

WCB Nova Scotia
Employer Webinar
May 29, 2025

Duty to Cooperate: Getting Creative

**WORK SAFE.
FOR LIFE.**

WORKERS' COMPENSATION BOARD OF NOVA SCOTIA

WORKING
TO WELL



Purpose

Today's Webinar

Provide information and resources on what you can do to prepare for Duty to Cooperate.

- How to invest in return to work planning to set you up for success
- Addressing common myths about Duty to Cooperate
- Resources for you and next steps

Last 15-minutes: Continuing Care Q&A

We're almost ready to launch!

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



*Valerie Royle, B.Comm
(Hons), MBA, CDMP*

May 29, 2025



The best Early and Safe Return To Work (ESRTW) planning happens before an injury – invest in your RTW Policy and RTW Program

Duty to Cooperate = Early and Safe Return To Work

Employer's DTC

Contact the worker ASAP after an injury

Maintain communication with the worker throughout ESRTW and recovery

Attempt to provide suitable work that is available and restores pre-injury earnings, where possible

Give the WCB info for return to work

Worker's DTC

Contact the employer ASAP after an injury

Maintain communication with the employer throughout ESRTW and recovery

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

”Ouch, that **mulch** was heavy”

- Carol, 40-year-old female
- Health Care Attendant (Home Health Aide or Nursing Assistant) – Medium activity level
- Lower Back Strain (injury to the muscles or tendons in the lower back due to improper lifting, overuse, or sudden movements)
- Mechanism of Injury: Strained back while lifting heavy bags of mulch when gardening over the weekend

MDGuidelines

Treatment guidelines: 6 visits over 8 weeks

Disability Duration Guideline (DDG):



”Ouch, that **patient** was heavy”

- 40-year-old female
- Health Care Attendant (Home Health Aide or Nursing Assistant) – Medium activity level.
- Lower Back Strain (injury to the muscles or tendons in the lower back due to improper lifting, overuse, or sudden movements)
- Mechanism of Injury: Slip while transferring patient from chair to wheelchair

MDGuidelines

Treatment guidelines: 6 visits over 8 weeks

Disability Duration Guideline (DDG):



What is WCB doing?

Date of
Injury

Claim Assigned to
Caseworker +7 days

+5 – 10 days

Workplace
ESRTW
Planning

Case
Worker
ESRTW
Planning

Early and Safe Return to Work Starts Here

American College of Occupational & Environmental Medicine (ACOEM)'s **SPICE** Principles



Simple



Proximity



Immediacy



Centrality



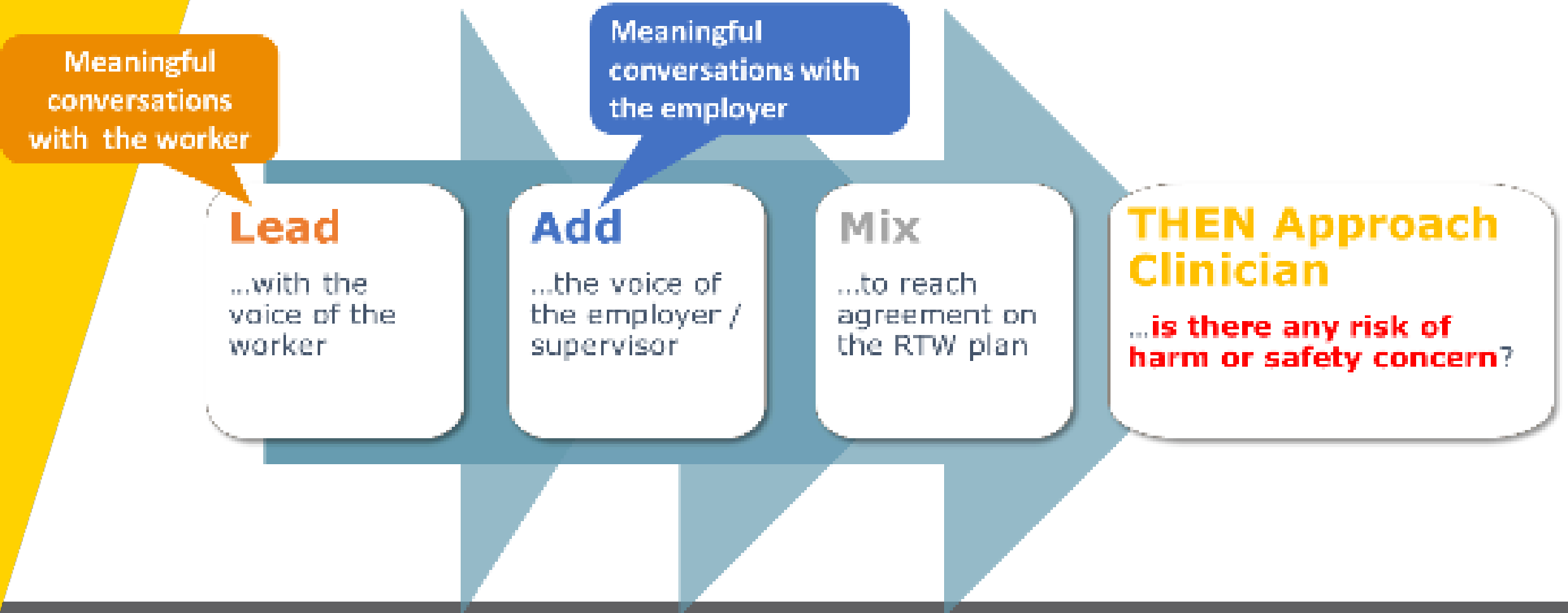
Expectancy

Normal recovery **guidelines** for treatment and disability duration

MDGuidelines®

The measure
of health

Cooperation Communication Journey



What is a “reasonable” ESRTW Plan?

