

## VOCATIONAL REHABILITATION RELOCATION

Effective Date: November 1, 2002

### A. BACKGROUND

Effective June 30, 2002, the *Workers Compensation Act* (the "Act") was amended by Bill 49, *the Workers' Compensation Amendment Act, 2002*. On October 16, 2002, the Panel of Administrators approved amendments to the Board's policies concerning vocational rehabilitation entitlement and services.

### B. EFFECTIVE DATES AND TRANSITION RULES

The policy changes are effective November 1, 2002 and apply to all decisions made on or after November 1, 2002, on claims occurring on or after June 30, 2002. For recurrences, please refer to Practice Directive #38A, *Effective Dates and Transition Rules*, and Practice Directive #38B, *Recurrences*.

### C. PURPOSE

This practice directive provides clear guidelines for determining:

- when to consider relocation,
- what action must be taken by the Board officer in Vocational Rehabilitation Services ("VRS"), and
- the factors to be taken into consideration prior to recommending relocation.

### D. LAW

Section 16 of the *Act* provides the rules under which vocational rehabilitation services may be provided to an injured worker.

### E. POLICY

Policy item C11-88.90, *Relocation*, in Volume II of the *Rehabilitation Services and Claims Manual* ("RSCM") has been amended. The amended policy delineates the factors to be considered in determining whether relocation is a reasonable expectation for a worker.

### F. RELOCATION

## AMENDED Jan. 29, 2003

Policy states that “*relocation is considered to be a reasonable option for a worker after all other return-to-work options have been considered*”. Consideration of relocation may follow or precede a period of job search, depending on the findings of the labour market research into the selected occupation(s).

Prior to recommending relocation the Board Officer in VRS will:

- Complete an Occupational Assessment,
- Conduct Labour Market Research supporting the selected occupational goal(s) and identify the availability of employment, by geographic location,
- Assess the viability of job search/placement activity in the worker’s home community versus relocation as a first step, and
- Develop the Vocational Rehabilitation Plan (VRP), including the Cost Benefit Analysis.

If the recommendation is to relocate, the Board Officer must establish that:

- there are no suitable occupations within reasonable commuting distance of the worker’s home that would maximize the worker’s post-injury earning capacity;
- suitable occupations that would maximize the worker’s post-injury earning capacity are reasonably available elsewhere in the province; and
- based on the worker’s age, family situation and connections to the community, it is reasonable to expect the worker to relocate.

Guidelines for age, family and community connections would include:

- Age – 63 or older and not intending to work past age 65.
- Family – Elderly parent with no other family members in the community to care for them.
- Community Connection – Mayor, Alderman with more than 6 months left in term of office.