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Factsheet #10
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VOCATIONAL REHABILITATION

What is vocational rehabilitation?

The main goal of vocational rehabilitation is to assist injured workers to return to work as soon as possible.

The most common vocational rehabilitation services are:

- work assessments – including a gradual return to work program;
- worksite modifications and job duty modifications;
- job search assistance for up to 12 weeks;
- training-on-the-job program for up to 26 weeks;
- formal training programs for up to 26 weeks;
- return to work assistance to a spouse of a deceased worker; and
- joint training or sponsorship with agencies such as Human Resources Development Canada.

NOTE: WorkSafeBC usually provides one return to work plan for each worker. Once a vocational plan is in place it is difficult to change, unless there has been a significant change in the worker's injury, there has been a significant change in the worker's circumstances, or the plan is found to be unsuitable through the appeal process.

When can injured workers get vocational rehabilitation?

If a worker has a compensable injury, he is entitled to Vocational rehabilitation assistance even while he is still recovering from an injury or occupational disease, although in many cases it would be premature for vocational rehabilitation to offer services until the condition stabilizes or becomes permanent. Where the workplace injury is particularly severe, the claim may be referred for consideration of vocational rehabilitation assistance even before the claim is accepted.

For more information:

Website: www.labour.gov.bc.ca/wab

Lower Mainland/Fraser Valley/Kootenays: 1-800-663-4261
Northern & Central Interior: 1-800-663-6695
Vancouver Island: 1-800-661-4066

VOCATIONAL REHABILITATION

Who can get vocational rehabilitation?

Vocational rehabilitation is discretionary. WorkSafeBC may provide vocational rehabilitation assistance to the following:

- a worker who requires assistance in an early and safe return to work in the pre-injury job or another suitable job;
- a worker where the pre-injury job is no longer available because of the injury and the worker requires assistance to return to a suitable job; or
- to a surviving dependent spouse of a deceased worker.

How does WorkSafeBC decide how much vocational rehabilitation assistance an injured worker will receive?

The vocational rehabilitation consultant decides what kind of rehabilitation services will be provided based on WorkSafeBC guidelines. The vocational consultant will consider the following:

- the severity of the injury;
- how the injury affects the worker's ability to return to work;
- the long term wage rate set on the claim;
- the worker's level of motivation and commitment to return to work; and
- how the worker's current skills and education can be used in another job.

WorkSafeBC may also consider other factors.

If you were injured before June 30, 2002, you may be entitled to additional benefits than those listed above. Contact your local Workers' Advisers Office for more information.

IMPORTANT: Active participation in the vocational rehabilitation plan is crucial. Failure to actively participate may result in termination of vocational rehabilitation benefits.

VOCATIONAL REHABILITATION

How does an injured worker get vocational rehabilitation assistance?

The case manager will refer the injured worker to a vocational rehabilitation consultant when there is medical evidence indicating the worker will have difficulty returning to the pre-injury job because of the injury or occupational disease, or if the pre-injury job is not longer available because of the injury. If an injured worker requires help to return to work, they should contact the case manager and ask for a referral to a vocational rehabilitation consultant.

What does a vocational rehabilitation consultant do?

The vocational rehabilitation consultant (“VRC”) determines whether the worker requires additional assistance to return to work and develops a return to work plan. In doing this, the VRC must consider the worker’s disability and the limitations and restrictions which that disability imposes on the worker. If the worker is unable to return to his pre-injury job by reason of his disability, the VRC may attempt to negotiate a return to work at modified duties with the pre-injury employer. If that is not possible, the VRC will review the physical requirements of alternate jobs or occupations, the required qualifications for those jobs, and the availability of suitable jobs in the area. If suitable jobs are found to be available, the VRC can help with job-finding skills and wage loss support during a job search. It may be that the worker requires additional skills or training in order to access suitable jobs. The VRC can help to identify those shortcomings and arrange for appropriate training. Through this process, the VRC will consider information from various sources such as the injured worker, the attending physician, and the employer. The vocational rehabilitation consultant will also consider opinions from other WorkSafeBC officers, WorkSafeBC doctors and WorkSafeBC nurse advisers. The vocational rehabilitation consultant may also obtain opinions from psychologists, physiotherapists, or other evaluators, as well as community resource people.

The vocational rehabilitation consultant will work with the injured worker to prepare a return to work plan, which should be provided in writing.

