



BOARD ADMINISTRATIVE PROCEDURE	
Administrative Procedure <b>Disability Management</b>	Administrative Procedure Number <b>507</b>
Directional Policy <b>500 - Employee Relations</b>	

**Title of Administrative Procedure:**

Disability Management

**Date Approved:**

June 4, 2024

**Projected Review Date:**

2029

**Directional Policy Alignment:**

Employee Relations

**Alignment with Multi-Year Strategic Plan:**

A healthy and well staff promotes our vision of Creating a culture of faith, hope and love to ensure equity and well-being by ensuring employees have access to resources and clear processes while managing a disability. The Disability Management Administrative Procedure supports our Being Well pillar and the strategic priority of Nurturing Mental Health & Well-being.

[PVNCCDSB Board Vision, Mission and Strategic Priorities](#)

**Action Required:**

**1.0 Background**

All employees will be treated with fairness, consistency, respect and compassion. The Board's Disability Management Administrative Procedure is an integrated

partnership between employees, supervisors/administrators, union representatives, and health care providers that support employees who cannot remain at work or return to work. The Procedure provides direction for the management of long-term absences from work. A long-term absence is defined as an absence of five (5) consecutive days or greater.

Employees have a responsibility to take an active role in their own medical care to maintain their health and well-being and minimize absences from work.

The Board will make every reasonable effort to support employees in the workplace and to return employees to work safely and quickly. This will be accomplished through communicating before, during, and after an employee's absence and offering suitable modified work (see [AP – 503 Workplace Accommodation](#)).

Participation in the Disability Management Administrative Procedure is a requirement for all employees of the Board. Failure to participate may result in denial or suspension of sick leave or Short-Term Leave and Disability Plan (STLDP) benefits if applicable, as outlined in the relevant collective agreement.

## **2.0 Purpose of the Program**

The Disability Management Administrative Procedure is in place to provide support and keep employees at work through the accommodation process (see [AP – 503 Workplace Accommodation](#)). When accommodation is not possible, the Procedure provides eligible employees with access to sick leave and short-term leave disability plan (STLDP) while they recover.

Relevant Collective Agreements and Terms and Conditions of Employment also provide information related to sick leave/STLDP, accommodation and return to work.

The process of disability management begins when an employee becomes disabled, injured or ill. At this point the employee may or may not be required to be absent from work. The program will endeavor to minimize an employee's absence from work by engaging with employees where needed, ensuring employees are receiving appropriate care and treatment, and providing accommodations.

Situations not eligible for sick leave/STLDP, such as the illness of a family member or certain medical procedures may qualify for other types of leave.

### **3.0 Confidential Medical Information**

In order to qualify for sick leave payments a nature of illness statement, and relevant functional abilities information is within the employer's required documentation.

It is not appropriate for any employer to ask for confidential medical information, nor is it required that the employee reveal or disclose confidential information such as diagnosis or details of their treatment plan. However, some medical issues (e.g. the effects of medications, medical conditions) can impact an employee's fitness to perform various tasks, their safety, the safety of students, or others. The employee, Wellness Coordinator or designate and/or the Supervisor, need to be aware of this issue and manage it responsibly to avoid placing the employee, or others in the workplace, at risk.

The completed medical documentation will be sent directly from the employee or their health care provider to the Board's Wellness Coordinator within the agreed upon time frame. The medical documentation can be provided via e-mail, fax or paper.

When there is a fee charged for the completion of the Medical Certificate employees are eligible for reimbursement as outlined in the terms of the respective Collective Agreement. The Employee should pay the doctor's office directly for the cost incurred and submit the paid receipt to the Wellness Coordinator.

### **4.0 Planned Absences from Work**

On occasion an employee may know in advance of an absence from work and/or may know approximately how long they may be absent from work (ie. surgery or other medical procedure). When an employee is aware of a pre-planned absence that will be five (5) consecutive days or greater, the following steps must take place.

- 1) The employee will notify their direct supervisor to advise them of the first date of absence and anticipated duration. The supervisor will notify the Board's Wellness Coordinator.
- 2) The employee will provide their doctor with a standard letter which outlines the Board's ability and willingness to accommodate, as well as the specified medical documentation as referenced below.
- 3) The employee will submit the medical documentation in a reasonable time frame to the Board's Wellness Coordinator. Should the medical documentation not be submitted within fifteen (15) working days, the employee will advise the Board's Wellness Coordinator when the medical documentation will be submitted.

