

WCB Nova Scotia
Employer Webinar
June 19, 2025

From Policy to Practice: Preparing for Duty to Cooperate

**WORK SAFE.
FOR LIFE.**

WORKERS' COMPENSATION BOARD OF NOVA SCOTIA

WORKING
TO WELL



Purpose

Today's Webinar

Provide information and resources to prepare for Duty to Cooperate – coming July 15th.

- Final Policy is now available
- How Duty to Cooperate will work
- Resources for you and next steps
- Q&A session

Final Policy Update

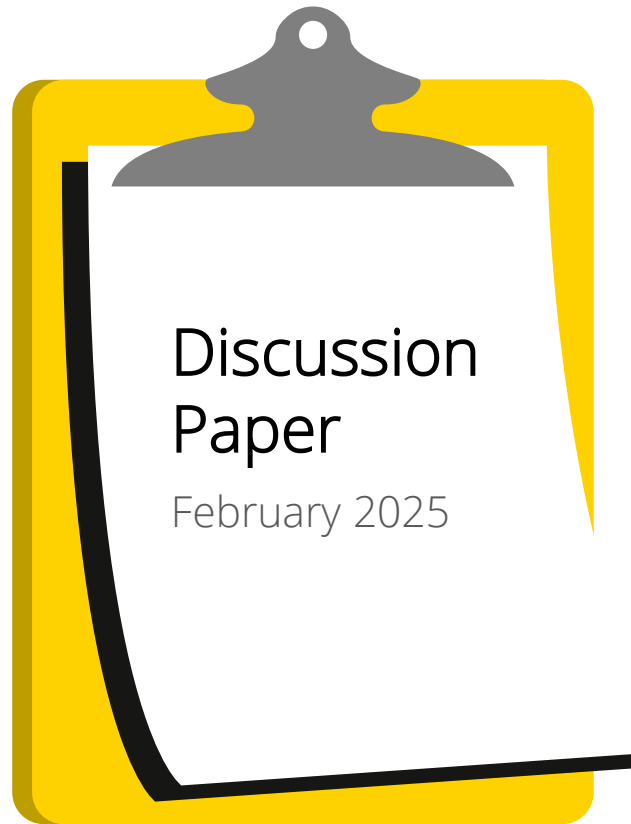
A New Tool in the RTW Toolkit



Duty to Cooperate

- New legislation coming into effect on July 15th
- Shared responsibility
- Requires cooperation
- Shared accountability

DTC Policy Process



February - April

Input from:

- webinars
- comments
- survey
- outreach
- meetings
- written submissions



Clarifications
and
improvements
to the policies

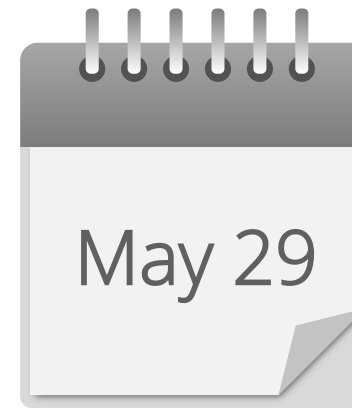


Return to Work and Duty to Cooperate

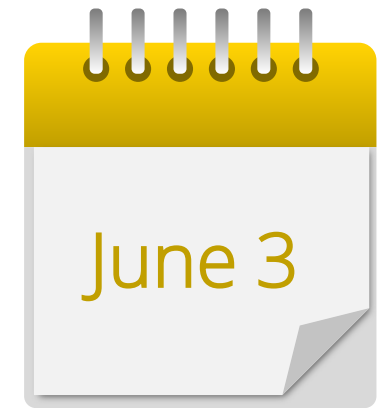
Final Policy Decision and Supporting Rationale

**WORK SAFE.
FOR LIFE.**
WORKERS' COMPENSATION BOARD OF NOVA SCOTIA

May 29, 2025



Final Policy
Approved



Published Final
Policy

Available on WCB corporate website
under Policy tab: “**What's New**”
and

www.wcbns.ca/dutytocooperate



Suite of DTC Policies

New Policies for Duty to Cooperate:

Policy 5.7.1

Return to Work

Overview

Policy 5.7.2

Early and Safe Return to Work (ESRTW)

Roles and Responsibilities

Policy 5.7.3

Early and Safe Return to Work

Plans and Functional Abilities Information

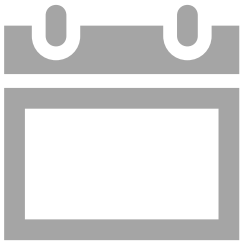
Application Date



Who will apply to?

