

WCB MANITOBA BEST PRACTICES

> CASE MANAGEMENT LIFECYCLE

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| ASSESSING | 1. CLAIM ASSESSMENT |
| | 2. WORKER ASSESSMENT |
| | 3. EMPLOYER ASSESSMENT |
| PLANNING | 4. CASE PLANNING |
| MANAGING | 5. ENTITLEMENT EXPECTATIONS |
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> DAY TO DAY CASE MANAGEMENT

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WCB MANITOBA BEST PRACTICE OUTLINE

OUR VERY BEST

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OUR VERY BEST

WCB Manitoba Best Practice is . . .

- > to ensure the employer fully understands their responsibility and role returning their worker to work
- > when a worker is returning to work to always validate that it is safe for the worker to perform their job duties
- > for the worker to understand their ability to return to work before engaging the worker and the employer together
- > to support the employer as needed returning their worker to work on a timely and safe basis
- > to manage returning the worker to work when the employer does not have experience appropriately returning workers to work
- > to use managing returning the worker to work as a learning opportunity for the employer
- > before referring to VR Services, to ensure all employment options with the pre-injury employer are exhausted and that the pre-injury employer is aware of the resulting cost implications

OVERVIEW

The Case Manager works with the worker and the employer returning the worker to work on a safe and timely basis. The Case Manager establishes a good understanding of the worker's restrictions and job duties. The Case Manager works to address the readiness of both the employer and the worker to return the worker to work. Depending on the needs of the employer and/or worker, the Case Manager provides the appropriate level of support needed to return the worker to work.

CASE MANAGEMENT LIFECYCLE

ASSESSING	PLANNING	MANAGING	CLOSING
		<u>RTW – Pre-Injury Employer</u> <ul style="list-style-type: none"> – always follows <u>Claim Assessment</u>, <u>Worker Assessment</u> and <u>Employer Assessment</u> – may or may not follow <u>Case Planning</u> – may be addressed in conjunction with <u>Medical Management</u> and <u>Entitlement Expectations</u> 	

KEY DECISIONS SUMMARY

7.D.1	Is meeting with the Employer required?
7.D.2	Can the worker return to work?
7.D.3	Is <u>RTW – Alternate Employment Goal</u> required?
7.D.4	Does the Reemployment Obligation (REO) apply to the employer?
7.D.5	What level of support do the employer and the worker require to return the worker to work?

PERFORMANCE GUIDELINES

7.P.1	Worker restrictions with supporting medical are documented to the claim file along with written communication regarding the worker's restrictions to the employer, the worker and the worker's healthcare provider as applicable
7.P.2	Worker's job duties, regular, modified or alternate, are documented to the claim file
7.P.3	Discussions with the employer regarding their responsibility and role returning their worker to work
7.P.4	Discussions with the employer and/or the worker regarding returning the worker to work including as applicable any RTW Agreement and any other supporting RTW documentation
7.P.5	If applicable, discussions with the employer regarding their obligation to reemploy including and written communication regarding their obligation to reemploy
7.P.6	If applicable, discussions with the employer regarding their inability to reemploy including written confirmation from the employer of their inability to reemploy
7.P.7	If applicable, discussions with the employer regarding VR referral and the cost implications of referring to VR

KEY ACTIVITIES & KEY DECISIONS

Key Activities and Key Decisions are outlined in a logical order below.

