



Policy Background Paper:

Vocational Rehabilitation

March 16, 2026

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1. Purpose

In recent years the WCB has been reviewing and updating our return-to-work (RTW) related policies, processes, and procedures to support our goal of Nova Scotians working. Included in this review is the WCB's vocational rehabilitation policies (Chapter 4 of the WCB Policy Manual).

Vocational rehabilitation (VR) is a structured, collaborative process that helps injured workers overcome barriers to RTW and reach employability. It includes services and programs designed to identify eligible workers' skills, abilities, and interests and match them with employment goals. Once a match is identified, programs including (for example) employment readiness, academic upgrading or on-the-job training are used to reach the employment goal.

Chapter 4 of the WCB's Policy Manual houses 11 vocational rehabilitation policies. These policies haven't been reviewed in 30 years. While the essence of many of them remain relevant, the RTW landscape has changed. In 2025 the duty to cooperate (DTC) in early and safe return to work (ESRTW) was introduced and, effective January 1, 2026, extended earnings replacement benefits (EERB) may be reviewed and adjusted at any time (instead of only at 36 and 60 months). Our VR policies need to operate effectively in the new RTW landscape being created by these important changes.

This background policy consultation document will:

- Provide an overview of the WCB's proposed new suite of VR policies. You can read the draft new policies in Appendix A along with consequential amendments to other WCB policies in Appendix B.
- Describe how you can participate in the consultation.

2. Draft VR Policies

We are proposing rescinding the existing VR policies in Chapter 4 of the WCB Policy Manual and replacing them with three new policies. These new policies will be placed in Chapter 5 – Return to Work. It is proposed the following three policies be added to the WCB Policy Manual:

- *5.7.4 Vocational Rehabilitation – eligibility and overview*
- *5.7.5 Vocational Rehabilitation - planning and programming*
- *5.7.6 Vocational Rehabilitation – costs and expenses*

These policies reflect a collaborative, intentioned, and transparent approach to VR that compliments the WCB's renewed RTW focus. A general overview of each policy follows below.

- ***5.7.4 Vocational Rehabilitation – eligibility and overview***

This policy sets out the overall framework for VR and includes the eligibility criteria for VR services and programs as well as key definitions. Other topics include linkages to DTC in ESRTW and re-employment (where applicable), cooperation and consultation, VR costs and benefits, and the conclusion of VR.

A key message of the policy is that the overall goal of VR is employability. Being employable means being capable of performing suitable employment that is reasonably available and will mitigate, as much as reasonably possible, loss of earnings due to the work-related injury. Ideally a worker is able to fully mitigate earnings loss, but that may not always be reasonably possible and therefore the focus is on employability.

An important service offered by the WCB is VR exploration. VR exploration is the first step in the VR journey. It's used to evaluate the worker's skills and aptitudes and current level of employability, considering the impact of the work-related injury on their functional abilities. A worker may be considered for participation in VR exploration where the WCB determines the worker is unable, or unlikely, to return to their pre-injury job or earnings due to the work-related injury (several circumstances are listed in the policy). The results of VR exploration will determine VR next steps.

In contrast to the current VR eligibility policy, workers are no longer required to have, or likely have, a permanent impairment from their work-related injury to be eligible for VR services and programming. This provides the WCB more flexibility to use VR to assist workers RTW.

- **5.7.5 Vocational Rehabilitation - planning and programming**

The focus of this policy is next steps in response to the results of a worker's VR exploration. This may include an offer of a VR plan that includes employment readiness services for workers who are not returning to work with the injury employer, but are considered employable without additional training. This service includes, for example, resume and cover letter development, job search techniques, and a period of time allotted for job search.

Where VR exploration indicates a worker requires skill development, academic upgrading, and/or retraining to achieve employability, the worker may be offered a VR plan that includes training programming.

This policy also sets out worker VR cooperation and participation expectations and the consequences of non-cooperation. Failure to cooperate or participate may result in the suspension, reduction, or termination of earnings loss benefits provided to the worker and the cancellation of further VR services or programming.

- **5.7.6 Vocational Rehabilitation – costs and expenses**

Reasonable costs and expenses associated with vocational rehabilitation (VR) will be paid by the WCB. This policy describes the costs and expenses that may be covered. The policy reflects much of the content of the current policies in Section 4.2 of the WCB Policy Manual (VR Program Expenses), with added information on the coverage of costs for VR programs.

