



## Guidelines for Non-Participation Discussions

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This conversation continues from the initial triage discussion and builds on the foundation of the relationship between the employee and EDMP team. It is anticipated that the vast majority of the time an employee is referred to the EDMP representative under the non-participation language is because they have specific questions regarding the program.

The role of the EDMP Representative is to provide the employee with enough information to make an informed decision.

The goal of this conversation is to commit to answering all of the questions that the employee may have recognizing that you may need to follow-up with the employee post initial conversation. Some questions that the employee may have could be answered by re-iterating the goals of EDMP.

The goals are as follows:

- Provide early, appropriate and on-going support so that ill/injured employees maintain their connection with the workplace and return to work in a safe and timely manner.
- Provide support to employees who are struggling at work when participation in this program could reasonably prevent the employee from being off work.
- Provide appropriate, caring, professional case management of the ill/injured employee's medical, personal, workplace and vocational issues to facilitate a timely return to work.
- Promote a safe, accessible and healthy workplace.
- Encourage health promotion and employee wellness.
- Reduce the cost of sick, long term disability (LTD) and Workers Compensation Board (WCB) leaves.

If the employee is concerned about confidentiality it may assist to outline some highlights of the policy:

- Confidentiality is a guiding principle in the Collective Agreement and a corner stone of the EDMP. The Memorandum of Understanding (MOU) for the EDMP contains the following provisions with respect to confidentiality and privacy.
- Employees are expected to provide sufficient personal information<sup>1</sup>, including medical information<sup>2</sup>, to allow the EDMP to be delivered effectively. The personal information requested must be relevant and necessary. Generally, more personal information will be required as the Case Management Plan ("CMP") becomes more complex.

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<sup>1</sup> "Personal information" is information about an identifiable individual and includes medical information.

<sup>2</sup> "Medical information" is information in the possession of a health care provider that relates to an individual's diagnosis or treatment for the illness or injury for which disability management services may be provided.



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- Personal information is collected under the EDMP in order to effectively deliver the EDMP. In particular, personal information is collected for the purposes of:
  - i. Determining eligibility for the program,
  - ii. Identifying and addressing barriers to staying at or returning to work,
  - iii. Providing services to facilitate staying at work or earliest possible return to work,
  - iv. Planning and facilitating recovery at work,
  - v. Planning and facilitating return to work, either in an employee's own job or in an alternate job,
  - vi. Determining eligibility for and paying benefits,
  - vii. Permitting collaboration among the Parties and third party benefit providers regarding these purposes,
  - viii. Other purposes permitted or required by law.
- Personal information may be collected anonymously for statistical reporting as permitted or required by law.
- When personal information that has been collected is to be used or disclosed for a purpose not previously identified, the new purpose will be identified. Unless the new purpose is permitted or required by law, consent is required before the information can be used or disclosed for that purpose.

Recognizing that the goal of EDMP is to assist in connecting individuals to workplace to focus on recovery it is important to emphasize the following:

- The work can be modified to accommodate any restrictions or limitations
- When returning you will be supernumerary or an extra set of hands. This will also be outlined with your manager and as such there will be no expectations for you to take on tasks that you are not ready for.
- EDMP is about understanding your barriers to returning to work, outlining them and working with you to develop action plans to address them. You are a valued worker and we want to do what we can to assist you in remaining connected to the workplace.

Some final words:

- EDMP is a collaborative program jointly developed by your union and employer.
- Once you are enrolled in EDMP costs associated with gathering medical documentation will be covered
- The union has agreed to this required program because it truly is in the best interest of the member.
- If you are returning to work and will require a graduated return to work you must be enrolled in the program
- The program is required for all employees that meet the eligibility criteria and those that continue to refuse to participate will be referred to the HR/LR process



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All conversations regarding non-participation should be approached with the goal of identifying and addressing any concerns the employee may have.

Your choice of words is important. It is important to use the language in the collective agreement about participation for regular employees– “required vs. Mandatory” – and emphasize that EDMP is a holistic approach to recovery