

Category: Human Resources

Non-Occupational Claims Management

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1. Background

The City is committed to providing insured benefit coverage for Employees who are absent from work due to a non-occupational injury/illness. This coverage can be in the form of short-term disability (STD) or long-term disability (LTD) benefits.

These disability benefits are designed to provide short- or long-term income replacement benefits to permanent, full-time non-union Employees and employees of the Mayor and Council Office with a contract of 12 months plus 1 day.

2. Purpose

The purpose of this Administrative Directive is to guide the provision of short- or long-term disability benefits in the event of a non-occupational injury/illness that prevents attendance at work.

3. Application and Scope

This Administrative Directive applies to:

All regular full-time, non-union Employees who have completed three (3) months continuous service and employees of the Mayor and Council Office with a contract of 12 months plus 1 day who are eligible for disability income replacement benefits.

3.1 Exceptions

This Administrative Directive does **not apply** to the following Employees or union groups:

- a) ATU
- b) BPPFA
- c) CUPE
- d) Part time Employees
- e) Temporary/Contract Employees except as approved by Council

All union groups should refer to their respective collective agreements.

3.2.1 This Administrative Directive does not apply to occupational injury or illnesses regardless of the Employee group.

4. Outcomes

4.1 A psychologically and physically safe work environment that is respectful, supportive, equitable and inclusive for all Employees, when managing non-occupational injury/illness principles.

4.2 A culture of managing risks well to prevent illness or injury.

- 4.3 To ensure eligible Employees with an approved absence, receive income replacement while away from work, for a defined period.

5. Principles

5.1 Supportive & Inclusive Culture

The City provides a respectful workplace culture in which Employees have the right to be supported, included, and treated equitably at all times, including in relation to disability claims whether they are approved or denied.

People Leaders will play an active role in supporting Employees while away from work and collaborate with Human Resources in providing guidance to Employees returning to work. The City recognizes that Employees absent from work due to a non-occupational injury/illness may require emotional support.

People Leaders will encourage Employees to reach out to the Employee Assistance Program and Peer Support Network, where available, for support and wellness resources. In addition, People Leaders and Employees will work together to minimize absences and the impact on the City's operations, residents and colleagues.

5.2 Confidentiality

Confidential information including medical information, should only be accessed and used by individuals to determine eligibility for benefits, or when required for compliance with this Administrative Directive. The City will ensure all medical information is kept confidential.

All medical documentation will be handled in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*.

People Leaders are not entitled to an Employee's medical information. People Leaders are entitled to the following information to support absences from work, the accommodation process and workforce planning:

- STD and/or LTD approval and duration of absence.
- Prognosis and estimated return to work date.
- Functional abilities and limitations.

6. Policy Statements

- 6.1 The City recognizes that circumstances may arise that require an Employee to be absent from work due to non-occupational injury/illness.
- 6.2 Employees will be required to provide a completed Attending Physician Form (APF) in order to receive income replacement benefits. The APF will be assessed by the City's Disability Management Team to support benefits being paid.

- 6.3 Eligible employees may receive STD benefits, provided by the City for up to fifteen (15) weeks. In the event an eligible Employee is unable to return to work within the above-mentioned timeframe, they may be eligible for LTD benefits.
- 6.4 The City, at any time, may request additional medical evidence of the Employee's disability from a qualified medical practitioner, who is able to provide such evidence, as recognized by the *Regulated Health Professions Act (RHPA)*. In circumstances where additional medical evidence is requested the City's Occupational Health Consultants will review the medical evidence.

7. Roles and Responsibilities

7.1 People Leader

- a) Understand and comply with this Administrative Directive and accompanying Standard Operating Procedures (SOPs).
- b) Maintain regular contact with Employees while they are away from work as required.
- c) Provide Employees with an APF for completion after three (3) days of consecutive absence and notify Human Resources.
- d) Encourage Employees who may need emotional support to reach out to the Employee and Family Assistance Program or Peer Support Network, where available.
- e) Ensure that the Employee's absence is appropriately captured and coded in collaboration with Human Resources.
- f) Monitor and ensure compliance with this Administrative Directive and accompanying SOPs.
- g) Ensure Employee information remains confidential.

