



N I A G A R A
C O N S T R U C T I O N
A S S O C I A T I O N



SAFETY AWARENESS DAY

MAY 4, 2022

SAFETY AWARENESS DAY AT NCA!

TOPICS:

- WSIB AND EMPLOYER PERSPECTIVE OF INJURIES
- INJURY MANAGEMENT OBSTACLES
- OEA RELATING TO APPEALS AND TRIBUNAL REPRESENTATION



WSIB



WSIB



FIRST AID:

- USED CONTENTS OF KIT MUST BE WRITTEN DOWN
- USE IS *NOT* REPORTABLE TO THE WSIB- DO NOT COMPLETE A FORM 7 FOR FIRST AID ONLY!
- NO NEED FOR FURTHER MEDICAL OR..... IF FURTHER MEDICAL IS REQUIRED, THERE'S A RECORD OF INITIAL INJURY

WSIB

INJURED WORKER:

GET THEM OFF FOR MEDICAL

FIND OUT THE RESTRICTIONS AND LIMITATIONS

GET THAT FORM 8 FROM THE MEDICS



MODULE 4 - INJURIES



- NEED TO GET THAT FORM 6 COMPLETED BY THE WORKER IMMEDIATELY
- GET THAT RTW PLAN DONE IMMEDIATELY
- START WORKING ON FORM 7

WSIB



- FORM 7 COMPLETED BY EMPLOYER REPRESENTATIVE
- INDICATES WHAT THE WORKER SAID HAPPENS BUT YOU CAN ALSO INCLUDE DISSENTING INFORMATION
- FOR EXAMPLE: WORKERS SAYS 'A' BUT FOREMAN SAYS 'B'
- YOU WILL WANT TO MARK THIS DOWN!

WSIB

- GET STATEMENTS IF THERE IS A DISSENTING VIEW
- BEWARE OF FORM 7 – SECTION C-6

- C-6 -----NEVER PRESENT ‘WHAT HAPPENED’ AS FACT;
ALWAYS WRITE ‘WORKER SAYS...’, ‘WORKER INDICATED
THAT...’
- VERY HARD TO CHANGE INFORMATION ONCE THE WSIB
HAS IT



WSIB

- WHATEVER IT IS, IMMEDIATE RESPONSE IS BEST AND THIS INCLUDES DOCUMENTATION
- MARK DOWN THINGS IMMEDIATELY

FORM 7

FORM 6

FORM 8



WSIB

FORM 7

- COMPLETED BY YOU AND OFFICE
- MUST BE COMPLETED WITHIN 3 DAYS OF KNOWING OF INJURY
- MUST BE SENT TO THE WSIB WITHIN 7 BUSINESS DAYS

FORM 6

- COMPLETED BY THE WORKER ASAP

FORM 8 OR FUNCTIONAL ABILITIES FORM (FAF)

- COMPLETED BY THE MEDICAL CARE PROVIDER



WSIB

WHO IS A MEDICAL CARE PROVIDER?

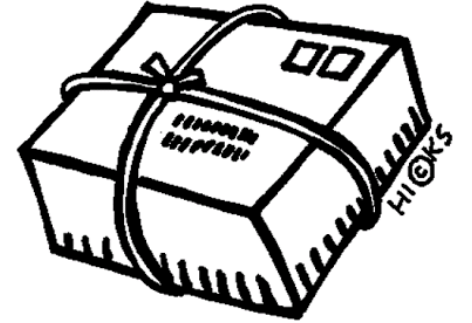
- PHYSICIAN
 - PHYSICIAN'S ASSISTANT
 - NURSE PRACTITIONER
 - CHIROPRACTOR
 - PHYSIOTHERAPIST
 - DENTIST
- AND OTHERS!



