

DISABILITY MANAGEMENT GUIDE

Human resources



UNIVERSITY OF
WATERLOO

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This guide is applicable to employees of the University of Waterloo and the Affiliated and Federated Institutions of Waterloo (Conrad Grebel University College, Renison University College, United College, St. Jerome's University, and Imprint Publications, Waterloo)

PRINCIPLES

Everyone will experience some form of illness or injury in their lifetime.

Occasionally, an illness or injury is severe enough to impact your abilities, daily activities and work experiences. When this happens, the University is committed to delivering positive outcomes while you are at or returning to work. The University facilitates safe, healthy and sustainable return to work plans which may include workplace accommodations.

Most employees spend more than 60 per cent of their waking hours in the workplace. Research has shown the importance of work to an individual:

- › It fosters a sense of well-being
- › It provides a sense of productivity
- › It provides purpose and meaning to our lives

Having an effective Disability Management program focuses on early and safe return to work which benefits everyone:

- › Employees receive the support they need to restore their sense of purpose and their return to productivity.
- › Supervisors/Managers receive the support and guidance they need to perform their important role in the return to work process.
- › The University benefits from consistent and fair management of disability where employees are offered optimal support and effective return to work strategies.

This guide will provide a summary of your sick leave and long-term disability benefits including: an overview of the process, expected roles and responsibilities.

DISABILITY MANAGEMENT TEAM

Disability Benefits Specialist — Nellie Gomes, Human Resources, ext. 42926
disabilitybenefits@uwaterloo.ca

Occupational Health Nurses — Karen Parkinson, Occupational Health, ext. 40538
Cassie Hunter, Occupational Health, ext. 40551

Safety/WSIB Officer — Andrew Scheifele, Safety Office, ext. 36359

WHAT IS MY SICK LEAVE BENEFIT?

The University of Waterloo sick leave benefit

provides continued income for all illnesses and injuries where there is identifiable and verifiable medical evidence when you need to be away from the workplace. All medical information is kept **confidential**.

Faculty and Non-Union Staff (full and part time) in Staff Classification USG 5 and above with on-going appointments:

- › 180 calendar days of sick leave effective with first day of employment; employees age 69 and older maximum is 120 cumulative calendar days.*

All other employees (including Canadian Union of Public Employees local 793) with on-going appointments:

- › 90 calendar days of sick leave. After five years of service, one additional calendar day credited for each complete month worked. Maximum credited sick leave is 180 calendar days; employees age 69 and older maximum is 120 cumulative calendar days.*
- › Canadian Union of Public Employees Local 793 employees limited to maximum of five days of sick leave for six-month probationary period and ten days of sick leave for one year probationary period. Regular Recurring employees' sick leave benefit are prorated in accordance with Article 19.

Employees with Appointment Duration of at least Three Months to Two Years:

- › six working days of sick leave per year (pro-rated based on appointment duration).*

Employees with Appointment Duration of Three Months or Less:

- › No sick leave credits.

IDENTIFIABLE/VERIFIABLE MEDICAL:

The Disability Management Team must be able to confirm that the medical received is from an accountable healthcare professional who meets the requirements of our sick leave benefit.

*There is no waiting period for income continuance; employees continue to receive their regular salary on the scheduled pay date while on approved sick leave.

DISABILITY MANAGEMENT PROGRAM

SICK LEAVE PROCESS

WHEN DO I NEED TO PROVIDE INFORMATION FOR MY ABSENCE?

For absences of five working days or longer, forward a completed Sick Leave/Return to Work Form to the Disability Management team. Section C of the form should be completed by your physician **if** you require workplace accommodation; otherwise it can be left blank.

- › Faculty should return their documents to the Occupational Health Nurse.
- › All other employees have the choice of returning their documents to the Occupational Health Nurse or the Disability Benefits Specialist

In some cases, managers may (in consultation with HR) request employees to provide the Sick Leave/Return to Work Form for shorter absences.

The Sick Leave/Return to Work Form is available:

- › online at the [Human Resources website](#) under Absences from Work
- › from your work area manager
- › from the Human Resources Disability Benefits Specialist.

If your absence is related to a workplace injury it must be reported according to the instructions on the [Safety Office website](#).

