

Modified Work



Participant Guide

Business Training
Customer Service Unit



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Course Objectives

As a result of this session, you will be able to:

- Identify what modified work is
- Utilize tools and resources to successfully negotiate a modified work program
- Implement a modified work program

Modified Work – The What, Why & Criteria

What Policies and Procedures will assist you in arranging modified work?

What is Modified Work?

Temporary modified work includes any changes to regular job duties, as a result of an injury. This includes changes in:

- tasks or functions
- workload (e.g. hours or schedules)
- environment or work area
- equipment
- different job/position

It can also include:

- work normally performed by others
- work specifically designated as a modified work program



Types of Modified Work

The following is a list of different types of modified work an employer will most commonly offer:

1. **Modifying an existing job:**

An employee's existing job is changed to either reduce or remove those parts of the job that the employee is currently unable to do because of the injury.

Eg: A heavy duty mechanic is able to most of his regular duties, but cannot lift over 20 pounds. The employer then provides assistance from a co-worker for any lifting tasks.

2. **Providing transitional work:**

In this case an employee performs regular job duties; however less time is spent doing these duties.

Eg: A letter carrier is able to perform her regular duties, but needs to gradually increase her hours. The employer provides partial route delivery and has another co-worker deliver the rest.

3. **Providing different duties:**

A worker is given duties that are different from the usual employment, including tasks outside of the worker's day to day operations.

Eg: A city worker who normally works in the ice rink, has previous office skills and experience and the employer provides her the opportunity to work in payroll to assist in updating files and data entry.

4. **Providing a training opportunity:**

The injured employee is sent for training in order to enhance job skills, thus increasing the employee's value to the company.

Eg: A truck driver injures his shoulder and is unable to perform his regular duties. The employer provides a training opportunity for the worker to learn how to dispatch for the trucking company.



There may be other types of modified duties that an employer may have based on the circumstances of each claim. As long as the modified duties are; safe, achievable and productive, all in keeping with Policy 04-05 Part II, they can still be considered.



Modified Work Needs to be Suitable

- accommodates the worker's compensable medical restrictions so the worker can perform the duties without endangering his/her recovery or safety, or the safety of others.
- contributes to the worker's physical and vocational rehabilitation by keeping the worker active and involved in the workplace.
- promotes the gradual restoration to the worker's pre-accident level of employment.
- must be a meaningful and productive part of the employer's operations
- does not create financial hardship for the worker (for example, shift changes that require additional childcare costs, unreasonable travel to another location, etc.)

1. How does modified work benefit the worker?

2. How does modified work benefit the employer?

3. When would you arrange modified work?

Resources/Tools

We have many tools and resources to assist in meeting these goals and in assisting workers to make a safe and early return to work. The following is some of the most common tools you will use to assist in negotiating modified work.

1. Modified work website on EW:

This is found on the EW, under business tools – Return to work – Modified work. This site provides you with various tips, forms and information about how to arrange modified work and the benefits of modified work. The Path to return to work on the EW also provides additional tips and information in regards to modified work.

2. Modified Work Coaching Guide - When it comes to modified duties, employers aren't the experts- WE ARE!

We can't assume an employer understands what constitutes modified duties, can generate ideas for modified duties or understands the benefits of providing modified duties.

3. The Physical Demands Analysis:

This document can assist you and the employer to determine the various job tasks involved in the worker's date of accident duties. By breaking down the specific job tasks, you may be able to better identify what the worker can do!

4. The Modified Work Offer:

This document will ensure that the employer and worker is in agreement with the modified work and will serve as clear documentation for the claim in regards to modified work.

5. Letter to employer:

Assistance with Modified work – IN063A. This letter helps to define modified work and keeps your employer updated on their worker's progress and capabilities. If an employer does not have modified work available, this letter should be sent when the workers physical abilities increase, to ensure the employer are up to date, should modified opportunities become available.



6. Account Manager Referral:

Account managers can assist you in arranging modified work, by helping the employer to understand the benefits of modified work from a claims cost perspective.

7. The Return to Work Planning Meeting:

(RTWPM) is an assessment done at the pre-accident worksite performed by a physical therapist, occupational therapist or kinesiologist. The assessment may take up to one day.

Its purpose is to:

- Re-establish worker/employer relationship
- Initiate RTW negotiation/discussion
- Clarify pre-accident job demands/job tasks
- Review the need for ergonomic/worksite modifications
- Explore modified/alternate RTW options
- Identify work site RTW barriers
- Educate the worker and employer regarding the RTW process
- Identify potential modified work options

8. Employer Claim Notification:

This is an automatically generated email notification that will be sent to employers when an injured worker employed by them is fit for modified work. The intent is to prompt employers to proactively contact the claim owner/case manager to start communication about return to work.

The e-mail is automatically generated behind the scenes and is triggered by the medical reporting received to claim.



Case Studies: Evaluating Suitability of Modified Work

Resource: Policy 04-05, Part II, Application 2.

Instructions: Review each scenario. Based on the information given:

- Decide if you would support the modified work program.
- Outline your reasons (why you would or would not support the modified work program).
- List any additional information you feel you need in order to make a decision.

- 1) Stan from Stan's Oil field Services calls to report that one of his motormen on the rigs has broken his right leg. The doctor has said that this worker will be off work for 3 months. Stan says not to worry about paying wage replacement benefits to the worker because the worker has been sitting in the office watching safety films and there is no problem accommodating the doctor's recommendation of no standing.

Does this sound like a successful return to modified work program?

Yes

No

What additional information or steps do you need to take or confirm to make this a successful return to work?



- 2) Barney's Restaurant says their dishwasher, who cut his fingers and received stitches, is not losing time from work. The worker is in the parking lot picking up cigarette butts and garbage for the next 2 weeks.