The injured worker may choose a different return to work plan than the one recommended by the vocational rehabilitation consultant. In this case, the worker will have to provide a detailed written plan outlining their return to work goal. If the worker’s preferred plan costs more than the WorkSafeBC plan, the worker may be able to have the funds budgeted for the VRC’s plan applied to the worker’s preferred plan, but the worker will have to explain how they will make up the difference in the funding.

IMPORTANT: If the worker’s personal vocational rehabilitation plan is unsuccessful, it is highly unlikely that any further funding will be available.

VOCATIONAL REHABILITATION

How does the vocational rehabilitation consultant develop a return to work plan?

There are five phases of vocational rehabilitation. The vocational rehabilitation consultant will decide the level and extent of services that is considered reasonably necessary to help an injured worker return to work. Workers will only move from one level of assistance to the next when the VRC is satisfied that the present of assistance has no reasonable chance of resulting in a successful return to work.

- **Phase 1 - Returning to the pre-injury old job**

The vocational rehabilitation consultant will assist the injured worker to return to the pre-injury regular job. This might involve a graduated return to work to help the worker successfully adjust to working again.

- **Phase 2 - Changing job duties**

The vocational rehabilitation consultant will explore whether the pre-injury employer can make changes in the work environment or job duties or offer a different job. Benefits could include a training-on-the-job program or some basic retraining such as a short course, night school, or educational upgrading or expenditure to change the physical work location – getting a better chair etc.

- **Phase 3 - Finding a new job using the same skills**

The vocational rehabilitation consultant will help the worker look for work with a new employer in a similar industry using the worker's existing skills. Job search assistance can be provided up to a maximum of 12 weeks. Extensions **over** 12 weeks are available, **but** are rare and require senior management approval.

Benefits may include an allowance equal to wage loss benefits, travel expenses to search for work outside of your community, and help with preparing a resume and developing interview skills. This could also include basic retraining or a training-on- the-job program.

Training-on-the-job programs can be provided up to a maximum of 26 weeks. Extensions are rare and require senior management approval.

VOCATIONAL REHABILITATION

- **Phase 4 - Finding a new kind of job**

The vocational rehabilitation consultant will look for a new kind of work in a broad range of industries. Benefits may include a job search allowance, work assessment, training-on-the-job, or basic retraining. Basic retraining usually means a short program such as a night school course or a specific technical course. Retraining may also include English as second language training or educational upgrading courses.

- **Phase 5 - Retraining for a new kind of work**

The vocational rehabilitation consultant works in consultation with the injured worker to develop a plan for formal retraining that lasts a maximum of 26 weeks. Extensions are rare and require senior management approval.

The plan may include a period of job search or work assessment. A work assessment is performed either in an actual workplace or in a work-like setting. The purpose of the assessment is to determine the injured worker's capabilities for work.

Is there any other kind of help or support offered by Vocational Rehabilitation Services?

Injured workers can be referred to a vocational rehabilitation consultant for homemaker services, personal care allowances, or independence and home maintenance allowances. These are special allowances. They are not part of regular WorkSafeBC benefits. They are only provided if the injury prevents workers from caring for personal needs or adequately maintaining their home. Personal care and independence and home maintenance allowances can be provided on a temporary or permanent basis.

A final word of advice

The *Workers Compensation Act* does not give an automatic right to vocational rehabilitation assistance. The injured worker must have good medical support to show the need to change or modify the pre-injury job because of the work-related injury or disease. Injured workers must do their best to work with the vocational rehabilitation consultant and follow the vocational rehabilitation plan. Failure to do so may result in the termination of vocational rehabilitation benefits and services.

An injured worker who disagrees with the return to work plan will require evidence that says the plan is not suitable or that it is not safe.

VOCATIONAL REHABILITATION

What if I disagree with a decision on my vocational rehabilitation assistance?

Case manager decisions to deny a referral for vocational rehabilitation as well as vocational rehabilitation consultant decisions to deny vocational assistance should be provided in writing. The vocational rehabilitation consultant's decision on the extent of benefits and services should also be provided to the worker in writing.

If you disagree with a vocational rehabilitation decision, you have **90 days** from the date of a decision to file a Request a Review form WorkSafeBC Review Division. It is very important that if you disagree with the decision that you do not miss this deadline. Review Division decisions on vocational rehabilitation issues are final and cannot be appealed to the Workers' Compensation Appeal Tribunal (WCAT).