3. Providing Your Comments

We are interested to hear your comments on these proposed policies and the information presented in this paper. We appreciate all feedback provided, however please note that requirements contained in the *Act* cannot be changed through policy.

You can participate and send us your feedback in a few different ways:

1. **Attend one of our policy webinars.** If you subscribe to our Policy notification list you will receive an invitation. If not, please sign up here [Policy Subscription](#). Webinar details and a registration link will be sent out once dates are finalized.
2. **Make a written submission with your feedback on the proposed new policies.** You can send the submission to our policy email Policy@wcb.ns.ca, or send it in hard copy in the mail to:

WCB Nova Scotia
200-137 Venture Run
Dartmouth, NS B3B 0L9
E-mail: Policy@wcb.ns.ca

You can always reach us at Policy@wcb.ns.ca with questions and the paper is also available at www.wcb.ns.ca.

The consultation period concludes on May 29th, 2026.

Appendix A: Draft VR policies

Policy 5.7.4 Vocational Rehabilitation – eligibility and overview

Preamble

Topic: Vocational Rehabilitation

Section: Return to Work

Subsection: General

Effective: XXXX

Issued: XXXX

Approved by Board of Directors: XXXXXX

The WCB facilitates the rehabilitation and return to work (RTW) of workers who experience work-related injuries. The WCB may consider providing vocational rehabilitation (VR) to assist eligible workers RTW.

This policy provides an overview of VR, including the eligibility criteria for VR services and programs.

For more information on VR, please see policies:

- *5.7.5 Vocational Rehabilitation - planning and programming*
- *5.7.6 Vocational Rehabilitation – costs and expenses*

Definitions

“catastrophic injury” means a severe injury that usually leads to a permanent impairment and long-term functional disability or disfigurement. Examples include spine, spinal cord or brain injuries, skull or bone fractures to multiple body parts, severe burns, organ damage, or injuries that lead to blindness or limb amputation.

“employability” or “employable” means being capable of performing suitable employment that is reasonably available and will mitigate, as much as reasonably possible, loss of earnings due to the work-related injury.

“employment readiness” is a maximum 14-week program that includes, but is not limited to, basic technology skills, resume and cover letter development, job search techniques, locating suitable employers, finding available labour market information and interview skills, and a period of time allotted for the worker to search for employment. It may be provided in a VR plan as a stand-alone service or included in a VR plan with training;

“health care provider” means a WCB-approved health care service provider.

“injury employer” is the employer the worker is working for when they experience a work-related injury.

“loss of earnings (LOE)” is equal to the net pre- LOE earnings less net post-LOE earnings. The following is included in post-LOE earnings:

- a) net earnings from employment;
- b) net earnings the WCB estimates the worker is capable of earning in suitable and reasonably available employment; and
- c) net 50% of Canada Pension Plan (CPP) or Quebec Pension Plan (QPP) periodic disability benefits.

“suitable and reasonably available employment” has the same meaning as set out in policies 3.5.1- *Definition of Suitable Employment* and 3.5.2- *Definition of Reasonably Available Employment*.

“worker” means a worker as defined in s.2(ae) of the Act.

“vocational rehabilitation (VR)” is a structured, collaborative process that helps worker’s overcome barriers to RTW. It typically includes services and programs such as VR exploration, planning, employment readiness, on-the-job training, academic or literacy upgrading, and formal re-training.

“VR exploration” is a service used to evaluate the worker’s aptitudes, academic history, work history, employment interests and current level of employability, considering the impact of the work-related injury on their functional abilities.

“VR plan” is a written document that outlines the agreement between the WCB and the worker for a WCB supported VR training program or the provision of employment readiness services. The VR plan specifies the worker’s VR goal and the steps the worker will take to achieve this goal. The VR plan is used to monitor the worker’s progress and determine the success or failure of VR.

Policy Statement

1. Goal of Vocation Rehabilitation

The overall goal of VR is to return workers to employability. The WCB will make every reasonable effort to support the worker in achieving that goal. While obtaining actual employment at the worker’s pre-injury earnings at the conclusion of VR is ideal, it is not guaranteed. The focus is on ensuring the worker is employable.

2. Employer RTW duties and VR

Successful RTW, in both the short and long term, is often best achieved by maximizing opportunities with the injury employer – starting with return to work at the pre-injury job and earnings level. This is reflected in employers’ and workers’ legal obligations and duties during early and safe return to work (ESRTW) and re-employment (where applicable) and echoed in the hierarchy of RTW objectives set out in *Policy 5.7.1 – Return to Work – Overview*.

