

**LiUNA!**care

LOCAL 183<sup>TM</sup>

BUILDING HEALTHY FUTURES

## WORKPLACE ACCIDENTS (WSIB) Case Management & Appeals Services Application Form

Industrial Division

Members Benefit Fund



## Workplace Accidents & Disabilities

If you sustained a workplace injury or developed a work-related medical condition and you obtained health care from a physician or health professional, missed time from work, or have been accommodated for more than 7 days, a **claim must be filed** with the Workplace Safety & Insurance Board (WSIB).

### What to do in case of a workplace injury?

- If you sustained a workplace accident or developed a work-related medical condition, immediately report your injury to your employer.
- If you require immediate medical attention, your employer is responsible for securing your transportation and paying any ambulance costs.
- On the accident date, your employer is responsible for paying for the whole shift.
- If immediate medical attention is not required, see a physician as soon as possible following the accident.
- Advise your physician or health professional that your injury was caused by work.
- Ensure your physician or health professional completes and submits a WSIB **Form 8 - Health Professional Report** and request a copy.
- Obtain names and contact information of any witnesses.
- Ask your employer for a copy of the **Form 7 - Employer's Report of Injury** - a copy must be provided.
- If your employer requests you to complete a **Functional Abilities Form (FAF)**, have your physician or health professional complete this form and return to your employer.
- Contact the WSIB to report your accident at **416-344-1000** or **1-800-387-0750**.
- Complete and submit the **Form 6 - Worker's Report of Injury** available through the WSIB website at [wsib.ca](http://wsib.ca).
- If requested, provide your employer with a copy of the Form-6.

### Who is the WSIB?

- WSIB is an Ontario government agency that is responsible for handling all workplace injury claims in accordance with the Workplace Safety & Insurance Act (the Act).
- WSIB provides wage-loss benefits, medical coverage, return-to-work support, and other benefits and services to injured workers in accordance with the Act.
- WSIB has the authority to examine, hear, and decide all matters under the Act.

### How to obtain assistance with your WSIB claim?

- If require assistance filing a WSIB claim, understanding a WSIB decision you received, or looking for case management services, contact us and complete and submit the enclosed intake package to **LiUNAcare Local 183 Member Health Management Services**:

 Email: [memberhealthservices@liunacare183.com](mailto:memberhealthservices@liunacare183.com)  
 Mail: **200 Labourers Way, Suite 5400 | Vaughan, ON | L4H 5H9**  
 Fax: **416-240-7047**  
 Telephone: **416-240-2104** or **1-866-315-6011**

## Workplace Accidents & Disabilities

### What does WSIB cover?

- If you miss time from work due to your workplace injury and your claim is allowed, WSIB pays loss of earnings (LOE) benefits at 85% of your net average earnings, as follows
  - during the first 12 weeks of disability, your net average earnings 4 weeks prior to the accident, and
  - after the 12<sup>th</sup> week of disability, your net average earnings 2 years prior to the accident.
- LOE benefits are paid for the period WSIB determines you are disabled from working and suitable modified work is unavailable.
- LOE benefits stop once
  - you return to work and no longer have a wage-loss,
  - suitable modified work is offered which restores your earnings,
  - you are deemed fit to return to your pre-accident job, or
  - you attain age 65 (two years post-accident if over age 63 at accident date).
- WSIB pays for health care and other services which are necessary and related to the workplace injury including
  - professional services provided by a physician or health professional,
  - prescription medications and assistive devices (ie. wheelchairs; hearing aids, etc),
  - clothing expenses (ie. clothing damaged in the accident or by an assistive device),
  - out-of-pocket public transit expenses or mileage to and from medical appointments including parking – all other forms of travel must be pre-approved by WSIB (ie. taxi),
  - retraining for workers who are permanently unable to return to their pre-injury job, and
  - other devices and services to improve the quality of life of severely impaired workers.
- If you receive LOE benefits for 12 continuous months, the WSIB will set aside 5% of all subsequent benefits payable as Loss of Retirement Income (LRI) payable when you turn age 65.
- A Non-Economic Loss (NEL) Award may be granted if a worker sustains a permanent impairment.
- There are additional WSIB benefits and services offered to injured workers.

### What happens if my employer offers me modified work?

- Employers are required to provide suitable modified work that is available and consistent with the worker's abilities and, when possible, restores the worker's pre-accident earnings.
- Workers are required to assist in this process by providing functional abilities forms (FAF) when requested.
- WSIB's role is to support the workplace parties (employer and worker) in the return-to-work process.
- If your employer offers you modified work which is suitable given your restrictions, you must report to work and comply with the modified work otherwise entitlement to WSIB LOE benefits may be impacted.
- If the work offered is or appears to be unsuitable, unsafe, or you have concerns, let your employer know and contact the WSIB and Member Health Management Services.
- While on accommodation, ensure your restrictions are observed and notify your employer, the WSIB, and Health Management Services if there are issues with the accommodation.
- WSIB may assign a Return-to-Work Specialist to assist with return-to-work planning - if WSIB or your employer requests a return-to-work meeting, advise Health Management Services so we can assist you.