- 4) The employee shall have the required medical documentation completed by the most appropriate medical practitioner. This may be a doctor, specialist, Nurse Practitioner, Physiotherapist and/or treating specialist. If a medical procedure is planned, the Wellness Coordinator or designate may require the requisite medical documentation be provided before the medical procedure or after the medical procedure, depending on the nature of the procedure.
- 5) Following receipt of the initial medical documentation, the Wellness Coordinator will advise the employee of the date the next medical documentation, if any, is required. Such requirement will be reasonable given the individual circumstances and where possible aligned with the employee's next medical appointment. It is the responsibility of the employee to ensure the medical documentation is submitted by the required date or to contact the Wellness Coordinator to discuss a reasonable extension.

Where an employee does not meet the requirements outlined above, access to sick leave/STLDP may be suspended or denied following consultation with union representatives, if applicable.

### **5.0 Ongoing Absences from Work**

When an employee is off work on a day-to-day basis, they must report their absence as outlined in Administrative Procedure 506 – Reporting Absences from Work. If an absence extends to five (5) consecutive days or greater, the following steps must take place.

- 1) When an employee reaches five (5) consecutive days of absence the supervisor will advise the Board's Wellness Coordinator to discuss what, if any medical documentation may be required. The Wellness Coordinator will make the employee aware of what medical documentation, if any, is required.
- 2) If medical documentation is required, the employee will provide their doctor with a standard letter which outlines the Board's ability and willingness to accommodate, as well as the specified medical documentation as referenced below.
- 3) The employee will submit the medical documentation in a reasonable time frame to the Board's Wellness Coordinator. Should the medical documentation not be submitted within fifteen (15) working days, the employee will advise the Board's Wellness Coordinator when the medical documentation will be submitted.
- 4) Following receipt of the initial medical documentation, the Wellness Coordinator will advise the employee of the date the next medical documentation, if any, is required. Such requirement will be reasonable given the individual circumstances and where possible aligned with the employee's next medical appointment. It is the responsibility of the employee to ensure the medical documentation is

submitted by the required date or to contact the Wellness Coordinator to discuss a reasonable extension.

- 5) When an employee is off work five (5) consecutive days or greater, reasonable follow up requests and reasonable periodic updates, may be required. Regular and ongoing communication with the Board's Wellness Coordinator will occur as appropriate. The frequency of communication with the employee will be reasonable given the nature of illness and prognosis for recovery.
- 6) On occasion, the Board may require other types of medical documentation to support an employee's sick leave. This may include specific questions for a treating physician, an independent medical examination or a doctor-to-doctor consultation. This request will be in accordance with the collective agreement if the employee is a member of a union.
- 7) Where an employee does not meet the requirements outlined above, access to sick leave/STLDP may be suspended or denied following consultation with union representatives, if applicable.

## **6.0 Return to Work**

An employee will return to work when their functional abilities permit, this may include a return to full hours/duties or return to work with accommodation.

- 1) The employee and Wellness Coordinator will maintain regular communication to review the employee's functional abilities and prognosis for recovery, as provided on the medical documentation. The employee is expected to participate in a gradual return to work/modified duties when such work is available and their functional abilities permit. Failure to participate may result in the suspension or denial of sick leave/STLDP, following consultation with the union representatives.
- 2) Upon receipt of updated medical documentation confirming an employee's ability to return to work the Wellness Coordinator will advise the supervisor and HR Officer of the return-to-work date, including any restrictions and limitations.
- 3) The supervisor or HR Officer will communicate with the long term occasional (LTO) employee who is filling the employee's position, if applicable. The employee will not communicate with the LTO regarding their return to work until that has occurred.
- 4) When an employee is returning to work following a long-term absence, a return-to-work meeting may occur. Relevant stakeholders, including but not limited to, the employee, the supervisor, the union representative (if the employee is a member of a union), and other Board staff may request a return-to-work meeting and may be required to attend. The purpose of this meeting will be to ensure all parties understand the employee's needs, address all workplace barriers, and share relevant information.

- 5) Should accommodation be required to facilitate a return to work, accommodation procedures will be followed (see [AP – 503 Workplace Accommodation](#)).

## **7.0 Long-Term Disability**

Should an employee not be able to return to work and have access to a long-term disability benefit, the Board's Wellness Coordinator or designate will advise the employee of when they should apply and provide relevant information.

