



**YUKON WORKERS'
COMPENSATION
HEALTH AND
SAFETY BOARD**

GRADUATED
SUBJECT: RETURN-TO-WORK PROGRAM POLICY NO.: CS - 10
BOARD APPROVAL: *[Signature]*
APPROVAL DATE: 95-03-07
BOARD ORDER NO.: _____
EFFECTIVE DATE: 95-03-07

REVOKED

JAN 01 2005

[Signature]

POLICY STATEMENT

*replaced with CS-11
Rehabilitation Policy
effective Jan 1, 2005*

SECTION
REFERENCE: **1, 30**

POLICY: **GRADUATED RETURN-TO-WORK PROGRAM**

GENERAL INFORMATION

A graduated return-to-work program is one type of return-to-work program. It is part of a rehabilitation plan and may be part of a vocational rehabilitation plan.

A graduated return-to-work program may be undertaken when the work-related disability precludes a worker's immediate return to full-time pre-disability employment, but the worker is able to return to work on a reduced basis.

A graduated return-to-work program is aimed at facilitating a disabled worker's gradual transition from disability to full employment. A program may be implemented when it is considered appropriate to achieve maximum physical, psychological, economic and social recovery from the effects of a work-related disability on a timely basis.

All claims decisions are appealable to the Workers' Compensation Health and Safety Board.

POLICY

A. DEFINITION

- (a) A graduated return-to-work program is a return-to-work program which permits a worker to gradually and safely resume employment through a steady progression of hours and/or duties tailored to the needs of the individual.

B. GOAL OF GRADUATED RETURN-TO-WORK

The principal goal of a graduated return-to-work program shall be to rehabilitate workers so that they can safely return to regular work as soon as possible.

To meet this goal, the sequential hierarchy of vocational rehabilitation objectives, sections (a) to (e), shall be followed:

- (a) return to the same work with the same employer;
- (b) return to similar or comparable work with the same employer;
- (c) return to different, but suitable work with the same employer;
- (d) return to similar or comparable work with a different employer; and
- (e) return to different, but suitable work with a different employer.

C. OBJECTIVES OF GRADUATED RETURN-TO-WORK

The objectives of graduated return-to-work shall be:

- * to allow a worker to achieve a steady progression of hours and/or duties;
- * to improve a worker's physical capabilities;
- * to increase a worker's physical strength and tolerances gradually;
- * to improve a worker's psychological readiness to return to work;
- * to restore a worker's job skills; and
- * to ensure a worker can perform tasks without safety or health risk to the worker or others.

D. COST-SHARING

The costs of a graduated return-to-work program shall be cost-shared between the Workers' Compensation Health and Safety Board and the employer. The employer shall have the option to select method (a) or (b) for cost-sharing as follows:

(a) Cost-sharing shall be shared between the Workers' Compensation Health and Safety Board and the employer on a descending/ascending scale as follows:

(i) First Quarter of the Program

The Workers' Compensation Health and Safety Board shall pay 100 percent of the worker's loss of earnings. The employer shall not contribute any monies.

(ii) Second Quarter of the Program

The Workers' Compensation Health and Safety Board shall pay 75 percent of the worker's loss of earnings. The employer shall pay 25 percent of the worker's loss of earnings.

(iii) Third Quarter of the Program

The Workers' Compensation Health and Safety Board shall pay 50 percent of the worker's loss of earnings. The employer shall pay 50 percent of the worker's loss of earnings.

(iv) Fourth Quarter of the Program

The Workers' Compensation Health and Safety Board shall pay 25 percent of the worker's loss of earnings. The employer shall pay 75 percent of the worker's loss of earnings.

(b) The costs of a graduated return-to-work program shall be equally cost-shared between the Workers' Compensation Health and Safety Board and the employer during the length of the program. The Workers' Compensation Health and Safety Board shall pay 50 percent of the worker's loss of earnings. The employer shall pay 50 percent of the worker's loss of earnings.

E. PAYMENTS

In the event a worker suffers a recurrence or aggravation of the compensable work-related disability, or suffers a subsequent injury as a consequence of the first injury while participating in a graduated return-to-work program, the payment of costs for that portion of the enhanced disability shall be applied to a reserve for enhanced disabilities.

F. PROGRAM DURATION

The duration of a graduated return-to-work program shall be based on the injured worker's medical recovery. In no case shall the program exceed a maximum of 8 weeks.

G. EXCEPTION CLAUSE

Exceptions to policy may be made by the Director of Claims Branch or the Director of Client Services Branch. Exceptions shall be based on a cost/benefit analysis, and safety and health risk to the worker or others. Notification of any exception must be immediately provided to the President with reasons for the exception.

REFERENCES

Workers' Compensation Health and Safety Board:

Rehabilitation Policy Statement

Vocational Rehabilitation Policy Statement

Fitness for Employment, Suitable Occupation, "Deeming" Policy Statement

Suspension, Reduction and Termination of Compensation Policy Statement

Return-to-Work Programs Policy Statement

Chronic Pain and Chronic Pain Syndrome Policy Statement