

WOMEN OF STEEL COMMITTEE SPECIAL PUBLICATION #4

WHEN SELF-CARE ISN'T WORKING, WHAT'S THE NEXT STEP?

Generally, members are aware of what **depression, anxiety and stress** are. However, workers may not be aware of what **burnout** is. The Women of Steel are releasing four publications raising awareness around some common mental health issues, with a focus on burnout which could

be affecting members. Publication #1 reviews general information, #2 is on self-help, #3 explores how burnout could affect you at work, and #4 is what to do when self-help is no longer working. These have been adapted with permission from the **original publications produced by Local 1944.**

If self-help is no longer working, depending on the root cause of illness determined by a medical professional, if you are not able to work, a proper diagnosis is needed to determine if your illness is occupational, or non-occupational. If the illness is occupational, time loss from work would fall under Workers Compensation, as opposed to non-occupational illness which would fall under short-term/long-term disability (STD/LTD) plan by your employer.

Listed below are options for members who are not able to work at full capacity, or at all. Each of these options require documentation. Consider if your inability to work is related to a workplace injury or is a non-workplace injury. Note that approval for a workplace injury can be a much tougher benchmark to prove.

- Workplace accommodation
- Short Term Disability - Long Term Disability (STD/LTD)
- WSIB (Workers Compensation)
- Medical EI

For each of these options, if needed, assistance in filing is provided through the Union office. [Contact](#) your Local Union Representative.

WORKPLACE ACCOMMODATION: WHAT IS IT?

An accommodation can be many different things. Some examples include: a change of hours (earlier, or later shifts, etc.), change of schedule (how many shifts per week, what days off, etc.), care and education for children, working from home or hybrid alternative work arrangements, specialized equipment, additional breaks for mental and or physical needs, limited or restricted job duties based on physical/mental limitations, etc.

Any worker can request a workplace accommodation in relation to one of the identified grounds listed in Section 3 of the Canadian Human Rights Act. Grounds of discrimination for which an accommodation can be requested are: Race, national or ethnic origin, colour, religion, age, sex, sexual orientation, gender identity or expression, marital status, family status, genetic characteristics, disability and conviction for an offence for which a pardon has been granted or in respect of which a record suspension has been ordered.



For U of T employees, the process to request accommodations is described in the [Accommodation Guidelines for Employees with Disabilities](#). Supporting medical documentation will need to be filed with [Health and Wellbeing \(HWB\)](#).

The goal of workplace accommodation is to allow a member as best as possible to be able to continue to work. Accommodations covered by the Canadian Human Rights Act may not always be perfect and are often a process of trial and error until a workable solution for both the employer and employee is achieved. Accommodations can be denied, and if denied unreasonably, can be grieved. Accommodations can be temporary or permanent and may be subject to supporting documentation on a regular basis.

Accommodations are a legislated right with a goal to help a member meet their obligations in both their employment and personal life. If you feel that you need an accommodation please reach out to [your Steward](#) or a [Grievance Officer](#).

If your accommodation is based on a disability please see the list further down on medical documentation. If the request is based on a prohibited ground and not combined with a disability then other documentation may be required.

SHORT TERM DISABILITY (STD) AND LONG-TERM DISABILITY (LTD)

STD/LTD are approved, based on medical necessity, for non-work-related illnesses for Staff-Appointed, UTS, St. Mike's and Vic members who have passed probation. If you can no longer work, go to your medical professional(s).

- Be honest with your doctor about all factors that are impacting you.
- Seek a diagnosis, and prognosis, for all factors that may be causing illness and ensure that the doctor is noting to your file all contributing factors.
- The more information the doctor provides to an insurance carrier helps (communicate/document).
- A history of what you have indicated to your doctor shows a documented paper path (lays groundwork).

What to do if your STD application is denied? You may need to request an unpaid leave of absence (LOA) while the Union assists you in appealing the decision either through additional medical documentation or the grievance process.

[Medical EI](#) is an option from the government of Canada when you are not eligible for any employer benefits and are on an approved unpaid LOA.

MEDICAL EI

As soon as a STD claim is denied, an application for medical EI is recommended. The reason being is if you are unsuccessful in appealing a STD claim, approval for a Medical EI cannot be backdated. Apply for Medical EI with the understanding that if your denied STD is subsequently approved, there are some monies that need to be paid back as you are not able to have both Medical EI and STD/LTD benefits.

LONG-TERM DISABILITY (LTD)

LTD provides coverage when STD has run out (after 15 weeks for most U of T employees). It is recommended to apply a minimum of 6 weeks prior to your STD ending. Not all STD/LTD plans are the same. They vary by unit, so read your benefits manual and collective agreement carefully and check with your Union Steward for clarification.

THE IMPORTANCE OF YOUR SUPPORTING DOCUMENTATION

When filing for any of the options, the likelihood of being approved depends on the quality of supporting documentation.

The following suggestions improve the likelihood of being approved. Submitted medical documentation should only be provided to Health and Wellbeing (HWB). For your own privacy, never disclose personal medical information to your immediate manager.

HWB will provide you with a Medical Report Form that must be completed to support any accommodation or sick leave. Information requested includes:

- Diagnosis and prognosis (describing the signs & symptoms)
- Restrictions and/or limitations that prohibit you from working. Forms marked with N/A indicate there are no limitations and could contribute to denial of benefits.
- How those restrictions and/or limitations prohibit you from doing your job duties e.g. unable to climb, lift, loss of concentration, unable to focus, make sound decisions, etc.
- Objective forms of measurement/evaluations, and date completed to identify your restrictions e.g. global assessment of functioning (GAF), generalized anxiety disorder (GAD), functional limitation tests.
- Have any further studies been performed by a specialist? If so, what was the result?
- What is the treatment plan, including any medications prescribed (describe the dosage and frequency).
- What is the expected timeframe for your recovery with regards to returning to work?
- What is the frequency of your visits with your medical practitioner?

Keep copies of all medical documentation submitted in case it gets misplaced. This will allow you to resubmit without negatively affecting your benefit coverage period.

WORKERS COMPENSATION FOR OCCUPATIONAL-RELATED ILLNESS

If you believe your injury or illness is related to work you must inform your physician so they fill out and send any required documentation to WSIB. You must also report it to your manager. When trying to determine if your illness/injury is related to work, it is best to [contact](#) your Local Union Representative for assistance.

WSIB Claims Filed Under [Chronic Mental Stress \(CMS\) Policy](#)

It's important to note that WSIB denies the vast majority of claims made under the CMS policy. In order for a claim to be allowed under the WSIB CMS Policy, an appropriate regulated health care professional must provide a DSM diagnosis such as: acute stress disorder, post-traumatic stress disorder, adjustment disorder, anxiety, and/or depressive disorder.

There is a different standard of proof than for physical injuries where work must only be a **significant contributing factor**. WSIB will look for life stressors such as financial hardship or home life, for example, as reasons to deny your claim.

Other policies such as [Traumatic Mental Stress](#) or [Psychotraumatic Disability](#) can be used to adjudicate WSIB claims. Workers may be entitled to benefits for chronic mental stress due to an employer's decisions/actions that are not part of the employment function, such as workplace harassment or unreasonable, egregious, or abusive conduct.

The [USW Injured Workers Program](#) (416-593-4466) can assist with merit review and WSIB appeals. Every situation should be reviewed on a case by case basis, so [contact the union](#) for assistance.



*At any time if you need help, please reach out to the [Union](#). These communication pieces have been created in the spirit of education and empowerment.
In Solidarity,*

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