WHO?

- ✓ All covered employers and workers.
- ✓ Includes employers already covered by re-employment.



When will it start?

WHEN?

- ✓ All new claims after July 15, 2025.
- ✓ Existing claims in the ESRTW phase (recovery) on July 15, 2025.

Changes to the Policies

Updates & Clarification

GENERAL CHANGES

Updates across the policies:

- Streamlining
- Terminology & grammar
- Reordering
- Definition of maximum medical recovery (MMR)



Changes to the Policies

Updates & Clarification

RETURN TO WORK TEAM (RTW)

1

Clarity on RTW Team in ESRTW – definition section

- Clarified definition of “RTW Team”: employers are always members of the team
- Included Unions as a member

Changes to the Policies

Addition

WCB ACCOUNTIBILITY

The role of the WCB:

- Communicate with the RTW team
- Support the development of the ESRTW plan

2

Changes to the Policies

Updates & Clarification

What is ESRTW versus Re-Employment?

Early and Safe Return to Work & Duty to Cooperate

3

**Workplace
injury
occurs**

ESRTW starts with injury employer:

- Assess functional abilities
- Build ESRTW plan
- Offer accommodations: suitable and available work
- Focus on recovery, cooperation, communication

ESRTW ends

When worker is back to their pre-injury job or has reached their maximum medical recovery

Still Return to Work but NOT Duty to Cooperate

Re-employment after worker has reached maximum medical recovery

Changes to the Policies

Updates & Clarification

4

Suitable & Available Work

Suitable Work

Suitable work must be meaningful: by contributing to the productivity or efficiency of the business operations or by developing the worker's job skills.

Available Work

Available work: during the worker's recovery period at their worksite or a comparable one arranged by the employer.

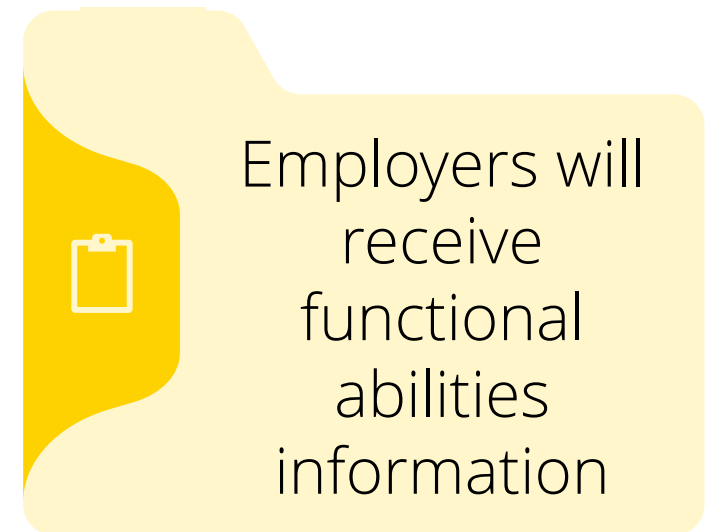
Changes to the Policies

Updates & Clarification

Medical Information

Functional Abilities

5



Changes to the Policies

Updates & Clarification

Penalties

6

What if there
is no work
available?



What if a
worker
refuses to
cooperate?

Changes to the Policies

Addition

Role of the Union

7

Unions are
part of the
Return to
Work team

They assist workers in:

- Identifying suitable work
- Collective agreement guidance
- Responding to accommodations

Duty to Cooperate Update

We're ready to launch!