WSIB

EMPLOYER ACCIDENT / INJURY PACKAGE:

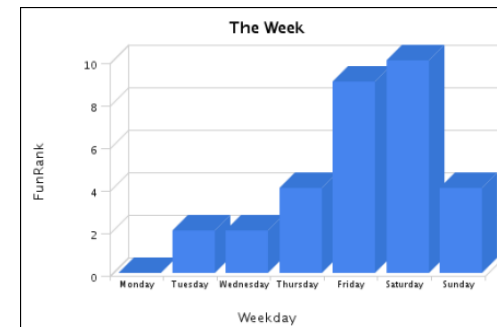
- FORM 8
- FORM 7
- FORM 6
- SDS - SAFETY DATA SHEETS OF PRODUCTS INJURED WORKER HAS BEEN WORKING WITH
- LETTER TO MEDICAL CARE PROVIDER
- LETTER TO INJURED WORKER
- COPY OF RTW POLICIES
- AND INSTRUCTIONS



COSTS

SO WHY CARE ABOUT TAKING CARE OF YOUR INJURED WORKER?

- BECAUSE YOUR RATES WILL BE IMPACTED UNDER NEW SYSTEM FROM THE WSIB!



QUESTIONS?



INJURED WORKER

TIME TO TALK ABOUT THE IW

- IMPACT ON THEM
- IMPACT ON OTHER WORKERS
- IMPACT ON EMPLOYER



INJURED WORKER



DID YOU KNOW THAT:

- THEY CAN TAKE SCHEDULED VACATION
- SCHEDULED STAT HOLIDAYS CAN BE A PROBLEM – EVERYONE HAS TIME OFF BUT THEY MAY NOT!
- LAYOFFS - UNTOUCHABLE

INJURED WORKER



- THEY MIGHT WANT TO COOPERATE
- OR..... THEY MIGHT NOT WANT TO
- THEY NEED TO UNDERSTAND THE PROCESS
- THERE ARE OTHER FACTORS THAT WILL AFFECT HOW THE IW RESPONDS

INJURED WORKER OBSTACLES

- FIRST TIME THEY'VE HAD AN INJURY
- THEY DON'T KNOW WHAT TO DO
- THEY ARE SCARED



INJURED WORKER OBSTACLES

- OR THEY'VE HAD A WORKPLACE INJURY BEFORE AND THEY KNOW HOW THINGS WORK (OR THEY THINK THEY DO)
- THEY'VE HAD A RELATIVE WHO HAS HAD A WORKPLACE INJURY SO THEY KNOW HOW IT WORKS (OR THEY THINK THEY DO)



INJURED WORKER OBSTACLES

- FILLING OUT FORMS
- WORKER COOPERATION
- WSIB ASSISTANCE



INJURED WORKER OBSTACLES

- SPOUSE
- FAMILY MEMBER
- WHAT CAN YOU SAY TO THEM
- WHAT IF THEY REFUSE TO LET YOU HAVE ACCESS TO THE WORKER?



INJURED WORKER OBSTACLES



KEY AREAS WHERE EMPLOYERS LOSE CONTROL:

- CLAIM GOES ON FOR SO LONG THAT EMPLOYER GETS FRUSTRATED
- EMPLOYER FORGETS ABOUT IW – DOESN'T SEE THEM EVERY DAY OR ISN'T INVOLVED IN COMMUNICATION OR DOESN'T ASSIGN ONE PERSON REPORTING RESPONSIBILITIES

INJURED WORKER OBSTACLES



ENSURE THAT YOU:

- HAVE DAILY, WEEKLY CONTACT
- ADJUST MODIFIED DUTIES TO SUIT THE RECOVERY
- DOCUMENT EVERYTHING

INJURED WORKER OBSTACLES

IMPORTANT TO REMEMBER:

- COMMUNICATION IS CRUCIAL TO SUCCESS
- DOCUMENTATION IS CRUCIAL TO SUCCESS



MODULE 4 - INJURIES

THE ONE INJURY THAT IS NON-NEGOTIABLE IS A
BRAIN / HEAD INJURY

MUST SEEK MEDICAL ANY TIME THAT THE HEAD
HAS BEEN STRUCK / HIT

NO MODIFIED WORK!



