

# Entertainment Industry

## Introduction to Workplace Safety and Insurance Board Claims Management

---

Louise Shannon  
Anthony Grimaldi  
Rose Conforti  
Violet Goulbourne

# Session Objectives

## To understand :

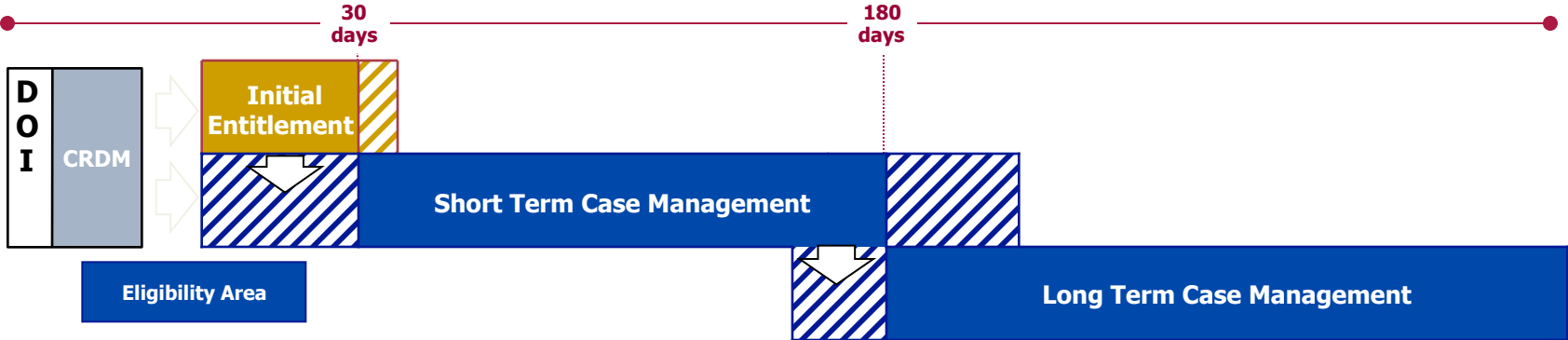
- The reporting obligations of the worker, employer and health professional
- The Life of a Claim – registration, adjudication, e-Adjudication and case management process
- Return to Work (Work Reintegration)

# Service Delivery Model

## Claims Services



**Supporting Roles:**  
 Investigator    Return to Work (RTWS)    Work Transition (WT) Specialist    Medical Consultant (MC)



# **The Life of a Claim**

## **Registration, Determining Eligibility and Case Management**

# How is a Claim Established?

A claim can be initiated by :

- Employer's Report of Injury/Disease (Form 7)
- Worker's Report of Injury/Disease (Form 6)
- Correspondence or phone call from a workplace party indicating their request to have a claim registered (TeleClaim)

To register a claim, information regarding the worker, the employer and the accident is required. If this information is not available on the document, the Claims Registration Representative will make enquiries by phone.

# Employer Obligations – Reporting

Employers **must** report a work-related accident to the WSIB if they learn that a worker requires health care and/or:

- is absent from regular work
- earns less than regular pay for regular work (e.g., part-time hours)
- requires modified work at less than regular pay
- requires modified work at regular pay for more than seven **calendar** days following the date of accident

# Other Employer Obligations

- Provide First Aid
- Provide transportation to medical facility as required
- Provide Functional Abilities Form (FAF), if appropriate
- Complete Form 7 – provide a copy to worker
- Notify WSIB within 3 days of learning of the accident
- Pay the worker for the day of accident
- Investigate & remedy hazards

# Other Employer Obligations – cont'd

- Provide the WSIB with relevant information as requested
- Initiate early contact and maintain appropriate communication throughout the worker's recovery
- Identify and secure Work Reintegration (WR) opportunities for the worker
- Notify the WSIB of any dispute or disagreement concerning the worker's WR.



# Employers can submit Form 7 by:

- Filling it online using the [eForm 7](#)
- Calling and speaking to a representative at 1-800-387-0750 or 416-344-1000 (TTY: 1-800-387-0050), or
- Faxing a completed [Form 7](#) (PDF) at 416-344-4684 or 1-888-313-7373
- Mailing a completed form to: Workplace Safety and Insurance Board  
200 Front Street West,  
Toronto, Ontario M5V 3J1
- The [Form 7 Reference Guide for Employers](#) (PDF) will give you more information on filling out this form. Can be found on [www.wsib.on.ca](http://www.wsib.on.ca)