## Workplace Accidents & Disabilities

### What are my responsibilities while on WSIB?

- Provide the WSIB any information deemed necessary for the assessment of your claim.
- Comply with medical treatment the WSIB considers appropriate.
- Attend any treatment or examination coordinated by the WSIB.
- Cooperate in all aspects of the return-to-work process.
- Immediately notify the WSIB if you return to work in any capacity, receive any employment income, if there is any change in your ability or availability to work, or if you intend to travel outside Canada.

### What happens if my claim is denied or WSIB benefits stop?

- If your claim is denied or you receive an adverse decision from the WSIB, you have the right to object to it and any decision made by the WSIB by requesting a reconsideration.
- If the WSIB maintains its decision at reconsideration, the matter is referred to the Appeals Branch of WSIB.
- The Appeals Branch handles appeals via written submissions or may request an in-person hearing to resolve more complex issues.
- Should the appeal be unsuccessful at the Appeals Branch, there is a second level of appeal outside of the WSIB through the Workplace Safety & Insurance Tribunal (WSIAT).

*The information provided above is for general reference. Detailed information regarding WSIB policies, benefits, and services can be found on their website at [wsib.ca](http://wsib.ca).*

**If you require assistance with a WSIB decision you received or have any questions regarding your claim, contact LiUNAcare Local 183 Member Health Management Services.**

### Benefit Plan coverage while on WSIB

- If you become disabled due to a work-related injury and while in receipt of WSIB benefits, you and your eligible dependents will remain covered under the benefit plan and your hour bank will be frozen for a maximum period of 12 months from the date of disability.
- Members must report their WSIB claim number and submit Proof of Acceptance of their claim by WSIB to the Administrative Agent as soon as possible and proof of ongoing receipt of WSIB Loss of Earnings Benefits must be submitted monthly.
- Members have one (1) year from the date of the accident to report their WSIB claim to the Administrative Agent and must remain a member in Good Standing with LiUNA Local 183.
- After the initial 12 months of WSIB benefits, benefits are maintained through your Hour Bank Account.
- Should your Hour Bank Account exhaust and you remain disabled from working, you have the option to continue your coverage by making monthly self-payments to the Local 183 Members' Benefit Fund.
- For more information refer to the benefit plan booklet, visit [liunacare183.com](http://liunacare183.com), or contact Member Services at **416-240-7487** or [info@liunacare183.com](mailto:info@liunacare183.com).



## Workplace Accidents & Disabilities

### Our Services

LiUNAcare Local 183 Member Health Management Services staff are Workplace Compensation and Disability Management Specialists who work closely with members and your Legal Representative by

- Explaining WSIB benefits, services, and policies,
- Securing documentation requested by WSIB,
- Liaising with WSIB case workers,
- Ensuring access to appropriate medical care and monitoring your recovery,
- Coordinating expedited assessments and treatment,
- Coordinating plan benefits and services,
- Corresponding with your physician and health professionals,
- Participating in return-to-work meetings to ensure modified work offered is suitable and safe,
- Ensuring adverse WSIB decisions are provided to your Legal Representative for review and action, and
- Assisting your Legal Representative in securing documentation for reviews and appeals.

Mr. Nick Montesano, Legal Representative, is a Licensed Paralegal with the Law Society of Ontario and legal representative for LiUNA Local 183 members. Over the last 25 years, Mr. Montesano's focus has been occupational injuries and has been responsible in preparing and presenting appeals at various Workers' Compensation jurisdictions across Canada. As a Legal Representative, Mr. Montesano assists LiUNA Local 183 members by

- Providing advice with respect to their legal interests, rights, and responsibilities before the WSIB,
- Reviewing and addressing WSIB decisions,
- Informing members on the advisability and methods for appealing an adverse WSIB decision,
- Filing objections and appeals, both at WSIB and WSIAT, and responding to employer appeals, and
- Appearing before the WSIB or WSIAT to present appeals or respond to an employer's appeal on behalf of a member.

In order to receive these services, you must be in Good Standing with Local 183 and the accident must have occurred while working for an employer through Local 183.