In some cases, employers’ RTW obligations and duties during ESRTW and re-employment may coincide with all or part of the WCB’s provision of VR services or programs to their worker. Employers continue to be required to meet their RTW obligations during this period.

For more information on employers' and workers' legal obligations and duties during ESRTW and re-employment see policies 5.7.1 – *Return to Work – Overview*, 5.7.2 - *Early and Safe Return to Work - Roles and Responsibilities*, 5.7.3 - *Early and Safe Return to Work - Plans and Functional Abilities Information*, and 5.6.1 – *Re-employment: Obligation, Duties, and Penalties*.

References: Workers' Compensation Act, Sections 89 – 101, 112.

3. Eligibility for VR Exploration

3.1 Eligibility - general

VR exploration is a service that is used to evaluate the worker's aptitudes, academic history, work history, employment interests, and current level of employability, considering the impact of the work-related injury on their functional (physical and psychological) abilities. This assists the WCB in developing employment goals specific to the worker.

The WCB uses a variety of tools, assessments, and evaluations as part of VR exploration including, but not limited to, functional assessments (physical and psychological), transferable skills analysis, labour market analysis, and psychoeducational testing.

A worker may be considered for participation in VR exploration where the WCB determines the worker is unable, or unlikely, to return to their pre-injury job or earnings due to the work-related injury. Generally, the circumstances under which the WCB may offer VR exploration to a worker include, but are not limited to:

- a) The worker has experienced a catastrophic injury;
- b) Extensive recovery and/or time loss from work is anticipated;
- c) Returning to the pre-injury job is likely to cause a further compensable injury;
- d) Despite the injury employer fulfilling their RTW obligations to date, it remains likely the worker will not return to the pre-injury job or earnings level;
- e) The injury employer is not, and is unlikely to start, co-operating in ESRTW or re-employment (if applicable).

The WCB will determine the appropriate time to initiate VR exploration with a worker based on the circumstances of the claim.

References: Workers' Compensation Act, Sections 112 and 89-101.

3.2 Results of VR exploration

The usual outcome of VR exploration is one of the following:

- a) The worker is not a candidate for further VR services or programming. Examples include, but are not limited to, the worker's refusal to participate in further VR planning or programming, or the WCB determines the provision of further services or programming is not feasible or appropriate at this time.
- b) An offer of a VR plan that includes employment readiness only where VR exploration indicates the worker, who is not returning to work with the injury employer, is employable without additional training. Workers who complete employment readiness are usually considered capable of earning their pre-injury salary, working under the circumstances (e.g. the worker was part-time) present at the time of the work-related injury.

- c) An offer of a VR plan that includes skill development, academic upgrading and/or retraining to achieve employability where VR exploration indicates a worker requires training to achieve employability. Workers who complete a VR plan with training are usually considered capable of earning the salary associated with their plan.

The start of a VR plan may not follow immediately after the completion of VR exploration. For example, the worker may require a few months of recovery before employment readiness can begin. The WCB will decide the appropriate time to initiate the next steps in VR.

See policy *5.7.5 Vocational Rehabilitation - planning and programming* for more information on VR exploration, employment readiness, and VR plans.

References: Workers' Compensation Act (Chapter 10, Acts of 1994-95), Section 112.

4. Consultation and cooperation during VR

The VR process emphasizes ongoing consultation between the WCB and the worker, along with other workplace parties as appropriate (e.g. the employer, service providers) to maximize and maintain all opportunities for the worker to RTW. This is reinforced by the worker's duty to cooperate in the management of their claim and in the development and implementation of a VR program as set out in the *Act*. While it is up to the WCB to assess the worker's needs and appropriate levels of VR assistance, it is ultimately the responsibility of the worker to participate and cooperate in the VR process to ensure the best possible employment outcome.

Where a worker fails to accept an offer of VR services or cooperate in the development or implementation of a VR program, the WCB may suspend, reduce or terminate any compensation paid to a worker where the worker. See *policy 5.7.5 Vocational Rehabilitation - planning and programming* for more information on cooperation during VR.

References: Workers' Compensation Act (Chapter 10, Acts of 1994-95), Sections 84, 89A(2), 112 113.

5. VR costs and expenses

Reasonable costs associated with VR will be paid by the WCB. Please see policy *5.7.6 Vocational Rehabilitation – costs and expenses* for more information.