THANK YOU
FOR
PARTICIPATING

MARCH

- Webinar (Mar 6) – “Draft Policy & Consultation Schedule”
- Policy Consultation (Mar 27 6-7pm)

APRIL

- Policy Consultation (Apr 3 from 3-4pm)
- Webinar (Apr 24) – “Accommodations Tips & Best Practices”

MAY

- Webinar (May 29) – “Getting creative”

JUNE

- June 3: Release WCB's Duty to Cooperate Policy
- Webinar (Jun 19) “From Policy to Practice: Preparing for Duty to Cooperate”

Duty to Cooperate starts July 15, 2025

Duty to Cooperate = Early and Safe Return To Work

Employer's DTC	Worker's DTC
Contact the worker ASAP after an injury	Contact the employer ASAP after an injury
Maintain communication with the worker throughout ESRTW and recovery	Maintain communication with the employer throughout ESRTW and recovery
Attempt to provide suitable work that is available and restores pre-injury earnings, where possible	Assist the employer to identify suitable work that is available and restores pre-injury earnings, where possible
Give the WCB info for return to work	Give the WCB info for return to work

DTC Approach



Great RTW



100% Cooperation

SUCCESS:

Shared **accountability** for
Nova Scotians working

Employer and Worker Factsheets

Available Now!


Understanding Duty to Cooperate

WORK SAFE. FOR LIFE.
MAINTAIN COMMUNICATION THROUGHOUT RECOVERY

Worker Perspective Legislation in effect: July 15, 2025

// We all want the same thing: Nova Scotians working.

Duty to Cooperate introduces accountability in the return-to-work equation. The worker can support this process by thinking of skills or abilities they have that may be applied to existing work while they recover.



Your Role In Recovery

In many cases, people can continue working after a workplace injury. But when time away from work is needed, workers are required to stay connected with their employer to support their safe and timely return to work.

Workers, employers, service providers, and WCB all have a role to play. Duty to Cooperate enables WCB to hold ourselves and others accountable to achieve better return-to-work outcomes for workers and employers.

Your Responsibilities

Workers have a few key responsibilities when they are injured in the workplace.

- Contact your employer as soon as possible after the injury occurs.
- Maintain communication throughout recovery and full return to work.
- Help your employer to identify suitable, available work.
- Provide WCB with any requested information about return to work.

Duty to Cooperate legislation does not change this responsibility.


Understanding Duty to Cooperate

WORK SAFE. FOR LIFE.
MAINTAIN COMMUNICATION THROUGHOUT RECOVERY

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// We all want the same thing: Nova Scotians working.

Duty to Cooperate introduces accountability in the return-to-work equation. Having an established return-to-work plan helps identify what suitable options are available in your workplace.



Your Role In Recovery

In many cases, people can continue working after a workplace injury. But when time away from work is needed, employers are required to keep injured workers connected and supported in their safe and timely return to work.

Workers, employers, service providers, and WCB all have a role to play. Duty to Cooperate enables WCB to hold ourselves and others accountable to achieve better return-to-work outcomes for workers and employers.

Your Responsibilities

Employers have a few key responsibilities when a worker is injured in the workplace.

- Contact the worker as soon as possible after the injury occurs.
- Maintain communication throughout recovery and full return to work.
- Attempt to provide suitable work that is available that, where possible, restores the worker's pre-injury earnings.
- Provide WCB with any requested information about return to work.

Duty to Cooperate legislation does not change this responsibility.

www.wcb.ns.ca/DutytoCooperate

Factsheets: Follow the GUIDE



G

Get involved early: Contact the worker as soon as the injury occurs. Do not wait for WCB.



U

Understand how you will communicate: Agree on how and when you will stay in touch with the worker.



I

Identify accommodation needs: Understand the worker's abilities and any medical restrictions.



