

Injury Management Obligations - Worker

The *WCIMA23* clarifies an injured worker's return to work and injury management obligations.

Key Points

Act ref: ss. 5, 163, 164, 165

- Return to work programs assist workers to return to work in a timely, safe and durable way. There are no changes to requirements for the establishment and implementation of return to work programs.
- A worker's duties in the return to work process have been clarified. A worker will be required to:
 - make reasonable efforts to return to work in cooperation with the employer
 - participate in and comply with reasonable obligations under a return to work program or workplace rehabilitation
 - provide each progress certificate of capacity to the worker's employer and insurer within seven days of receipt see *Information Sheet 29*.
 - attend and participate in return to work case conferences see *Information Sheet 31*.

Questions & Answers

Q. What happens if a worker fails to comply with injury management obligations?

A. An arbitrator may compel a worker to comply with the return to work or injury management obligation, or can order payment of income compensation be suspended, unless there is a reasonable excuse. If a worker continues to fail to comply with the obligation for one month after payments are suspended income compensation may be terminated. An employer or insurer cannot unilaterally suspend or discontinue compensation.