# Worker Obligations

- Provide the WSIB with any information necessary to adjudicate the claim
- Co-operate in health care measures the WSIB considers appropriate
- Undergo an examination by a health professional selected and paid for by the WSIB (or selected and paid for by the employer if directed by the WSIB)
- Co-operate in WR: maintaining appropriate communication throughout the IW's recovery, identifying and securing WR opportunities, and notifying the WSIB of any dispute concerning WR

# Health Professional Obligations

The health professional's responsibilities include:

- complete Health Professional's Report (Form 8)
- provide appropriate treatment
- provide information relating to the worker as requested by the WSIB
- complete a Functional Abilities Form (FAF), if requested

# Claim Triaging

- All new Form 7s are reviewed by a Claims Registration Representative to assign an appropriate 'triage' code.
- There are 20 triage codes which help direct claims to the appropriate adjudication area depending on the type and severity of injury/disease.
- These areas include Initial Entitlement, Serious Injury, Traumatic Mental Stress, Pre-1990 and Occupational Disease & Survivor Benefits programs.
- The claim is then adjudicated to determine eligibility.

# e-Services and e-Adjudication

- Form 7s can be submitted online by the employer 24 hours per day.
- Form 6s can be submitted online by the worker with a claim number and date of birth.
- Some simple No Lost Time/Lost Time claims may be e-Adjudicated by the system if they meet a strict set of criteria.

# Initial Entitlement Adjudication

- Claims that do not meet the e-Adjudication criteria and require further enquiries are assigned to an Eligibility Adjudicator
- Entitlement is determined using the Five-Point Check System
- When a claim is allowed, if full recovery and a return to pre-injury work is not expected in the first 30 days, the case is transferred to a Case Manager whose primary focus is RTW and recovery.

# Five-Point Check System

In determining eligibility, the adjudicator considers five points:

- Is the employer covered by the Act?
- Is the worker covered under the Act?
- Did the personal injury arise out of and in the course of employment?
- Is there 'proof' of an accident?
- Is the injury compatible with the accident history?

# Loss of Earnings (LOE) Benefits

If a claim is allowed:

- WSIB pays loss-of-earnings (LOE) benefits when an injured worker (IW) is experiencing an actual loss of earnings related to the work injury
- Bill 99 (Jan.1, 1998) – LOE benefits are paid at 85% of weekly net average earnings
- Maximum gross earnings covered (2017) \$88,500



# Paying LOE Benefits

LOE benefits are paid until:

- the day the worker's LOE ceases
- the day the worker reaches 65 years of age, if the worker was less than 63 years of age on the date of the injury
- two years after the date of injury, if the worker was 63 years of age or older on the date of the injury, or
- the day the worker is no longer impaired as a result of the injury.

# Determining Earnings: Entertainment Industry

- When a claim has been identified as an “entertainment” case, the EA will determine the type of worker
- “Are they a worker with deductions at source?” If yes, the claim will be paid based on policy 18-02-02 & 18-02-04 Short & Long term earning policies (non perm worker)
- EA will determine entitlement & set short term rate on hourly/work days, 4 weeks prior
- If no deductions at source, claim will be paid based on policy 18-02-08, Dependant Contractor earnings

# Case Transfers from EA to STCM

Cases are transferred from Eligibility to the Short Term Case Manager (STCM) for case management when there is:

- lost time and the worker has not RTW
- lost time and the worker has RTW that is different than the pre-injury/illness work for more than 30 days, or
- no lost time but the work is not consistent with the pre-injury/illness job and a permanent impairment is anticipated
- lost time and there is an issue with the suitability or availability of work offered that requires additional enquiries
- Or, there are ongoing recovery issues

# Case Management

# The STCM Role

- The role of the STCM was created to improve RTW and recovery outcomes for WPPs
- The STCM achieves this through key activities:
  - Day One contact with WPPs
  - Case Plan with RTW and recovery goals, activities and milestones
  - Integration of RTW and recovery activities in managing Plan activities
  - Timely referral to RTW Specialist and/or NC to achieve RTW and recovery goals
  - Appropriate referrals to Work Transition (WT) Specialist

# The Nurse Consultant (NC) Role

- To make and communicate Health Care entitlement decisions
- To provide clinical advice, opinion, guidance and interventions at critical points throughout the life cycle of a worker's case
- To assist in resolving recovery obstacles including those affecting work reintegration and early referrals for REC and Specialty Clinics  
(4-8 weeks)

# Case Transfers from STCM to LTCM

- Cases are transferred to LTCM from STCM when:
  - Employer is unwilling or unable to provide suitable work and a permanent impairment is evident.
  - No later than six months post date of injury and worker is not expected to recover within three months and a permanent impairment is probable.
  - At six months post date of injury worker is at work in a modified capacity and a permanent impairment is evident.

