Health & Safety Report

September 2012

Top Three Causes: Turbulence 41, Action of passengers 25, Equipment 57

Top Three Types: Crush 43, Bruise 96, Sprain/Strain 145

YTD Injuries recorded: 432 approx. half were lost-time injuries.

For those who aren’t aware, we are currently only receiving the lost-time injury reports from the employer reps. We are set to have a hearing with Arbitrator Picher about this and some other issues we are faced within the Health & Safety Committee tomorrow in YUL. We will keep you posted on that when we get the results.

**Lost-time injuries**

Lost-time injuries, injuries resulting in a book off and/or a WSIB claim.

Please review the document titled “Things to consider when there’s been an incident on your flight”. You can keep it so you can review it, or keep it in your satchel so you have it on hand, should you need it.

It’s a quick outline of what you can be faced with once you are met by management and the options that you have.

**Take note:** you can still book off if you are going into days off and go see a doctor, so that it is recorded as a lost-time injury.

Otherwise, the company doesn’t need to take any responsibility for an injury that occurs at work, in case something like this ever happens again. For instance, you hurt your back, but after a few days off, you were fine. But then next month, you’re sitting at home and you reinjure you back, and you can’t go to work. It will then be too late for you to go back and say, “Oh, I originally hurt it at work.” There’s no record of it.

**Clarifying the WSIB Process**

When you book off due to a work related injury—and that can be either physical or emotional, such as stress/or trauma—you have to tell Sheppell this. Say it’s a work related injury, and you don’t need to explain. Then you need to:

* Go to a doctor, preferably your family doctor, but if you can’t get an appointment within 24 hours, go see a walk in physician.
* Tell them that you have a work related injury.
* This should prompt him/her to fill out a form 8 (they can print this off from the WSIB website, or you can also print yourself a copy from the portal or WSIB website.
* Make sure they understand why you may not be able to work at all, or how/if modified duties may impede your healing i.e. Back injury, sitting in the office for hours.
* The doctor will fill this out and give you a page to return it to work. It used to be 3 pages, now the form is just 2 pages. You return the last page to the employer only. You should never have to disclose any medical information to the employer, even if they ask you. If occupational health and safety wants it, tell them they can contact your physician directly.

From that moment on, you will receive a slew of phone calls. From Air Canada management, from WSIB and from the Health & Safety committee—this consists of both managers and CUPE representatives. Take notes if you can, record who you’ve spoken with etc. so that you can keep track for your own sake.

One of the most important calls is the one from Diana Reid’s office. This is the return to work specialist. She will be calling or emailing you very soon after you book off, so don’t be alarmed. She will want to set you up for modified duties. Please understand that even though it may seem too sudden, and you may not have even had a chance to see your doctor yet—YOU CANNOT DECLINE MODIFIED DUTIES.

There have been situations where Air Canada calls you right away, and the employee is not turning modified duties down, but is simply saying that he/she hasn’t been to the doctors yet, so they can’t accept at this time. WSIB will DENY YOUR CLAIM!

You must say, yes, I will accept modified duties, when would you like me to come in? If it conflicts with a scheduled appointment, kindly ask whether or not this can be for another day/time because you don’t have enough time to reschedule and may be charged a cancellation fee.

Be very clear with Diana or her assistant and make sure before you get off the phone, whether or not it is in the record that you are accepting modified duties. It can seem clear, and then you get a letter saying that your claim was denied and the reason is that you didn’t accept modified duties, even though you explained that you just had an appointment.

Also, for those of you that have had the misfortune of dealing with WSIB, they are in the process of reviewing and revising their policies. They are looking specifically into RECURRENCES, WORK DISRUPTIONS, AGGRAVATION BASIS, and PERMANENT IMPAIRMENTS.

The OFL believes part of the reason they are looking into these because of a recent KPMG report that came out saying most workers have been overcompensated, and partly because it has been many years since the last review.

Right now, they have solicited a third party to have a benefits policy consultation. He is accepting stakeholder submissions until the end of the month. This is our chance to make any suggestions or to voice our opinions on what/how the policies should be changed. To find out more, to make a submission, or to participate in a presentation, please go to wsib.on.ca > what’s new > Benefits Policy Consultation (registration for public hearings).