Please note: You can only have one Legal Representative for a WSIB claim at a time. Should you obtain the assistance of Health Management Services and complete a Direction of Authorization for Nick Montesano, any existing Legal Representative is no longer able to act as your representative before the WSIB for your claim. If registered with Member Health Management Services and Nick Montesano and you obtain the services of another Legal Representative, kindly notify our office at your earliest convenience.

### Other Important Information

- Payment of monthly Union dues is your responsibility to remain in good standing.
- If you are Member in the Construction Sector and receiving loss of earnings (LOE) benefits from WSIB, speak to the Labourer's Pension Fund for guidance on pension matters at 289-291-3663 or at 1-866-932-1100.

## Workplace Safety & Insurance Board (WSIB) Claim Authorization

If you sustained a workplace injury or condition, and you obtained health care, missed time from work, or have been accommodated for more than 7 days, a claim must be filed with the Workplace Safety & Insurance Board (WSIB). If you are in Good Standing with Local 183 and require assistance with your claim, please complete this form and return to LiUNA Care Local 183 Member Health Management Services.

### Member Information

Last Name		First Name	Union ID Number
Address			Date of Birth (mm/dd/yyyy)
Town/City	Province	Postal Code	Telephone Number
Email Address			Cell Phone Number
Accident Employer			WSIB Claim Number(s)

### WSIB Claim Information

Date & Time of Accident or Onset of Symptoms	Date of First Medical Attention	Date Reported to Employer
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Describe the Accident (provide location, mechanism of injury, and activity or work task being performed at time of the accident). If medical condition arose over time, describe how it developed? When did you apply for WSIB? Describe any issues with the claim, treatment, or return work.

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First Day Unable to Work	Return to Work Date	Return to Work Type <input type="checkbox"/> Full <input type="checkbox"/> Modified
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Family Physician Name and Contact
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Treatment Provider or Clinic Name and Contact
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### Member Responsibilities

In order to appropriately assist you with your claim before the WSIB you are required to comply with the following:

- Provide the WSIB any information deemed necessary for the assessment of your claim,
- Attend assessments and treatments the WSIB coordinates,
- Comply with any treatment, assessments, or investigations recommended by your physician(s) or health professional(s),
- Where possible, arrange treatment sessions outside of work hours,
- Keep original receipts and log of any out-of-pocket expenses (mileage, parking, public transportation to/from treatment),
- Complete and provide functional abilities forms as requested by your employer,
- Participate with the return-to-work process,
- Report any material changes in your circumstances,
- Mitigate your circumstances by obtaining treatment focused on recovery and looking for alternate and suitable work,
- Provide Health Management Services any information requested to assist you with your WSIB claim.

Failure to comply with the above or not following the direction of your Legal Representative could adversely impact your WSIB claim. If you have any questions consult with Health Management Services and ensure you follow the advice and direction of your Legal Representative.

### Member Information

Member's Last Name	Member's First Name	Date of Birth	WSIB Claim Number(s)
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### Member Declaration & Authorization for Release of Information

I certify that the information presented is true, correct, and complete. I have read, understand and agree to comply with the Member Responsibilities while receiving assistance from LiUNAcare Local 183 Member Health Management Services and from Nick Montesano, Law Society of Ontario Licensed Paralegal and Authorized Representative before the Workplace Safety & Insurance Board (WSIB).

A WSIB Direction of Authorization for Nick Montesano is to be completed authorizing Nick Montesano to access all WSIB claim-related information and act as my legal representative in relation to the above noted WSIB claim(s).

LiUNAcare Local 183 Member Health Management Services is administered by Benefit Plan Administrators Limited (BPA).

I hereby authorize BPA and its subsidiaries, to collect, use, and exchange any and all information and documentation requested by BPA regarding or relating to my medical or mental health condition for the purpose of assessing, managing, and assisting me with my occupational injury(ies) and access to other benefits and services provided through my benefit plan. This includes authorizing any physician, health care professional, hospital, public or private institution, the Workplace Safety & Insurance Board, my employer(s), and Union to provide to BPA any information required for the management of my claim and to coordinate my return to work.

I authorize BPA to share any and all information and documentation collected with the WSIB for their assessment and management of my claim(s) and with Nick Montesano, an independent Licensed Paralegal, for legal representation before the WSIB and Workplace Safety and Insurance Appeals Tribunal (WSIAT). All personal information will be treated in a highly confidential manner. It is understood that this authorization is valid from the date hereof through to WSIB claim resolution. This authorization may be withdrawn at any time upon receipt of written notification to BPA and Nick Montesano.

Member Signature	Date
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Please complete and return this form to

**LiUNAcare Local 183 Member Health Management Services**  
 200 Labourers Way, Suite 5400 | Vaughan, ON | L4H 5H9  
 Fax: 416-240-7047 | Email: memberhealthservices@liunacare183.com