# The LTCM Role

- to manage complex and chronic cases, enabling best possible RTW and recovery outcomes and mitigating the long term effects of injuries/illnesses for the worker.

The LTCM achieves this through key activities:

- early contact with WPPs to renew/refresh Case Plan, RTW and recovery goals, activities and milestones
- continued focus on RTW with AE including timely use of WTS
- manage case according to Plan to achieve RTW and recovery goals
- adjust LOE benefits at completion of WR plan
- conduct annual LOE reviews and 72 month lock-in assessments



# Work Reintegration (Return to Work)

# The Work Reintegration Program

## The Principles:

1. Maintain the employment relationship, wherever possible, between the worker and the injury employer, all parties have a shared obligation.
2. Reintegrate workers into decent and safe work, maintaining the dignity of the worker.
3. Provide effective and meaningful input and choice on the part of the worker.
4. Maintain high standards for services provided by WSIB staff, contracted parties, to ensure effective, quality services that achieve desired employment outcomes.
5. Manage the costs of the program.
6. Ensure workers are fairly compensated for wage loss, recognizing the difference between pre-injury earnings and post-injury earning ability.

# The RTW Specialist (RTWS) Role

- An expert work reintegration resource engaged early in the process to assist workplace parties in planning for a return to work.
- Return to work is always with the injury employer and may be:
  - Pre-injury
  - Pre-injury with accommodation
  - Alternate work

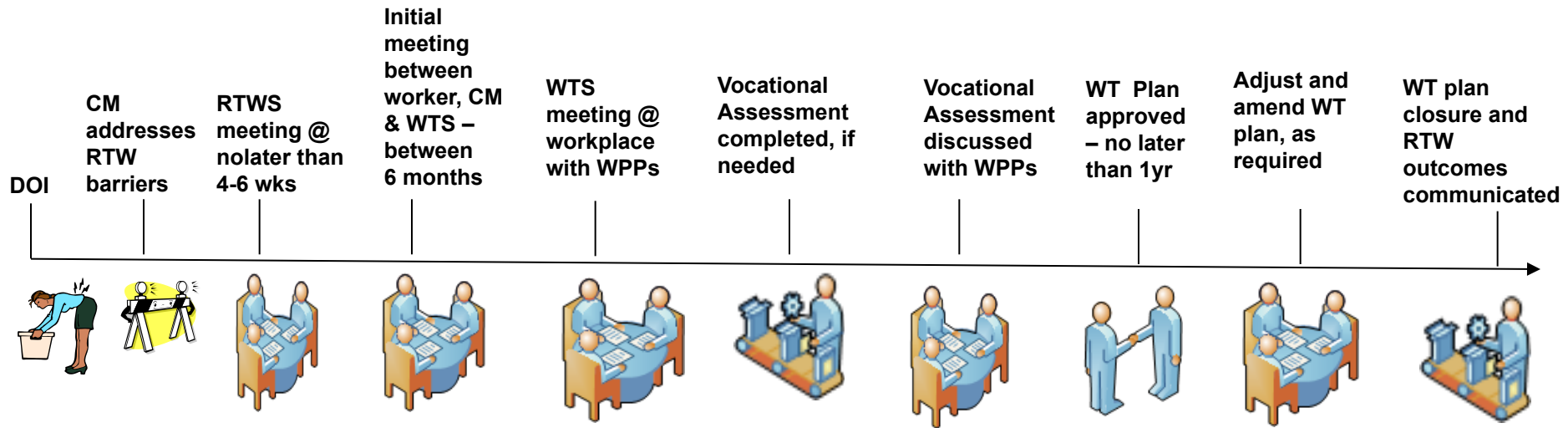
# RTWS

- Works with the workplace parties to develop a plan for return to work
- Identifies, removes or mitigates obstacles to return to work
- Completes job analysis of pre-injury or alternate work
- Identifies possible accommodations to pre-injury or alternate work

# The Work Transition Specialist (WTS) Role

- An expert work reintegration resource is typically engaged when RTWS services have ended, or where it is known the RTWS cannot achieve a return to work outcome, and the worker is able to do some work.
- Focus is on maintaining the employment relationship with the injury employer
- May have short term or long term involvement with the workplace parties
- Becomes involved when additional services are required to maintain the employment relationship with the injury employer.

# Work Reintegration Touch-points



CM = Case Manager  
RTWS = Return-to-Work Specialist

WTS = Work Transition Specialist  
WPPs = Workplace Parties

# Closing Comments

I hope this presentation helped you understand:

- the WSIB Service Delivery Model
- the obligations of the employer, worker and health professional
- the Life of a Claim, including registration, adjudication and case management activities at the WSIB
- Work Reintegration

# Questions

---