References: Workers' Compensation Act (Chapter 10, Acts of 1994-95), S. 112.

6. Compensation benefits

Workers participating in VR services and programs will receive compensation they are entitled to under the *Act*, including medical aid and earnings loss benefits.

References: Workers' Compensation Act (Chapter 10, Acts of 1994-95), Sections 38, 102.

7. Conclusion of VR

VR will be concluded when the WCB has made every reasonable effort to support the worker in achieving employability. This means VR will be concluded:

- a) at the end of VR exploration, for workers not being offered further VR services or programming; or
- b) the VR goals have been achieved by completing a VR plan;

Other circumstances where the WCB may end VR are discussed in policy *5.7.5 Vocational Rehabilitation - planning and programming*.

References: Workers' Compensation Act (Chapter 10, Acts of 1994-95), Section 112

8. Application

This policy applies to decisions made on or after **XXXX**.

Policy 5.7.5 Vocational Rehabilitation - planning and programming

Topic: Vocational Rehabilitation

Section: Return to Work

Subsection: General

Effective: XXXX

Issued: XXXX

Approved by Board of Directors: XXXX

Preamble

The overall goal of vocational rehabilitation (VR) is to return workers to employability. The WCB will make every reasonable effort to support the worker in achieving this goal. While obtaining actual employment at the worker's pre-injury earnings at the conclusion of VR is ideal, it is not guaranteed. The focus is on ensuring the worker is employable.

As set out in policy 5.7.4 *Vocational Rehabilitation – eligibility and overview*, the WCB may offer VR exploration services to a worker who meets the eligibility criteria. Where the results of VR exploration indicates a worker requires skill development or employment readiness, the WCB will work with the worker to identify a VR goal and create a VR plan.

This policy explains the framework for the development of VR goals, VR options, and VR plans and also sets out worker cooperation expectations.

For more information on VR, please see policies:

- 5.7.4 Vocational Rehabilitation – eligibility and overview
- 5.7.6 Vocational Rehabilitation – costs and expenses

Definitions

“employability” or “employable” means being capable of performing suitable employment that is reasonably available and will mitigate, as much as reasonably possible, loss of earnings due to the work-related injury.

“employment readiness” is a maximum 14-week program that includes, but is not limited to, basic technology skills, resume and cover letter development, job search techniques, locating suitable employers, finding available labour market information and interview skills, and a period of time allotted for the worker to search for employment. It may be provided in a VR plan as a stand-alone service or included in a VR plan with training;

“health care provider” means a WCB-approved health care service provider;

“injury employer” is the employer the worker is working for when they experience a work-related injury;

“loss of earnings (LOE)” is equal to the net pre- LOE earnings less net post-LOE earnings. The following is included in post-LOE earnings:

- a) net earnings from employment;

- b) net earnings the WCB estimates the worker is capable of earning in suitable and reasonably available employment; and
- c) net 50% of Canada Pension Plan (CPP) or Quebec Pension Plan (QPP) periodic disability benefits;

“**suitable and reasonably available employment**” has the same meaning as set out in policies 3.5.1- Definition of Suitable Employment and 3.5.2- Definition of Reasonably Available Employment;

“**worker**” means a worker as defined in s.2(ae) of the Act;

“**vocational rehabilitation (VR)**” is a structured, collaborative process that helps worker’s overcome barriers to RTW. It typically includes services and programs such as VR exploration, planning, employment readiness, on-the-job training, academic or literacy upgrading, and formal re-training;

“**VR exploration**” is a service used to evaluate the worker’s aptitudes, academic history, work history, employment interests and current level of employability, considering the impact of the work-related injury on their functional (physical and psychological) abilities;

“**VR plan**” is a written document that outlines the agreement between the WCB and the worker for a WCB supported VR training program or the provision of employment readiness services. The VR plan specifies the worker’s VR goal and the steps the worker will take to achieve this goal. The VR plan is used to monitor the worker’s progress and determine the success or failure of VR.

Policy Statement

1. VR goal and VR options

Before a detailed VR plan can be developed, a realistic VR goal and options for achieving that goal must be identified. VR options will then be evaluated and the most cost-effective option will be chosen.