D

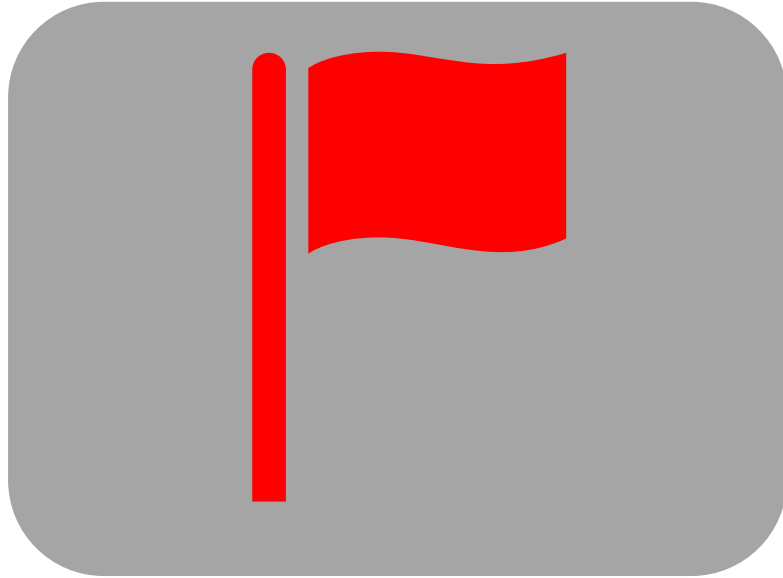
Determine suitable work: Offer tasks that match the worker's current skills and abilities. Get creative!



E

Engage and cooperate throughout: Stay engaged and work with your WCB Case Manager to support the return to work plan.

What does it mean to not cooperate?



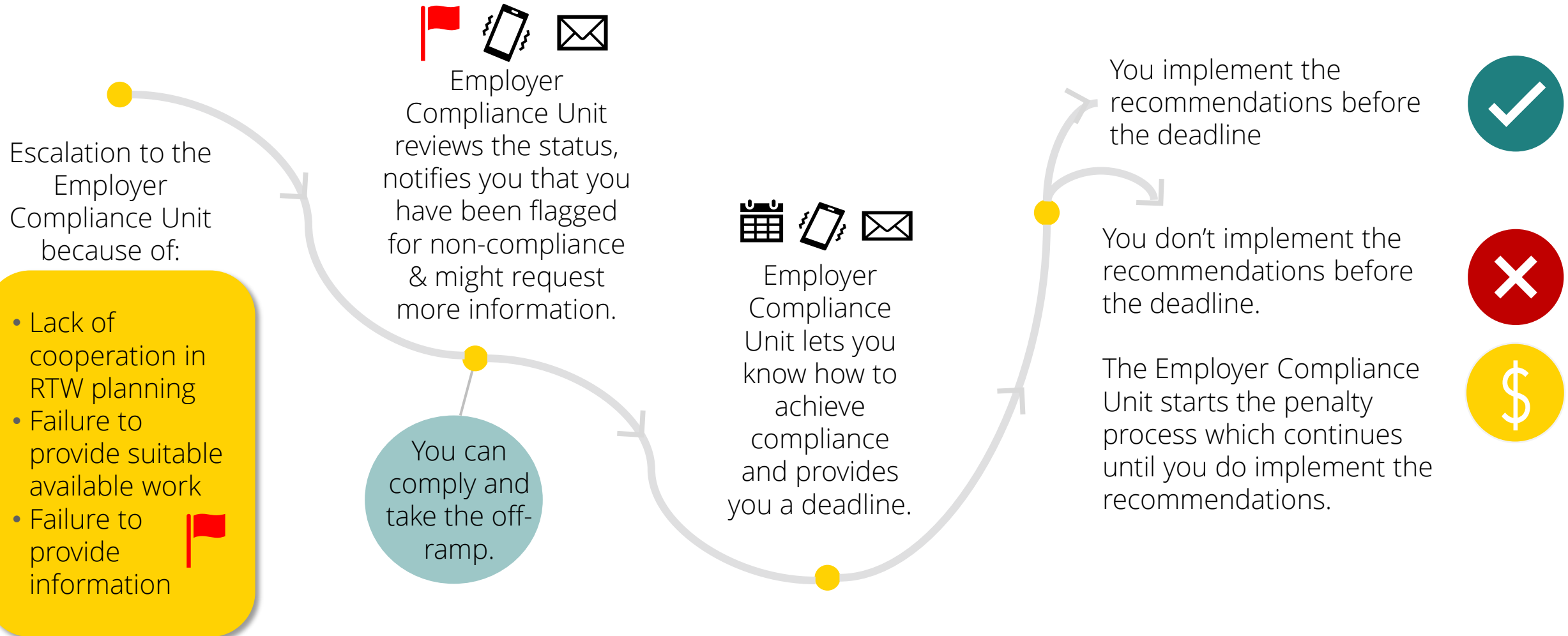
Non-Cooperation?