Does this sound like a successful return to modified work program?

Yes No

What additional information or steps do you need to take or confirm to make this a successful return to work?

- 3) Sam's Oil field Services advises that their driller is going to do light clean up in the camp kitchen. He will also clean the washrooms while he is recovering from his low back strain. He advises that he will accommodate his restriction of no heavy lifting.

Does this sound like a successful return to modified work program?

Yes No

What additional information or steps do you need to take or confirm to make this a successful return to work?



Negotiating Modified Work with Self Employed Workers

Policy and procedures for arranging modified work with a self employed worker remains the same as for all worker's under the act. However, arranging modified work with a self employed worker may show to have some unique characteristics and challenges that can impact a return to modified work.

1. What do you think are some of the unique challenges and characteristics for self employer workers in relation to arranging modified work?

To assist you in arranging modified work with Self Employed workers you can still use the tools and resources that were introduced to you earlier (page 4 and 5 of your participant guide). However, here are some additional tools and resources specific for self employed workers that can further assist you in arranging modified work with your claimant.

The modified work website (found under business tools in the EW). There are tip sheets specific for self –employed workers to assist you in determining what additional questions or considerations you may need in arranging modified work with your self employed worker.

Document, Document, Document!

- Contact the accident employer to determine if modified work is *available for the duration of the anticipated restrictions (i.e., temporary or permanent)* and/or whether the worker has returned to modified work. Clearly outline the compensable work restrictions. Confirm the modified work details (e.g. start and end dates, rate of pay, shift cycle, time loss for medical appointments, payment of board allowance and/or travel allowance if the location of the modified work differs from the worker's usual place of employment).



- Ensure to follow up with the worker to discuss the modified work opportunities. This allows you an opportunity to address any potential barriers or assistance that your worker may require.
- If any additional details or information is needed from service providers, eg, doctor, physiotherapist and treatment provider, ensure to also document this.



Barriers to Returning to Modified Work

Returning to modified work, may have some challenges or obstacles for your worker that can be considered barriers. What are some barriers that could arise to arranging modified work and what can we do to help remove them?

Take AIM

Disability management is, essentially, selling “change.” An adjudicator must be aware of the stages of change in order to enhance interactions with individuals who may have multiple barriers to returning to modified work.

Returning to work after an injury can be challenging for many workers. There can be many factors involved in this which can include, fear of re-injury, complications with recovery, poor relationships with employer and the time frame away from work.



Did You Know?

If someone is off work for 6 months, there is a 50% chance that he/she will ever return to work (depending on the support systems available).

If someone is off work for one year or more, there is less than a 20% chance he/she will ever return to work (depending on the support systems available).

Given these statistics, as adjudicators we need to do everything we can support and assist our workers through this time of change in their lives. By helping our workers to “Take AIM” (Activate Interest, Incite Change and Motivate the Claimant) we can best Ensure a safe and early return to work

This is how the stages of change may look in terms of a return to modified work. Your goal as an adjudicator is to help your worker through these stages of change by activating interest, inciting change and motivating your worker.



1. **Pre-Contemplation** (no interest in working)
2. **Contemplation** (starting to think about working, conversations with employer and workers about the benefits of modified work and what is possible)
3. **Preparation** – (possibly a return to work planning meeting, or gathering additional information from the doctor)
4. **Action** – making changes – returning to modified work,
5. **Maintenance** – participating in modified work
6. **Termination** – return to full duties or alternate employment

An awareness of the Stages of Change and which stage your claimant is in will assist you and your claimant in achieving a safe and early return to work. As an adjudicator you will help your worker move from Pre-Contemplation to Action.

How to “Unstick that Stuck Claimant” by Motivational Interviewing



Engage your client - Ask, “How are you?” or “How are things?”



Set the agenda by asking the client, “What would you like to talk about today?”, or state, “I would like to discuss _____”.

Explore – Ask, “Would you be willing to explore the benefits of not returning to work and the benefits of returning to work?” or “How has it been for you at home while you are recovering?” “Are there any things that you have missed about not being at work?”

Listen carefully with the goal of understanding the dilemma; give no advice.

Ask open-ended questions.

Summarize what you’ve heard:

1. Acknowledge one of the benefits of staying the same (i.e. not returning to work).
2. Move on to the benefits of returning to work, name as many as you can remember.
3. Acknowledge how important they said returning to work is to them.
4. State all the things they said they need to feel more confident.
5. Affirm why they do have some confidence.

Focus on motivational and open ended questions like:

“What is one small thing you think you can do to move forwards towards returning to work?”

“What would you be willing to try to move towards your goal of returning to work?”

“What are the benefits of not returning to work?” “What else?” “Tell me more about that?”

“What are the benefits of returning to work?” “What are the three best reasons to return to work?”

“On a scaled of 0-10, how important is it to your to return to work?”

“On a scale of 0-10 how confident are you that you can return to work by _____?”

*Asking the right questions in the right way, can help to discover what your barriers are
Removing barriers will help your claimant to move through his stages of change
Knowing what stage of change your claimant is in, will assist you both in the goal of a
safe and early return to work*



Feedback and Comments

As each person in your group talks to the employer or worker, jot down the strategy that the adjudicator uses to arrange modified work. Add in any other comments or observations.

1) Objection _____

Strategy _____

Comments _____

2) Objection _____

Strategy _____

Comments _____

3) Objection _____

Strategy _____

Comments _____

4) Objection _____

Strategy _____

Comments _____

5) Objection _____

Strategy _____

Comments _____



6) Objection _____

Strategy _____

Comments _____

7) Objection _____

Strategy _____

Comments _____

8) Objection _____

Strategy _____

Comments _____

9) Objection _____

Strategy _____

Comments _____

10) Objection _____

Strategy _____

Comments _____