



## How to Assist a Member who Suffers a Workplace Injury/Illness

### Tip Sheet

If a member suffers a workplace injury/illness, they should:

1. Immediately report the injury/illness/disablement/exposure to the employer no matter how minor. This includes sprains, strains, occupational diseases and mental health injuries after doing job-related tasks. Members should report their work-related injury/illness as soon as possible and must file a claim with the Workplace Safety and Insurance Board (WSIB) no later than six months after the date of injury, or six months after they find out the injury is work-related (for example, gradual onset injury).

Members should complete any internal incident reports required by the employer as soon as possible. They should include as much detail as possible about how they were injured (such as body positioning, tasks they were performing and any awkward movements). Details should also include any increased workload, staff shortages, heavier or more acute care patients.

2. When the employer is notified of a workplace injury or illness, it must file a Form 7 (Employer's Report of Injury) to the WSIB within three days. If an employer discourages a worker from making a WSIB claim, they can be reported to a claim suppression line (Confidential Action Line) at 1-888-745-3237.
3. If a member has sought health-care treatment for the work-related injury, they should immediately report the injury to the WSIB using a Form 6. This can be done online at <https://www.wsib.ca/en/workers-eform6>. This report should be as detailed as possible, and include information about how they were injured (such as body positioning, the task(s) they were performing and any awkward movements), along with any changes in their work (increased workload, staff shortage, heavier or more acute care patients, etc.)

If a member misses time from work following their work-related injury or illness, they should tell the employer that it's related to a workplace injury. They should not simply call in "sick." Calling in sick will prevent the employer from offering modified duties,

which can impact the member's ability to get Loss of Earnings from the WSIB.

4. Members need to seek medical attention as soon as possible and tell the treating professional that the injury occurred at work. This will prompt the treating professional to complete a Form 8 (Health Professional's Report) to submit to the WSIB. Members should be advised that this form should include the work-related diagnosis or illness, even the ones queried. If the treating health-care professional authorizes the member off work for any period, they should not complete the functional abilities section on the Form 8. Instead, objective medical reasons supporting time off should be provided. (Functional abilities can later be included on a Functional Abilities Form [FAF], when the member is cleared to return to some form of work.)

Members should provide the second page of the Form 8 to their accident employer as soon as they have it. This enables the employer to offer suitable modified duties if they have any.

### **WSIB Decisions – Time Limit to Appeal**

Any official decision by the WSIB can be appealed. To protect your right to appeal, an Intent to Object Form must be filed by the deadline contained in the decision letter (generally six months, except return-to-work decisions, which have a 30-day deadline).

### **Return to Work After Workplace Injuries**

The WSIB has its own policies, practices and procedures surrounding return to work. Members can contact ONA's WSIB intake line for advice or questions about returning to work after a workplace injury or illness.

The WSIB's mandate is to return injured workers to work (ideally in their pre-injury job) with their employer. The WSIB takes the position that unless the medical information supports that the injured worker is totally disabled and incapable of returning to any work (including modified work), the worker is capable of returning to the workforce in some capacity.

When a member is injured at work, the employer is required to provide an offer of modified work as soon as possible, in line with the injured worker's restrictions or standard restrictions if the injured worker's restrictions are not yet known. (It is very common for employers to offer modified work as soon as a workplace injury occurs, even before the member seeks medical attention.)

### **When the Employer Presents an Offer of Modified Work**

- Members should advise the employer that they are happy to cooperate and participate in early and safe return to work but first need to see a health-care professional to properly determine their functional abilities.

- The offer of modified duties should be received in writing and the employer should provide the member with an FAF for them to take to their next appointment.
- Members should be encouraged to provide these documents to their treating professional (this may be an ER doctor, family doctor, walk-in clinic) as soon as possible. Members must seek medical attention as soon as possible, as medical authorization is needed to claim loss of earnings benefits. A delay may impact their entitlement to WSIB benefits.
- The treating health-care professional should, if possible, objectively comment on the member's ability or inability to perform the modified job duties offered by the employer. Examples of objective comments to support inability to perform modified duties would be "unable to work safely due to pain medication prescribed for injury" or "worker unable to sit for 20-minute drive to work due to limited range of motion and pain."
- Should the member decline an offer of modified duties without attempting them, they could jeopardize their entitlement to Loss of Earnings and likely impact their entitlement to benefits going forward.

### **ONA is Here to Help**

If you receive an adverse decision from the WSIB, notice of an employer appeal, or have any questions or concerns regarding the WSIB, please contact ONA's WSIB Intake:

- Email: [wsibintake@ona.org](mailto:wsibintake@ona.org) or
- Phone: 647-943-9924

For more detailed information, view [ona.org/wsib-guide/](http://ona.org/wsib-guide/) to access the member guide.