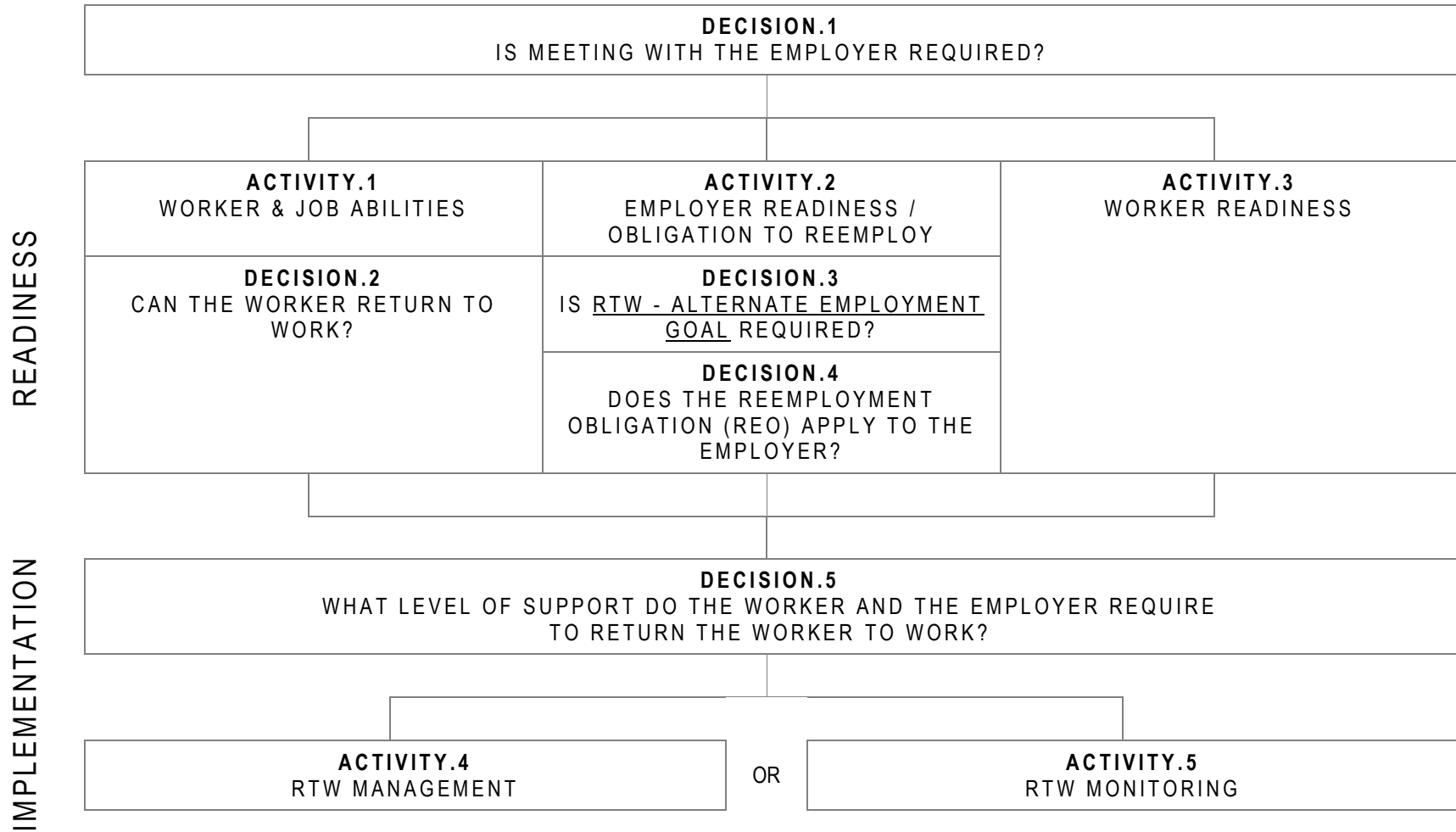
READINESS PHASE

A Readiness Phase addresses Worker & Job Abilities, Employer Readiness and Worker Readiness concurrently. The Case Manager has a good understanding of worker and job abilities and the employer and the worker are both somewhat ready to return the worker to work before the Case Manager engages with both the employer and the worker together.

IMPLEMENTATION PHASE

The Readiness Phase is followed by the Implementation Phase with the level of support provided by the Case Manager to return the worker to work – either managing or monitoring – based on the needs of the employer and the worker.

What actually happens may not always be “logical” and the needs of each case vary – while all the decisions and activities outlined here may take place, the order in which they are addressed may vary or they may overlap. Note the exception to this is, if during the Employer Assessment it is determined a meeting with the employer is needed, this meeting must take place prior to other Return to Work decisions and activities.



DECISION 1 IS MEETING WITH THE EMPLOYER REQUIRED?

When conducting the Employer Assessment it is determined if meeting with the employer is needed. Meeting with the employer may have occurred when conducting the Employer Assessment or may have been deferred. If deferred, the meeting with employer takes place now. See Employer Assessment for details of the assessment.