### **Responsibilities:**

#### **The Board of Trustees is responsible for:**

- Ensuring alignment with the Employee Relations Directional Policy.
- Reviewing the Disability Management Administrative Procedure as part of its regular policy and procedures review cycle.

#### **The Director of Education is responsible for:**

- Designating resources for ensuring the implementation of and compliance with this Administrative Procedure.

#### **Superintendents are responsible for:**

- Ensuring principals are consistent with the application of this Administrative Procedure
- Ensuring that any employee for whom they have supervisory responsibility is aware of the requirements under this Administrative Procedure and that employees follow the requirement for reporting absences from work.

#### **Principals, Vice-Principals, Managers and Supervisors are responsible for:**

- Ensuring staff who they supervise are aware of the requirements under this Administrative Procedure and that employees follow the requirement for reporting absences from work.
- Informing the Wellness Coordinator or designate by phone and/or e-mail of employees who are absent for five (5) consecutive days or greater.
- Maintaining regular contact and offering support to employees while they are absent from work to help ensure safe and timely return to work occurs.
- Approving leave requests and verifying absences in the automated absence reporting system in a timely fashion.
- Monitoring the progress of any employee returning to regular or modified duties following an injury or illness and routinely following-up with the worker and Wellness Coordinator to ensure that the worker is complying with any restrictions

and or limitations that have been identified and that accommodations are in place.

- Arranging supply coverage if required as per the Accommodation or Return to Work Plan and submitting appropriate notification to Human Resource Services.

**Staff are responsible for:**

- Co-operating in a timely and safe return to work.
- Notifying their supervisor to advise of a planned absence from which is five (5) consecutive days or greater.
- Having regular and ongoing communication with the Board's Wellness Coordinator as appropriate.
- Providing the required medical documentation on the dates set out within this Administrative Procedure.
- Attempting to have regular attendance at work, by taking an active and responsible role in their own health and rehabilitation, in attending scheduled therapy and follow-up medical appointments - with consideration to the hours of work and ability to schedule outside of work hours when possible per AP 506 - Reporting Absences from Work.
- Working safely within limitations and restrictions.
- Maintaining reasonable communication with the Wellness Coordinator.

**The Wellness Coordinator is responsible for:**

- Communicating with employees with respect to their requirements while on leave.
- Identifying the role of the Wellness Coordinator when communicating with employees.
- Copying the Canadian Union of Public Employees (CUPE) on the initial communication when an employee begins a disability management process.
- Collecting and assessing information on abilities and limitations & restrictions in an effort to engage the employee in the return-to-work process.
- Evaluating and identifying any workplace barriers and providing strategies to resolve workplace barriers.
- Attempting to provide suitable employment that is available and consistent with the worker's functional abilities.
- Communicating with the Board, union and supervisor restrictions/limitations and timelines concerning the worker's return to work.
- Coordinating with the appropriate Human Resources Officer so that vacancies can be filled where required.
- Arranging for reimbursement of eligible expenses incurred by the employee for requested medical documentation.

**Progress Indicators:**

- Employees are returning to work following a long-term absence in a safe and timely manner.
- Employees are providing the required medical documentation when required consistently.
- The Wellness Coordinator is consistently aware of an employee's absence when they reach five (5) or more consecutive days.

**Definitions:**

- **Disability** - As per the Ontario Human Rights Code, a disability is defined as any of the following:
  - Any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness, including, but not limited to, diabetes, mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical coordination, blindness or visual impediment, deafness or hearing impairment, muteness or speech impediment, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device.
  - A condition of mental impairment or a developmental disability.
  - A learning disability or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language.
  - A mental disorder.
  - An injury or disability for which benefits were claimed or received under the Workplace Safety and Insurance Act.
- **Disability Management File** - An individual's file which contains confidential medical documentation related to an employee's disability. This file is kept separate from their personnel file and is secured within the Disability Management office.
- **LTO- Long term Occasional** - Long term supply assignment - in reference to assignment of a worker CUPE- 12 days or longer supply Teaching assignments 12 days or longer
- **Long-Term Absence** – Any absence which is 5 consecutive days or greater.
- **Medical Certificate** – The designated template for employees to provide medical information related to their absence greater than five (5) consecutive days.



**References:**

[OECTA Medical Certificate](#)

[CUPE Medical Certificate](#)

[Admin Medical Certificate](#)

[AP503 Workplace Accommodation](#)

[AP 506 - Reporting Absences](#)