NATURE OF CONDITION:

A plain language general statement of the person's illness or injury (not including any technical or medical details such as diagnosis or symptoms).

SICK LEAVE PROCESS

WHAT HAPPENS WHEN I AM AWAY FROM WORK DUE TO NON-WORK RELATED ILLNESS OR INJURY?

The University's Disability Management Team continues to be the primary support for you and your manager throughout sick leave absences and long term disability.

A third-party disability case manager may be involved to assess medical documentation and to support our internal Disability Management Team during sick leave.

Referrals to the third-party disability case manager include absences which are **longer than four weeks** without a definite return to work date and when the University's Disability Management Team requires external expertise to assess a case. This will support our employees by ensuring:

- › Appropriate medical care is received throughout employee absences
- › Enhanced level of support and access to medical resources for employees
- › Return to work assistance including accommodation requirements
- › Employee support with transferring medical information to long-term disability insurer

Your confidentiality and **privacy** continues to be of utmost importance — both internally with the Disability Management Team and externally with the third-party disability case manager.

If your file is referred to the third-party disability case manager, the Occupational Health Nurse will discuss with you the process and provide you with the necessary forms. The third-party disability case manager may contact you to find out more about your absence, job requirements and the workplace environment. This information will be reviewed to assess your case and assist with an appropriate return to work plan.

WHAT HAPPENS WHEN I AM READY TO RETURN TO WORK?

The University is committed to supporting employees' early and safe return to university work. If you do not require accommodation and a return to work date has been provided, normally no further documentation is required. If you do require accommodation, the following steps apply when you are ready to return to work:

- › Employee provides the Disability Management Team with documentation from their treatment provider regarding their Return to Work recommendations

ACCOMMODATION:

Temporary or permanent modifications to an employee's regular duties and/or workload to enable them to work.

- › Disability Management Team reviews the recommendations with the Manager to ensure the recommendations can be met and a Return to work plan is created
- › The employee, Manager and Disability Management Team may hold a return to work meeting to ensure agreement with the Return to Work plan

While you are not asked to discuss your specific medical condition or treatment, the Disability Management Team can help you and your manager understand any workplace barriers that may be affecting your ability to return to work and your ability to perform the tasks of your role.

These facilitated meetings provide a framework for discussion and agreement between you and your manager as to the next steps necessary to ensure you have a safe, healthy and sustainable return to work.

The Return to Work Principles including roles and responsibilities may be viewed on the [Human Resources website](#) under Absences from Work.

WHAT HAPPENS TO MY SALARY IF I AM ON SICK LEAVE DURING THE ANNUAL SALARY INCREASE PROCESS?

For all employees, any new rate implemented during your sick leave is applied.

Depending on the nature of the illness, staff and faculty may still receive their performance appraisal during their sick leave absence. If the employee is unable to receive their performance appraisal during their absence, they would receive it once they are able to return.

For Faculty, please refer to article 13.5.4 in the Faculty Memorandum of Agreement for additional details.

WHEN CAN MY SICK LEAVE BENEFITS BE REINSTATED?

In order to determine eligibility for reinstatement of sick leave benefits, the Disability Management Team must review your medical documentation which validates your absence.

Sick Leave benefits will be reinstated as follows:

- › For every **unrelated** illness/injury, return to full hours/duties for one full day.
- › For **related** illness/injury, return to full hours/duties for two months.

CAN I APPLY FOR A NEW POSITION WHILE ON SICK LEAVE?

In order to apply for an advertised position while on sick leave, you must provide the Disability Benefits Specialist with verifiable medical information, indicating your return to work is imminent.

PROCESS WORKFLOW CHART



LONG-TERM DISABILITY PROCESS

WHAT HAPPENS IF I CANNOT RETURN TO WORK?

The Disability Benefits Specialist will provide the necessary application form for the long-term disability benefit eight weeks prior to your sick leave end date.

WHAT IS MY LONG-TERM DISABILITY BENEFIT?

The long-term disability (LTD) insurance benefit is provided through Sun Life based on the medical evidence provided with the LTD application.

LTD benefits are calculated on your last salary upon which LTD premium was paid. If Sun Life approves the LTD application, you receive 85 per cent of a prescribed pre-LTD net salary. The maximum insured salary is established annually. For more details, please see the Long-Term Disability webpage on the [Human Resources website](#) under Absences from Work.