WCB Manitoba Best Practice to ensure the employer fully understands their responsibility and role returning their worker to work

The meeting with the employer is necessary to addressing the employer's responsibility and role for returning their worker to work. It is important to establish shared expectations with the employer early in the case lifecycle.

ACTIVITY 1 WORKER & JOB ABILITIES**DECISION 2** CAN THE WORKER RETURN TO WORK?

WCB Manitoba Best Practice is when a worker is returning to work to always validate that it is safe for the worker to perform their job duties

When returning the worker to work, the Case Manager always validates the ability of the worker to perform their job duties – regular, modified or alternate. This is the case even in those instances where the employer has a well-established and effective return to work program in place. To make this decision the Case Manager requires a good knowledge of both the worker's job duties and the worker's restrictions.

PART A > WHAT ARE THE WORKERS JOB DUTIES?

During the Worker Assessment and the Employer Assessment, the Case Manager will have established the worker's job duties and any opportunities for modified or alternate duties. In particular, if the Case Manager was not already familiar with the worker's job duties from previous experience working with this employer and industry, during the Employer Assessment the Case Manager will have met with the employer at the work site to review the worker's job duties as well as assess the opportunity for modified or alternate duties. Also, during the Worker Assessment and the Employer Assessment, the Case Manager will have established if the worker has performed other jobs duties for the employer in the past.

PART B > WHAT ARE THE WORKERS RESTRICTIONS?

The Case Manager seeks to clarify the workers' restrictions as part of Medical Management.

- > The Case Manager may obtain restrictions from the worker's healthcare provider. Here the Case Manager provides the employer with the worker's restrictions in writing copying the worker.
- > The Case Manager may obtain restrictions for the worker from a WCB Healthcare Services call-in exam. Here the Case Manager provides the employer with the worker's restriction in writing copying the worker as well as the worker's healthcare provider.
- > The Case Manager may obtain restrictions for the worker from the employer. The employer may have their worker and their healthcare provider complete a "Functional Abilities Form" (FAF).

Following the above, the Case Manager has a good sense of the worker's ability to perform their job duties as well as opportunities for modified or alternate job duties.

ACTIVITY 2 EMPLOYER READINESS / OBLIGATION TO REEMPLOY

Based on the Employer Assessment and further discussions with the employer, the Case Manager establishes that the employer is somewhat ready to return the worker to work before engaging the employer and the worker together.

If the employer is willing and able to return their worker to work the Case Manager continues with RTW – Pre-Injury Employer.

DECISION 3 IS RTW – ALTERNATE EMPLOYMENT GOAL REQUIRED?

WCB Manitoba Best Practice is, before referring to VR Services, to ensure all employment options with the pre-injury employer are exhausted and that the pre-injury employer is aware of the resulting cost implications

If the employer is not willing or able to return the worker to work, the Case Manager meets with the employer to review:

	Review the employer's obligation to reemploy, if applicable
	Review the benefits of returning the worker to work
	Assess opportunities for the worker to perform modified or alternate duties
	Identify and address any challenges the employer has with returning the worker to work
	Assess the opportunity to utilize Rehabilitation Services to assess how the worker can perform their job duties
	Assess the opportunity to utilize VR to assess to assess the opportunity for alternate employment with the employer
	If applicable, review the cost implications of referring the worker to VR Services for alternate employment.

If the employer is still not willing or able to reemploy the worker:

- > The Case Manager requires written documentation from the employer indicating they will not or cannot reemploy the worker.
- > The Case Manager continues to manage the worker's recovery and entitlements.
- > If the worker has restrictions that are long term and likely permanent, the Case Manager proceeds with RTW – Alternate Employment Goal (see RTW – Alternate Employer Goal).

DECISION 4 DOES THE REEMPLOYMENT OBLIGATION (REO) APPLY TO THE EMPLOYER?

If the employer is not willing or able to return the worker to work, the Case Manager addresses the employer’s obligation to reemploy (REO). During the Employer Assessment the Case Manager will have established if the Reemployment Obligation applies with the employer verbally and in writing.

The employer may provide the Case Manager with additional information regarding their obligation to reemploy the worker. If further clarification is required, the Case Manager may formally request additional information from the employer to establish their obligation to reemploy the worker.