INJURED WORKER OBSTACLES

PREVENTING CLAIM FROM GOING SIDeways:

- GET THE IW TO REPORT TO YOU, NOT OTHER WAY ROUND
- HOLD THE IW ACCOUNTABLE FOR THEIR PART IN THEIR RECOVERY

INJURED WORKER OBSTACLES

VERY IMPORTANT.....

- IF SOMEONE DOESN'T SHOW UP TO WORK, FOLLOW UP!!!!!!!!!!!!
- TELL THE H & S COORDINATOR RIGHT AWAY



SO NOW WHAT?

- WORKER COOPERATION
- KEY IS INFORMING WORKERS OF THEIR RESPONSIBILITIES BEFORE AN INCIDENT HAPPENS



COOPERATION

QUESTIONS?



OFFICE OF EMPLOYER ADVISOR

PAID FOR VIA EMPLOYER PREMIUMS

FREE, CONFIDENTIAL ADVICE ON:

WORKPLACE SAFETY & INSURANCE ACT AND REPRISALS UNDER THE
OHSA



OFFICE OF EMPLOYER ADVISOR

APPEAL LEVELS:

- AT THE OPERATIONS LEVEL – YOU CAN FILE AN OBJECTION IF YOU DON'T AGREE WITH A DECISION- NOTHING HAPPENS?
- FILE FORMAL APPEAL WITH APPEALS SERVICES DIVISION (ASD)
- ASD ASSIGNS TO APPEALS RESOLUTION OFFICER (ARO), IF YOU DISAGREE WITH THE ARO'S DECISION, OFF TO THE WORKPLACE SAFETY & INSURANCE APPEALS TRIBUNAL AKA WSIAT- THE TRIBUNAL



OFFICE OF EMPLOYER ADVISOR

WHEN TO APPEAL:

- 30 DAYS FROM DECISION DATE TO APPEAL: RTW, RE-EMPLOYMENT AND WORK TRANSITION DECISIONS
- 6 MONTHS FROM DECISION DATE FOR ANY OTHER DECISIONS: NAICS, ACCOUNT, ARO



OFFICE OF EMPLOYER ADVISOR

- YOU CAN GET HELP WITH A WORKER APPEAL
- FEWER THAN 100 EMPLOYEES
- MORE THAN 100? CALL ANYWAY TO GET GUIDANCE



OFFICE OF EMPLOYER ADVISOR

- UNDER S.50 OF THE OHSA, REPRESENTATION IN ALL OHSA UNLAWFUL REPRISAL MATTERS
- MUST HAVE *FEWER* THAN 50 WORKERS
- CAN ONLY REPRESENT YOU FOR UNLAWFUL REPRISALS, NOTHING ELSE UNDER THE OHSA



OFFICE OF EMPLOYER ADVISOR

WHAT DO THEY DO?

- FILE FORMS
- REVIEW DISCLOSURE DOCS
- WORK WITH YOU TO PREPARE FOR APPEALS
- YOU MUST ATTEND! DON'T LEAVE IT UP TO THE OEA REPRESENTATIVE AS THEY MAY BE ASKED QUESTIONS THAT THEY CANNOT ANSWER (BUSINESS OPERATIONS)



OFFICE OF EMPLOYER ADVISOR

1-800-387-0774



- NCA OFFERS A FULL DAY *FACILITATED* CCA GOLD SEAL COURSE ON “INJURY MANAGEMENT”
- CONTACT KARIN OR NATALIE FOR INFORMATION



NCA IS HOLDING INFORMATION SESSIONS ON THE
WSIB H & S EXCELLENCE PROGRAM
CONTACT KARIN OR NATALIE FOR INFORMATION

THE END

- ANY QUESTIONS?
- THANK YOU SO MUCH FOR PARTICIPATING TODAY!!
- BRIAN FROM THE MLTSD WILL BE UP NEXT!