You pay 100 per cent of the premiums; resulting in a tax-free benefit.

The long-term disability plan provides for a cost-of-living adjustment based on the Consumer Price Index change of up to 5 per cent, effective May 1st of each year.

WHAT HAPPENS IF I CHOOSE TO NOT APPLY FOR LONG-TERM DISABILITY BENEFITS?

If you have had an extended absence and if you have chosen not to apply for LTD, despite the application requirement, sick leave credits **will not be reinstated** for six months after the date of return to work.

HOW LONG CAN I RECEIVE A LTD BENEFIT?

Eligibility for this benefit occurs when you are considered totally disabled by an objective medical opinion, you are unable to perform the regular duties of your **own** occupation during the qualifying period and the subsequent two years of total disability.

After two years of LTD, the definition changes and the benefit is paid only if you are considered totally disabled and are unable to work at **any** occupation.

While on LTD medical evidence satisfactory to the insurance carrier must be periodically provided, as requested, in order for the benefit to continue.

OWN OCCUPATION:

The job you are currently working in.

ANY OCCUPATION:

Any job for which you are qualified or may reasonably become qualified by training, education or experience.

For additional details, please refer to the Benefits Contract available on the [Human Resources website](#).

WHY DO I NEED TO APPLY FOR CANADA PENSION PLAN DISABILITY BENEFITS?

If you are eligible for LTD, you may be required to apply for the Canada Pension Plan (CPP) Disability Benefit. Under the terms of the contract that the University has with Sun Life, the LTD benefit is required to be offset by the initial taxable CPP disability benefit.

Sun Life will provide you the necessary documentation.

If a CPP Disability Benefit is awarded retro-actively to a period during which you received Waterloo sick leave benefits, you will be required to repay the University the amount of CPP payable during that period. The employee is expected to notify the Disability Benefits Specialist once their CPP Disability Benefit has been awarded.

Time periods during which individuals are in receipt of a CPP Disability Benefit are excluded from the formula used to determine your regular CPP Pension Plan Benefit.

If you are receiving a CPP disability benefit when you turn 65, your disability benefit will automatically be converted to a retirement pension. You will not need to apply. More information about the CPP Disability benefit is available on the [Service Canada website](#).

CANADIAN PENSION PLAN (CPP) DISABILITY BENEFIT:

Benefit provided by the government for individuals who qualify as totally disabled.

WHAT HAPPENS IF I AM AWAY FOR LONGER THAN ONE YEAR?

Staff and Canadian Union of Public Employees (CUPE) 793 positions are kept open for one year from the first date absent (note — absences due to workplace injury are governed by Workplace Safety and Insurance Bureau legislation (WSIB)).

If, at the one year time frame, a return is not imminent (imminent defined as within the following two months), departments are permitted to fill the position. The University has an established protocol to follow in these cases, which includes the payment of any outstanding vacation owed to you.

WHAT HAPPENS WHEN I AM READY TO RETURN TO WORK FROM LTD?

If you are able to return to work, medical must be provided supporting your return to work date and any accommodation in hours/duties that may be necessary to ensure a successful safe, healthy and sustainable return to work.

If you (Staff/CUPE Local 793 member) are able to return to work at a future date and your position has been filled or eliminated due to organizational change, the University has an established protocol. View the LTD return to work protocol on the [Human Resources website](#) under Absences from Work.

If you are no longer eligible for LTD benefits but continue to be unable to return to full-time work, you would be required to consider options, which may include part-time work, reduced load or other suitable work on or off campus.

WHAT HAPPENS TO MY SALARY WHEN I RETURN TO WORK FROM LTD?

- › **CUPE Union employees:** The old rate prior to LTD is maintained and any new rates are implemented once the employee has returned to work full time hours/duties.
- › **Staff:** Staff would be removed from the salary increase process while on LTD and any range adjustment occurring while on LTD would be applied once the staff member is able to fully return to their regular commitment.
- › **Faculty:** Faculty would remain in the Faculty Salary Increase process. Any increase they are eligible for would be recorded and applied once they are able to fully return to their regular commitment.