- a) A realistic VR goal:
 - i) is within the worker's functional (physical and psychological), intellectual, and vocational capacities;
 - ii) of interest to the worker and the worker is motivated to achieve;
 - iii) is reflective of the worker’s employment circumstances at the time of the injury, such as the terms and conditions of employment in place at the time of the injury. For example, if the worker was working part-time hours, the VR goal should focus on part-time employment;
 - iv) considers the personal circumstances of the worker present at the time of the injury; and
 - v) is intended to achieve employability.
- b) VR option selection for workers **requiring skills development and training (see note below)**. The WCB and the worker will typically identify up to three realistic options for achieving the VR goal. When evaluating VR options for achieving the VR goal, the WCB generally considers:

- i) whether the worker has transferable job skills or skills that can be improved to enable the worker to achieve employability;
- ii) if there has been an offer of employment by the injury employer, or a different employer, upon completion of the plan;
- iii) whether the worker has the motivation, commitment, interest, aptitude and functional (physical and psychological) abilities to complete the activities for the VR option;
- iv) to what degree the VR option will mitigate the worker's earning loss; and
- v) the cost effectiveness of the option. In most cases, cost effectiveness is determined by considering the estimated costs of the VR option compared to the estimated costs of future benefits¹ with, or without, VR. Total costs for a VR option are based on an estimate of VR program and services costs and worker expenses specified in Policy 5.7.6 Vocational Rehabilitation – costs and expenses plus earnings loss benefits that would be paid to the worker as part of the VR option.

Based on this evaluation, and in consultation with the worker and other workplace parties as appropriate (e.g. the employer, service providers), the WCB and the worker will select a cost-effective VR option as a means of achieving the VR goal.

Note: Option identification and selection for workers being offered employment readiness only will be limited to the service components included in employment readiness.

References: Workers' Compensation Act, Sections 41(c), 112, Workers' Compensation Act General Regulations, S. 22.

2. VR Plan

2.1 VR plan

A VR plan will be created by the WCB in consultation with the worker and other workplace parties as appropriate (e.g. the employer, service providers) based on the VR goal and VR option agreed upon in Section 1. The plan will detail the specific steps which must be taken for the VR goal to be attained.

Each VR plan is developed to meet the individual needs of the worker. A VR plan is:

- a) Safe. It does not pose a safety hazard to the worker or others.
- b) Appropriate. That is, it is consistent with
 - i) the worker's functional (physical and psychological) abilities; and
 - ii) the results of the worker's VR exploration.
- c) Focused on employability and specify the worker's earning capacity upon completion of plan.
- d) Specific. It details:
 - i) the specific VR program types, methods, techniques, and supports which will be utilized to assist the worker in attaining the VR goal.
 - ii) the benefits (e.g. earnings loss benefits) which will accompany the VR plan, as well as any costs and expenses that will be covered by the WCB;

¹ Calculated using Policy 3.2.1R- Calculation of Temporary Earnings-Replacement Benefit.

- iii) any anticipated modifications or assistive devices that may be required for the worker to participate in the VR plan.
- e) Time based. Time frames associated with the VR plan and its component steps are set out.
- f) Clear about roles and responsibilities of the WCB, the worker, and other workplace parties as appropriate (e.g. the employer, service providers).
- g) Regularly reviewed on a scheduled and ad hoc basis as needed.

Once a VR plan has been approved, the WCB will inform the worker and other workplace parties as appropriate (e.g. the employer, service providers) and will ensure that all parties understand it. The worker will be required to sign the VR plan.

The WCB will usually sponsor only one VR plan for a worker. Exceptions may be if the WCB determines additional VR programming would help further mitigate, as much as reasonably possible, remaining earnings loss.

2.2 Offer of Employment during VR plan

If a worker receives an offer of suitable and reasonably available employment from their injury employer, or a different employer, during the development or of the VR plan the WCB may re-examine the suitability and cost-effectiveness of the plan. The WCB may discontinue the VR plan if it is determined the employment offer provides sustainable employment that mitigates the worker's earnings loss to the same degree that completion of the VR plan was anticipated to achieve.

2.3 VR Training Program Types

A VR plan with training may include, but is not limited to, one or more of the following program types:

a) On-the-job Training

The purpose of training-on-the-job programs is to provide the worker with skill development and work experience. This includes programming where the WCB pays earnings loss benefits during the program period, or programs where the WCB subsidizes the wage paid by the employer to the worker. The specific requirements on-the-job training programs will be set out in the VR plan and a contract with the participating employer.