Review your company policies and approvals processes:
Remove barriers that might prevent an early and safe return to work.

How will Duty to Cooperate Work?

Employers





How will Duty to Cooperate Work?

Workers

Case Worker escalates because of:

1. Lack of cooperation in RTW planning
2. Failure to accept suitable available work
3. Failure to provide information

  
Case Worker review the status, notifies you that you have been flagged for non-compliance & might request more information.

You can comply and take the off-ramp.

  
Case Worker lets you know how to achieve compliance and provides you a deadline.

You implement their recommendations by the deadline



You don't implement their recommendations by the deadline.



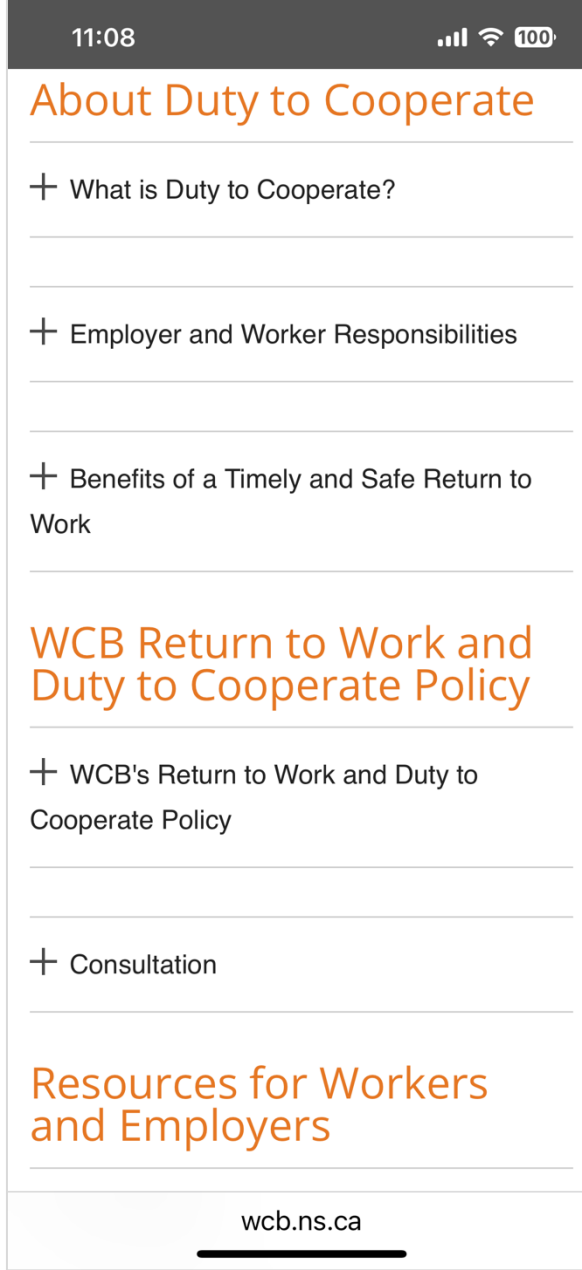
Your benefits may be suspended or stopped until you do cooperate.