If the obligation to reemploy applies but the employer is not willing or able to reemploy the worker, the Case Manager reviews the employer’s situation together with their Manager. Together the Case Manager and Manager may determine the employer is truly not able to reemploy their worker and no further action with the employer is required. Alternatively, the Case Manager and Manager may determine the employer is truly able to reemploy their worker. Here, the Manager refers the file to Compliance (see Note 1).

In summary:

Is the employer willing and able to reemploy the worker?				
Yes		No		
Continue with <u>RTW – Pre-Injury Employer</u>	Does the obligation to reemploy apply to the employer?			
			Yes	No
	Is the employer able to return the worker to work?	Yes	Refer file to Compliance	No further action with the employer is required
	No	No further action with the employer is required	No further action with the employer is required	

ACTIVITY 3 WORKER READINESS

WCB Manitoba Best Practice is for the worker to understand their ability to return to work before engaging the worker and the employer together

Based on the Worker Assessment and any ongoing discussions with the worker, the Case Manager establishes the worker is somewhat ready to return to work before engaging the employer and the worker together.

Is the worker ready to return to work?

		Does the worker agree with their restrictions?	
		Yes	No
Is the worker willing to return to work?	Yes	Proceed with return to work with the pre-injury employer	Meet with worker to <ul style="list-style-type: none"> – confirm understanding of restrictions – confirm understanding of the worker’s job duties – explain that the role of the Case Manager to ensure the worker’s job duties are safe – provide the worker with the option of meeting with their healthcare provider to review their restrictions – if there is any doubt regarding the worker’s restrictions the Case Manager may arrange for a call-in exam with WCB Healthcare Services
	No	Meet with the worker to <ul style="list-style-type: none"> – consider the benefits of returning to work – identify the challenges the worker has returning to work – develop a plan to address the worker challenges – communicate expectations for the worker returning to work – advise the worker of implications of non-participation on their entitlements 	Meet with worker to address some combination of the items listed in the adjacent cells

DECISION 5 WHAT LEVEL OF SUPPORT DOES THE EMPLOYER REQUIRE TO RETURN THE WORKER TO WORK?

WCB Manitoba Best Practice is to support the employer as needed returning the worker to work on a timely and safe basis

WCB Manitoba Best Practice is to manage returning the worker to work when the employer does not have experience appropriately returning workers to work

At this point both the employer and the worker are somewhat ready to work together returning the worker to work. What level of support does the Case Manager provide to the employer? Is the Case Manager required to MANAGE the worker’s return to work or MONITOR the worker’s return to work?

If to any of the items listed below, the Case Manager needs to MANAGE the worker’s return to work.

	Yes	No
Does the employer have prior experience returning workers to work?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Have there been any previous issues with this employer appropriately returning workers to work?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Is the employer motivated to return the worker to work?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the employer require assistance identifying modified or alternate job duties? OR Is there the potential for alternate employment with the pre-injury employer?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Is there a discrepancy between the worker and the employer regarding the worker’s job duties, regular, modified or alternate?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

ACTIVITY 4 RTW MANAGEMENT

The following applies if returning the worker to work needs MANAGEMENT not MONITORING.

Managing Return to Work for an employer follows analysis and planning as outlined below. This outline is modified by the Case Manager as appropriate.

Note Managing RTW has three specific opportunities the Case Manager can consider:

- > An on-site meeting with the employer and the worker to review restrictions and job duties, regular, modified or alternate including whether the worker has performed other jobs duties for the employer in the past.
- > Utilization of Rehabilitation Services to assess and make recommendations for how best the worker can perform their job duties.
- > Referral to a Vocational Rehabilitation Services to assess worker skills and abilities and the opportunity for the worker to perform other jobs for the pre-injury employer (i.e. alternate employment with pre-injury employer).

WCB MANITOBA Best Practice is to use managing returning the worker to work as a learning opportunity for the employer

Managing RTW for an employer is treated by the Case Manager as a learning opportunity for the employer. Through demonstration and the use of sample documents, the Case Manager provides the employer with the tools and knowledge to enable the employer to return a worker to work in the future. In the future when working with the employer the Case Manager leverages this experience with the employer setting expectations for their ability to return their worker to work.