A short-term, job specific orientation period provided with the injury employer or another employer, that would be provided to any employee hired into the job, is not considered to be an on-the-job training program.

b) Academic or Literacy Upgrading

The WCB may sponsor an upgrading program when VR exploration indicates that the worker was assessed as having the potential to upgrade. The VR plan must indicate that the upgrading is necessary to improve a worker's academic and workplace computer skills to directly re-enter the labour market, or it is a prerequisite of a formal training program.

c) Formal Re-training

The WCB may sponsor a formal re-training program where the worker is assessed as having the potential, aptitude and functional abilities (physical or psychological) to acquire skills in another job or occupation that will result in employability. Formal re-training includes, but is not limited to, full-time trades training and technical or academic programs offered through recognized training or educational institutions. The appropriate training period is flexible depending on the program.

2.4 Conclusion of VR plan

Ideally, a VR plan will be concluded by the WCB when the VR goals have been achieved by completing the VR plan as evidenced by progress reporting, evaluation, and/or testing results.

Other circumstances where the WCB will conclude a VR plan include, but are not limited to:

- a) The worker fails to co-operate with the VR plan
- b) The worker chooses to relocate to a place which significantly limits the ability of the WCB to continue with the provisions of the VR plan; and/or
- c) The worker is not going to benefit from continuing the VR plan as determined by the WCB. Examples include, but are not limited to, the worker accepting employment that fully mitigates earnings loss during the VR plan, or the work-related injury deteriorates and they can no longer participate in the VR plan.

References: Workers' Compensation Act, Sections 84, 112, 113.

3. Cooperation during VR

Section 113 of the *Act* states the worker shall, where VR is offered by the WCB, cooperate in the development and implementation of VR efforts. Ongoing support and sponsorship of VR services and programs is contingent upon the worker's active cooperation and participation in the process. Failure to do so may result in the suspension, reduction, or termination of earnings loss benefits provided to the worker and the cancellation of further VR services or programming.

As part of on-going monitoring and supervision of a VR plan, the WCB will advise the worker if there is a risk the VR efforts may be concluded due to the worker's non-cooperation. In these cases, where the VR effort (e.g. training program) remains viable, the worker will be given the opportunity to cooperate.

Worker cooperation includes, but is not limited to:

- a) communicating with the appropriate parties during VR exploration (e.g. the WCB, the employer, health care or VR service provider) as required;
- b) cooperating in the development of a VR plan where one is offered;
- c) accepting the offer of a VR plan and actively and positively pursuing the goals of the plan;
- d) attend any required meetings, training, workshops, coaching etc., and to actively apply for employment where a period of time for job search has been allocated.
- e) keeping the WCB up to date on the progress of the VR plan;
- f) complying with school, program or employment policies or regulations as part of a VR plan; and

- g) reporting, in a timely manner, any circumstances that may affect their ability to participate in VR exploration or a VR plan.

Where the worker is unable to participate in VR efforts due to compelling reasons unrelated to the worker's compensable condition that are genuinely beyond the worker's control, the WCB will discuss options and next steps with the worker. Compelling reasons are generally limited to post-injury non-work-related changes in circumstances such as an unexpected illness or injury, death in the family, jury duty, or moving to another province or country. Options and next steps may include, but are not limited to, re-starting VR, seeking out alternate programming, suspension of VR and associated earnings loss benefits, or the conclusion of VR.

References: Workers' Compensation Act, Sections 84, 112, 113.

4. Application

This policy applies to decisions made on or after XXXX.

Policy 5.7.6 Vocational Rehabilitation – costs and expenses

Topic: Vocational Rehabilitation

Section: Return to Work

Subsection: General

Effective: XXXX

Issued: XXXX

Approved by Board of Directors: XXXX

Preamble

Reasonable costs and expenses associated with vocational rehabilitation (VR) will be paid by the WCB. This policy describes the costs and expenses that may be covered.

Please see the following policies for more information on VR:

- 5.7.4 Vocational Rehabilitation – eligibility and overview
- 5.7.5 Vocational Rehabilitation – planning and programming

Definitions

“**employer**” means an employer as defined in section 2(n) of the Workers’ Compensation Act (the “Act”);

“**employment readiness**” is a maximum 14-week program that includes, but is not limited to, basic technology skills, resume and cover letter development, job search techniques, locating suitable employers, finding available labour market information and interview skills, and a period of time allotted for the worker to search for employment. It may be provided in a VR plan as a stand-alone service or included in a VR plan with training;

“**vocational rehabilitation (VR)**” is a structured, collaborative process that helps worker’s overcome barriers to RTW. It typically includes services and programs such as VR exploration, planning, employment readiness and job search, on-the-job training, academic or literacy upgrading, and formal re-training.