1. **Start Date:** Begins as soon as safely possible.
2. **End Date:** Set goal date within expected Disability Duration Guidelines (DDG) for highest pre-injury work level (sedentary, light, medium, heavy, very heavy).
3. **Connection to Pre-injury Duties:** Include pre-injury work or a path to it with connectedness.
4. **Functional Abilities:** Respect worker’s functional restrictions and limitations.
5. **Progression of Duties:** Progress to pre-injury duties as needed, per expected functional improvement.
6. **Pre-injury Hours:** Progress to pre-injury hours as needed.
7. **Regular Monitoring:** Include workplace and WCB check-ins with Case Manager, RTW Specialist, or Occupational Therapist as appropriate

ESRTW and suitable work

Pre-injury Job



Alternate Work



Transitional Duties



Connect to Workplace

ESRTW can require **creativity**

- SEDENTARY Work Activities
- LIGHT Work Activities
- MEDIUM Work Activities
- HEAVY Work Activities
- VERY HEAVY Work Activities

A good **ESRTW Plan template helps
you meet the Duty to Co-operate
Legislation**

**“That all sounds well and good
Val, but is it **realistic?**”**

DTC Myth-Busting

“I will be ready for Duty to Cooperate if I have a strong RTW program in place.”



“I have to wait for a WCB claim to be accepted before ESRTW can begin.”



“My worker must be at 100% before they can return to work.”



“DTC requirements will not be difficult to implement if RTW conversations are happening.”



DTC **Myth**-Busting

“Written functional abilities information are not needed before sedentary ESRTW can start.”



There’s nothing that I can do when a case worker isn’t getting back to me quickly.”



“This means I have to make a new position”



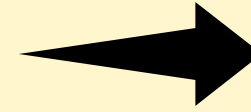
“I don’t need to wait for my Case Worker to start a RTW plan with an injured worker”



New offering: Virtual Office Hours



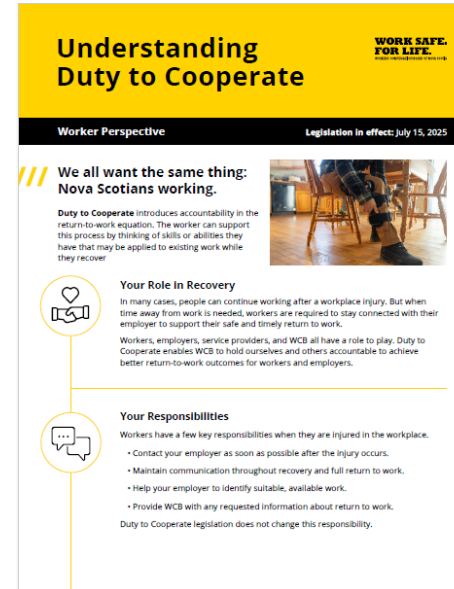
Scan this code with your phone or tablet camera to be taken to the booking page



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

New resources: Employer and Worker Factsheets

These resources will be available on the Duty to Cooperate web page soon.

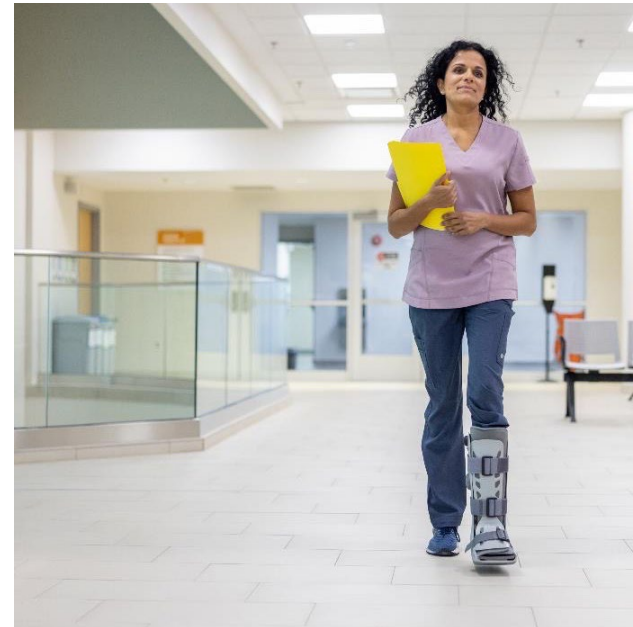


www.wcb.ns.ca/DutytoCooperate

What Can You Do?

- Get involved
- Get ready
- Get creative

Start protecting more now.



Thank You!

**WORK SAFE.
FOR LIFE.**

WORKERS' COMPENSATION BOARD OF NOVA SCOTIA

**WORKING
TO WELL**

Q&A: Continuing Care

**WORK SAFE.
FOR LIFE.**

WORKERS' COMPENSATION BOARD OF NOVA SCOTIA

WORKING
TO WELL