

The Role of the Medical Centre & WSIB Claims

IN CASE OF INJURY OR ILLNESS AT WORK

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Call NC Paralegal: 416 845 0772
Kindly leave a message and someone get back to you asap

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You must file a claim for a work related injury or illness as soon as possible and **no later than six months after the date of accident.** You are required to do this, even if there is no lost time from work.

File a claim by completing a **WSIB Form 6** and **report the injury to the Company.** In plant, go to the in-plant medical center (if there is one) and let them know what has happened (with as much detail as possible). If you have already seen a doctor for your condition, you must provide them with **PAGE 2 only** of the **WSIB Form 8 given** to you by your doctor. If you have not seen a doctor yet, do so as soon as possible.

Throughout your recovery and return to work (whether you are off work or at work but on modified duties), you are required to **maintain contact** with the WSIB and the company.

As the most frequent contact will likely be with the medical practitioner. You should know your rights under the law.

You have the right to choose which medical professional (doctor) you see for your condition. In most cases this is a family doctor, walk in clinic, or hospital initially and then you follow up with your family doctor.

Once you have made the initial choice of health professional, the WSIB assumes that you will continue to receive care from this health professional.

Your treating health care professional (doctor, physiotherapist, etc) **not the company doctor**, manages your care (prescribes medication, makes referrals for treatment/testing, provides work restrictions, etc) and provides reports to WSIB.

Because you **must co-operate** with both WSIB and the company and you **must provide updates** this is usually done through you and your medical professional as required.

The company **has the right** to request and **you must provide**:

- The last page (Page 2 only) of the initial Form 8 completed by your doctor/clinic/hospital. Sometimes the treating health care professional will give you both pages and WSIB will get both pages, but the company is only entitled to page 2. This page outlines your functional abilities (restrictions).
- Functional Abilities Form (FAF) — this form outlines what you can and cannot do on the job (your restrictions), **or** a written letter/note from your treating health care professional that outlines this information.

The company is **NOT entitled to**:

- Diagnostic test results (Xray, Ultrasound, MRI, etc.) or diagnosis.
- Detailed medical records from your doctor or the hospital.

In some cases, the company request additional information from your doctor or the hospital and you must provide written consent for these records to be released, but **you are not obligated to do so**.

To be clear, if you attend an plant medical center, you are being attended to by nurses and doctors that are held to the same laws and standards as other medical professionals in their field.

Having said that, they are **not** your treating health care professional, therefore they do not manage your care. It is the role of the company to **facilitate your return to work, accommodation, etc.**, this responsibility is **shared between you** (with your treating health care practitioners), **the company**, Case Managers and the **HR** department), and **the WSIB**.

In some cases, the in plant medical center (if there is one) may disagree with your treating health care professional and may determine that you require different restrictions or none at all, if this happens, **please let your representative know so that you can be given proper legal advice.**

The process, although governed by law, can be fluid and ever changing. Every accommodation needs to be tailored to the individual involved (it's **not** one size fits all). It can be confusing and because you have us to represent and assist you through this process we encourage you to contact us if you have questions or need help.