“**VR plan**” is a written document that outlines the agreement between the WCB and the worker for a WCB supported VR training program or the provision of employment readiness services. The VR plan specifies the worker’s VR goal and the steps the worker will take to achieve this goal. The VR plan is used to monitor the worker’s progress and determine the success or failure of VR.

“**worker**” means a worker as defined in s.2(ae) of the Act.

Policy Statement

1. VR exploration

The WCB will cover the costs associated with the use of tools, assessments, and evaluations as part of VR exploration. This includes, but is not limited to, functional assessments (physical and

psychological), transferable skills analysis, labour market analysis, and psychoeducational testing.

References: Workers' Compensation Act, Section 112.

2. Employment readiness

The cost of employment readiness services provided to the worker will be covered by the WCB.

3. VR training programs

The WCB will cover the education and training costs associated with VR programming that is part of a VR plan that includes training, including, but not limited to:

- a) application fees
- b) registration fees
- c) tuition
- d) text books
- e) course supplies or materials (i.e., tools, protective equipment, etc.)
- f) tutor assistance
- g) transcript fees

The WCB will cover the costs associated with exceptional expenses if the circumstances require, including but not limited to:

- a) Tuition late fees if due to delays at the WCB. Late fees will not be covered if due to actions on the part of the worker.
- b) Purchase of computers or laptops if the worker is enrolled in a formal training program or WCB determines that the computer or laptop will be beneficial to the VR plan.

Where educational or training programs have been interrupted, the WCB will negotiate with the institution to recover any tuition/fees for the unused portion of the program. The WCB will generally not require the worker to assume responsibility for any additional tuition/fees incurred where the interruption was due to compelling reasons beyond the worker's control.

Additionally, the WCB may subsidize the wages an employer pays to a worker as part of the worker's participation in an on-the-job training programming. The specific requirements of an on-the-job training program will be set out in the VR plan and a contract with the participating employer.

References: Workers' Compensation Act, Section 112.

4. Modifications and assistive devices

The WCB will pay for reasonable modifications and assistive devices required as part of the VP plan, during the duration of the VR plan. The modifications and assistive devices must be pre-approved and a result of the worker's work-related condition.

The WCB will pay for repair and replacement costs of modifications or assistive devices that the WCB purchased for the duration of the VR plan. Costs will not be paid if the damage is attributable to misuse or is in conflict with warranty requirements and recommended operating instructions.

References: Workers' Compensation Act, Section 112.

5. Tools and equipment

The WCB will pay for tools, equipment, or protective clothing required to participate in or complete the VR plan if:

- a) These items are a requirement of the program and the school, program or agency does not provide these items to the worker as part of tuition or program fees; and/or
- b) The worker requires these items due to the work-related injury.

These are usually provided on a one-time-only basis, with repair and replacement considered on a case by case basis.

References: Workers' Compensation Act, Section 112.

6. Worker VR travel

Worker VR travel reimbursement is based on the principle that workers should be reimbursed for travel expenses associated with participation in VR services and programs that are over and above the work travel expenses the worker incurred as part of their pre-injury employment. All worker travel expenses must be pre-approved by the WCB.

6.1 Transportation

Transportation expenses may be paid or reimbursed by the WCB where the transportation costs for a particular VR service or program exceed the costs associated with the worker's transportation costs associated with the worker's pre-injury employment.

The WCB will pay for transportation costs on the basis of the method of transportation which represents the lowest cost and is reasonable for the worker to accept.

6.2 Meals

A worker will be reimbursed for meal costs incurred to participate in VR over and above those incurred by the worker during their pre-injury employment. Meals will be paid at the rate set out in section 6.4.

Workers receiving a living allowance are not generally eligible for a meal allowance given that meal costs are covered as part of the living allowance.

6.3 Overnight accommodation

Pre-authorized accommodation in a hotel or similar accommodation required for participation in a VR related activity is usually direct billed to the WCB. If that is not possible, the WCB will reimburse the worker based on receipts. In cases where a worker chooses to use private overnight accommodations (e.g., stay with a family member), the WCB will reimburse the worker at the rate set out in section 6.4.

6.4 Rates

Worker reimbursement rates for mileage, meals, and private overnight accommodation are the same as those used to reimburse WCB employees for work-related travel. Rates are published on the WCB [website](#). The WCB rate in place at the time of the worker's VR related travel is used to calculate the reimbursement amount.