Resources

Start here:

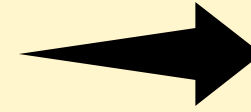
www.wcb.ns.ca/DutytoCooperate



New offering: Virtual Office Hours



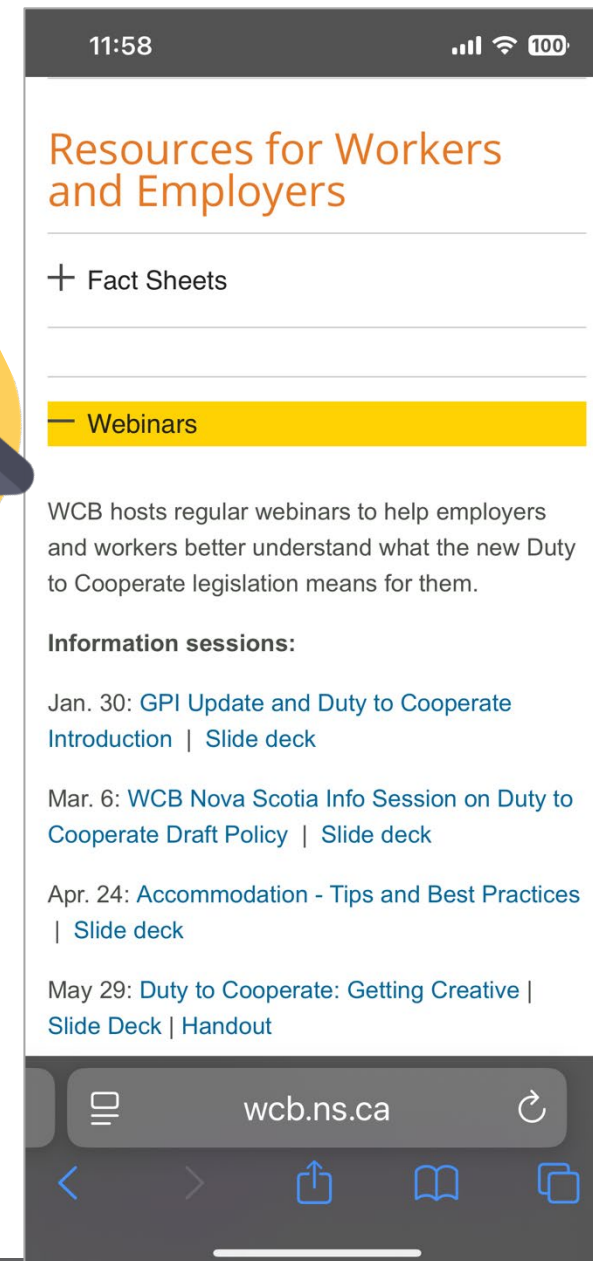
Scan this code with your
phone or tablet camera to
go to the booking page



Our workplace consultants will be
available virtually throughout the lead
up to the launch of Duty To Cooperate.

Previous webinars

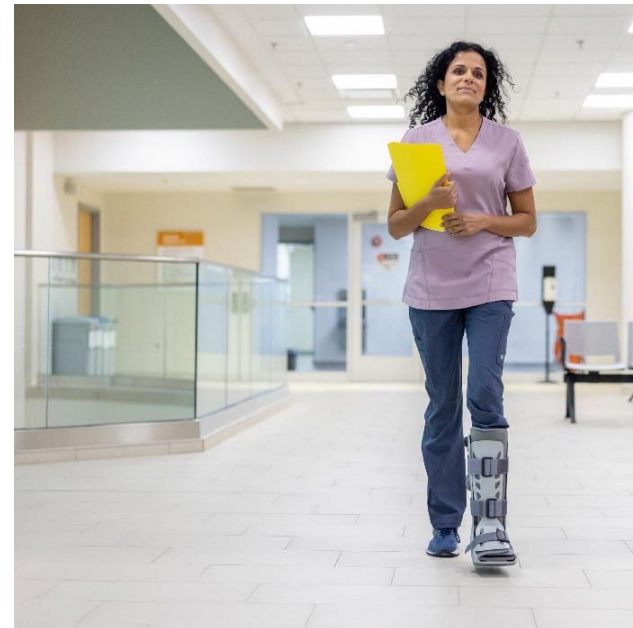
Recordings available now



What's Next?

July 15, 2025:
Official start of Duty to Cooperate

Stay tuned in a few months for an update on DTC!



Q & A

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WORKING
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Thank You!

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