

**Right to Know** – You have the right to know about unsafe materials and machinery. You also have the right to be trained to do your job safely.

**Right to Participate** – You have the right to participate in workplace safety and report any unsafe work practices or conditions you see.

**Right to Refuse** – You have the legal right to refuse unsafe work practices or conditions.

## What are my Worker Responsibilities?

- 1 Do your job safely and follow health and safety rules.
- 2 Ask for training if you need it.
- 3 Use personal protective equipment when required.
- 4 Report injuries to your employer and the WSCC as soon as possible.
- 5 Record first aid treatment.