References: Workers' Compensation Act, Section 112.

7. Relocation

7.1 Temporary – monthly living allowance

The need for temporary relocation to participate in VR plan will be considered during the development of the plan. In cases where a worker must attend a training facility as part of the VR plan, every effort is made to select one that is within daily commuting distance of their principal residence. If that is not feasible, a secondary residence may be required on a temporary basis. The WCB and the worker will consider the most suitable, reasonable, and cost-effective secondary residence, having regard for the worker's circumstances. The WCB pays for accommodation expenses in such cases (e.g., rent, meals, basic utilities, and travel expense as appropriate) up to a maximum of \$2,000 per month while the worker is participating in the VR plan. Expenses in excess of \$2,000 per month will be considered on a case by case basis.

7.2 Permanent - relocation assistance

Worker requests for permanent relocation assistance will be considered if a worker secures employment outside their home area as set out in policy 3.5.2- *Definition of Reasonably Available Employment*.

References: Workers' Compensation Act, Section 112.

8. Self-Employment

Consistent with the hierarchy of RTW objectives set out in policy 5.3.7 *Return to Work – Overview, assistance* with self-employment will only be considered after VR exploration is complete and all other VR options are deemed inappropriate. Self-employment is a challenging path, with unstable earnings and hours (e.g. on-call 24/7) that often requires knowledge in a variety of disciplines. If the worker wants to pursue self-employment and they are requesting WCB financial assistance, they should contact the WCB to discuss the types of materials

(including a business plan and a feasibility study) the worker must provide to the WCB in support of such a request.

References: Workers' Compensation Act, Section 112.

9. Application

This policy applies to decisions made on or after XXXX.

Appendix B: Consequential Amendments to Other Policies
(~~strikeouts~~ are deletions, and underlines are additions)

Policy	Change	Comment
3.9.11R1- <i>Apportionment of Benefits</i>	<p>3. Vocational Rehabilitation</p> <p>3.1. Where the WCB determines that no proportion of a worker's permanent impairment can be attributed to a compensable injury, vocational rehabilitation services will not be offered to the worker.</p> <p>3.2. Where:</p> <p>(a) the compensable injury causes an aggravation, acceleration or activation of a pre-existing disease or disability; or</p> <p>(b) the anticipated permanent impairment is due in part to the compensable injury and in part to a non-compensable factor(s) which developed post-injury, and medical evidence indicates that a proportion of the anticipated long term loss of earnings can be attributed to the compensable injury, vocational rehabilitation services will be provided to the worker in accordance with normal guidelines, without apportionment.</p>	PMI is no longer required to be eligible for VR.
5.7.1 – <i>Return to Work Overview</i>	<p>7. Vocational rehabilitation</p> <p>Some workers may require vocational rehabilitation (e.g. employment readiness services, academic upgrading, re-training, on the job training) to enable them to, to the greatest extent possible, <u>as much as reasonably possible</u> achieve their pre-injury earnings level. Vocational rehabilitation services may be provided to achieve RTW with the injury employer (the primary goal), a different employer if that isn't possible, or help the worker return to employability.</p>	To be consistent with the new VR policies phrasing.
9.6.3- <i>Apportionment of Claims Costs Under a Rehabilitation Program</i>	<p>1. If a worker, as a result of a compensable injury, is participating in a <u>WCB Board</u>-sponsored V<u>v</u>ocational R<u>r</u>ehabilitation (<u>VR</u>) program (e.g. On the Job Training, Employer Incentive Program, work hardening, vocational assessment) and suffers a new injury, the costs associated</p>	<p>Updating to reflect language in new policies.</p> <p>Also changed “Board” to “WCB” throughout.</p>

with the claim will not be charged to the original injury employer, Institute institution or Service Provider. Instead, the costs will be charged to an internal account, which forms part of the overall collective liability.

2. If a worker is participating in a VR program and suffers a recurrence of an old injury, the costs are to be the responsibility of the original employer, as long it is considered to be the same claim.

Definitions

Original Employer—~~The employer where the worker was working at the time of the original accident~~

“injury employer” is the employer the worker is working for when they experience a work- related injury.

“vocational rehabilitation (VR)” is a structured, collaborative process that helps worker’s overcome barriers to RTW. It typically includes services and programs such as VR exploration, planning, employment readiness, on-the-job training, academic or literacy upgrading, and formal re-training.