WHEN CAN MY LTD BENEFIT BE REINSTATED?

If you return to work after receiving the LTD benefit and are again totally disabled by the same illness or injury within the six months following your return, you may be eligible to begin receiving the LTD benefit immediately. If you are totally disabled by the same illness or injury after a six-month period at work, you will be required to fulfill a new qualifying period.

If your case has been denied, the LTD benefit will be reinstated for a related illness/injury after a two month return to your full hours and duties.

CAN I APPLY FOR POSITIONS WHILE ON LTD?

If you are on LTD, you may apply for advertised positions with verifiable medical information indicating that your return to work is imminent.

ADDITIONAL INFORMATION

Refer to the [Human Resources website](#) under Absences from Work for additional information on:

- › Medical appointments and medical tests/procedures
- › Sick leave and vacation
- › Sick leave during layoff periods

RESOURCES

- › CUPE Local 793 office: General Service Complex, Room 118A, ext. 46793
- › Staff Association: uwaterloo.ca/staff-association, ext. 48668
- › Faculty Association: uwaterloo.ca/faculty-association, ext. 43787

RESPONSIBILITIES

EMPLOYEE: YOUR RESPONSIBILITIES

- › You must advise your manager of your absence through a phone call, text or email, leaving the number where you can be reached to discuss outstanding work and expected return to work date.
- › If you are a CUPE Local 793 member, you must call your manager weekly, unless otherwise advised.
- › After five days of absences, you must provide documentation supporting your absence from work (see page 5).
- › You are responsible for **any** costs associated with the completion of sick leave documentation. Since the University is "self-insured" for sick leave benefits, the University (not an insurance company) assumes the responsibility of paying full salary and benefit premiums (as appropriate) for the duration of sick leave.
- › If you are receiving sick leave benefits, you are expected to make yourself available for communication with the Disability Management Team. Such communication may include phone calls, email and meetings, when deemed necessary by the University.
- › In most cases the Occupational Health Nurse will contact you if additional medical information is required, to determine if appropriate medical care is being received and to request updated medical documents as required. For prolonged absences monthly updates may be required.
- › In order for the process to run smoothly, we require your co-operation and willingness to participate in the process, including providing the required sick leave documentation and in the Return to Work plan. Unfortunately, failure to do so places your sick leave benefits at risk and they may be suspended.

MANAGER: YOUR RESPONSIBILITIES

Keep in mind that, as a manager, you are not entitled to your employee's medical information and it is important that your initial reaction to the absence be positive so that your employee feels supported. It is your role to work with the Disability Management Team to ensure a safe, healthy and sustainable return to work plan which may include workplace accommodations.

- › Ensure your employees are aware of your department's sick leave procedures (i.e. phone or email to report absence)
- › Provide your employee with the required Sick Leave/Return to Work Form for absence greater than five working days and advise your employee to forward the completed document to the Occupational Health Nurse (faculty) or Disability Benefits Specialist (staff). See Sick Leave Process on page 5.
- › Inform the Disability Benefits Specialist about your employee's absence and any related work performance concerns
- › Work with the Disability Management Team to co-ordinate and to ensure a safe, healthy and sustainable return to work plan which may include workplace accommodations
- › Consult with your HR Partner on any work related/performance concerns

The University of Waterloo gathers and maintains information used on this form for the purposes of supporting the University's income continuance programs. Information will be protected, used, and released in compliance with applicable law, including but not limited to Ontario's Freedom of Information and Privacy Protection Act, RSO 1990, c F.31, Workplace Safety and Insurance Act (S.O. 1997, c.16) and Occupational Health and Safety Act (R.S.O. 1991, c.0.1) and UWaterloo Policies. Questions about the collection, use and disclosure of information on this form should be directed to the Disability Benefits Specialist, University of Waterloo, 200 University Avenue West, Waterloo, Ontario, Canada N2L 3G1.

DISABILITY BENEFITS SPECIALIST

Nellie Gomes, Human Resources, ext. 42926

OCCUPATIONAL HEALTH NURSES

Karen Parkinson, Occupational Health, ext. 40538

Cassie Hunter, Occupational Health, ext. 40551

SAFETY/WSIB OFFICER

Andrew Scheifele, Safety Office, ext. 36359

