

DUTY TO COOPERATE

After an injury, the path back to work is unique for each person. Generally, getting back to work, when cleared to do so, can improve your physical and mental well-being.

A crucial step in a safe and successful return-to-work following an injury, is collaboration between the worker and the employer.

The changes to the Workers Compensation Act, implemented on January 1, 2024, apply to the return-to-work process. It is a legal requirement for both employers and employees to work together and liaise with WorkSafeBC to facilitate a prompt and safe return-to-work after an injury.

WORKERS RETURN-TO-WORK Q&A

- WHAT IS DUTY TO COOPERATE?
- WHAT DO I NEED TO KNOW?
- WHAT HAPPENS IF I DON'T COOPERATE?
- WHAT PART DOES MY EMPLOYER PLAY?
- WHAT HAPPENS IF MY EMPLOYER DOESN'T COOPERATE?



BC Forest Safety

DUTY TO COOPERATE



WHAT IS THE DUTY TO COOPERATE?

If you have a WorkSafeBC claim, both you, and your employer, have a duty to work together to develop a safe return-to-work plan. Communication is key. Sharing information on capabilities and return-to-work options will help with a successful return. Returning to work promptly, post-injury, can help protect income, routines and well-being.

WHAT DO I NEED TO DO AS A WORKER?

- Stay in touch with your employer.
- Keep in contact with your employer after your injury.
- Collaborate to identify safe and suitable work aligned with your abilities, skills and competencies.
- Inform WorkSafeBC about your return-to-work plan.
- Participate in the return-to-work process and accept suitable work provided by your employer. *The duty to cooperate applies from January 1, 2024, for claims with a date of injury on or after January 1, 2022.*

WHAT HAPPENS IF I DON'T COOPERATE?

WorkSafeBC handles return-to-work disputes by working with employees and employers to find suitable resolutions and work opportunities. If cooperation issues arise, they will assess the reasons, offer solutions and determine if refusal is reasonable. Unreasonable refusal may lead to reduced wage loss benefits. Your health care benefits will continue during this process. By resuming cooperation, suspended wage loss benefits may be reinstated.

WHAT PART DOES MY EMPLOYER PLAY?

- Contact you promptly after the injury or illness.
- Stay in touch with you, and WorkSafeBC, during your recovery and return to work.
- Collaborate with you to find safe and suitable work within your abilities.
- Share information about your return-to-work plan with WorkSafeBC.
- Cooperate in the return-to-work process.

WHAT HAPPENS IF MY EMPLOYER DOESN'T COOPERATE?

If your employer doesn't cooperate in the return-to-work process, contact WorkSafeBC. They will clarify responsibilities, address the lack of cooperation and work on finding solutions.

DUTY TO COOPERATE RESOURCES

RTW Information for workers:
<https://www.worksafebc.com/en/claims/return-to-work/workers-return-to-work-information>

Still have questions? Contact WorkSafeBC
<https://gems.online.worksafebc.com/emailus>



RTW information
for workers



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