PART A > RETURN TO WORK ANALYSIS

	Confirm the worker's restrictions including duration
	Analyze the ability of worker to perform regular job duties
	Identify options for modified or alternate job duties
	Identify technical or financial support required
	Consider utilizing Rehabilitation Services to perform regular or alternate job duties and/or the design of modified job duties
	Consider referral to Vocational Rehabilitation Consultant to assess the opportunity to train the worker to perform other jobs for the pre-injury employer (i.e. alternate employment with pre-injury employer)
	Analyze schedule for assuming duties, regular or modified/alternate
	Conduct on onsite meeting with both the employer and worker present and possibly a Rehabilitation Specialist to address any concerns regarding the worker and job abilities and any associated costs

PART B > RETURN TO WORK AGREEMENT

	Outline of worker job duties and schedule including key dates
	Outline of worker wage loss compensation by WCB/employer
	Outline of employer responsibilities
	Outline of worker responsibilities (e.g. RTW Journal)
	Communication of Return to Work Agreement to employer and worker

PART C > MONITORING

	Based on their respective needs, follow up with either the worker or the employer after reaching key milestones in the RTW Agreement
	Monitor delivery of services by Rehabilitation Services or Vocational Rehabilitation Services
	Revise Return to Work Agreement as required, review with worker and employer
	Follow up with both the worker and the employer after the worker has returned to permanent duties
	Conduct onsite meetings with the employer and the worker if required to address any inability to achieve the RTW Agreement

ACTIVITY 5 RTW MONITORING

The following applies if returning the worker to work requires MONITORING and not MANAGEMENT.

The Case Manager performs the following activities when MONITORING the worker’s return to work:

Employer	Worker
Obtain details from the employer of the worker’s RTW agreement (this may be in writing or by phone)	Confirm with the worker of their agreement with their RTW agreement
Follow up with the employer following completion of the RTW agreement and the worker has returned to full regular duties	Follow up with the worker following completion of the RTW agreement and the worker has returned to full regular duties

Additionally, the Case Manager is available to support the employer or the worker as follows:

Employer	Worker
Coordination of worker wage loss compensation by the employer and WCB	
Follow up when reaching key milestones in the RTW agreement	
Address any employer concerns regarding worker’s restrictions and challenges returning the worker to work	Address any worker concerns regarding their restrictions and recovery or any challenges returning to work

DOCUMENTATION

The Case Manager ensures the claim file is up to date with the following information:

	Restrictions with supporting medical
	Written confirmation of restrictions to the employer, the worker and the worker’s healthcare provider, as applicable
	Discussions and meetings with employer regarding returning the worker to work including worker return to work opportunities as well as the employer’s reemployment obligation
	If applicable, any written documentation from the employer regarding their inability to reemploy the worker
	Discussions with worker regarding readiness and challenges returning to work
	Results of on-site meetings with employer and worker, if applicable
	RTW activities including as applicable RTW Agreement and other supporting RTW documentation
	If applicable, results of Rehabilitation Services job analysis
	If applicable, results of Vocational Rehabilitation Services referral
	Verification of worker wage loss compensation by WCB/employer
	Updated Case Plan goals, objectives, methods and associated tasks throughout duration of Best Practice

NEXT STEPS

ASSESSING	PLANNING	MANAGING	CLOSING
			<u>RTW – Pre-Injury Employer</u> is followed by <u>Claim Closure</u>

NOTES

NOTE 1 ALTERNATE EMPLOYMENT WITH PRE-INJURY EMPLOYER

This Best Practice refers to using VR Services to assess the opportunity for “alternate employment with the pre-injury employer” (sometimes referred to as “Early Intervention”). At this time this VR Service is informal and the service definition, including associated request and approval processes, has yet to be developed.

NOTE 2 REO

It has been determined that WCB Compliance will address employers who are in breach of REO and that Case Management is to refer these cases to Compliance. At this time, however, the process for referring these cases to Compliance has yet to be developed.

NOTE 3 UNION PARTICIPATION

The WCB has no responsibility or role to address the worker’s union when supporting the worker’s return to work.

The worker may choose to have a union representative present during any meeting with the Case Manager and/or the employer. Further the worker may appoint a union representative as their advocate where, given written authorization from the worker, the Case Manager works with the worker’s advocate.

Beyond this, the Case Manager follows the facts of the worker’s medical and employment status and supports the worker and the employer as needed to return the worker to work. There are no additional activities or special considerations addressing the participation of the worker’s union.