7.2 Employees

- a) Maintain regular attendance at work, however in the event of illness and/or injury, Employees are responsible to fulfill their obligations as outlined in this Administrative Directive and accompanying SOPs.
- b) Must notify their immediate People Leader of illness and/or injury at the earliest opportunity.
- c) Co-operate with the City or anyone delegated to adjudicate STD/LTD claims by providing required supporting medical documentation, maintaining regular contact with their People Leader and advising of any changes or expected return to work date.

7.3 Human Resources

- a) Responsible for ensuring adherence to this Administrative Directive as outlined.
- b) Provide support and guidance to People Leaders and Employees to ensure compliance with this Administrative Directive and accompanying SOP.
- c) Accountable for determining entitlement and processing of STD benefits for eligible Employees, based on the established adjudication process.
- d) Provide timely and accurate reporting to the Operating Departments related to disability claims, expected return to work dates or next review dates.
- e) Inform Payroll of STD/LTD claims to adjust time entries, as required.
- f) Facilitate the LTD application process and when requested provide assistance and guidance to Employees and People Leaders, including providing regular updates.
- g) Maintain the Administrative Directive and accompanying SOPs.
- h) Ensure Employee information remains confidential.

7.4 LTD Benefits Provider

- a) Approval of LTD benefits will be in accordance with the policies and practices of the respective LTD insurance carrier.
- b) LTD claims are adjudicated by the LTD Benefits Provider, any dispute regarding eligibility shall solely be between the Employee and the carrier.
- c) Provide updates to both the Employee and City related to the claim status.

8. Monitoring and Compliance

8.1 Human Resources must ensure that People Leaders and Employees are compliant with the Administrative Directive.

8.2 Employees are expected to adhere to all Corporate policies and procedures.

8.3 Consequences of Non-compliance

Failure to follow this Administrative Directive by any party (as applicable) may result in:

- a) Denial or delay of income replacement benefits.
- b) Discipline up to and including termination of employment or any other corrective action.

8.4 Exceptional Circumstances

Circumstances may exist where the provisions of this Administrative Directive may not apply or may require an alternate course of action. In these circumstances, written approval from the Chief Administrative Officer and Director, Human Resources is required prior to any alternate action.

9. Definitions

- 9.1 **Employee** – Permanent, full-time non-union Employee and employees of the Mayor and Council Office with a contract of 12 months plus 1 day who performs work or supplies services for monetary compensation.
- 9.2 **People Leader** - A person who is in charge of a Workplace or has authority over an Employee and can include but is not limited to, Member of Council, Senior Leaders, Directors, Managers, Supervisors or Forepersons.
- 9.3 **Short Term Disability (STD)** – Provides income replacement when an Employee is absent from work for a short period, due to a non-occupational injury/illness. Income replacement is based on years of service, for up to fifteen (15) weeks provided by the City.
- 9.4 **Long Term Disability (LTD)** – Provides income replacement when an Employee is absent from work for an extended period, due to a non-occupational injury/illness. Employees are eligible for LTD income replacement following the expiration of the short-term disability period. LTD is adjudicated by an external provider and is paid by that provider when approved.
- 9.5 **Attending Physician Form (APF)** - Is a form completed by a health professional (physician) who has treated, or who is currently treating the Employee and is recognized by the *Regulated Health Professions Act, 1991 (RHPA)* and is authorized to do so.
- 9.6 **Regulated Health Professions Act, 1991 (RHPA)** - In Ontario, regulated health professions are governed under the *Regulated Health Professions Act, 1991 (RHPA)*. This legislative framework establishes health regulatory colleges, which regulate the professions in the public interest.
- 9.7 **Occupational Health Consultants** – Independent to the City of Brampton, providing expert medical guidance on information pertaining to employees' absences and accommodations.
- 9.8 **Benefits** – Income replacement paid to an Employee while off work on an approved STD/LTD claim.
- 9.9 **Non-occupational injury/illness** – Non-work-related injury/illness.

10. References and Resources

This Administrative Directive should be read and applied in conjunction with the following references and resources as updated from time to time. Please note that some of the following documents may not be publicly available.

10.1 External references

- [Regulated Health Professionals Act, 1991 \(RHPA\)](#)

10.2 References to related bylaws, Council policies, and administrative directives

- [Respectful Workplace Policy HRM - 150](#)
- [Employee Code of Conduct Policy HRM - 100](#)
- [Occupational Health and Safety Policy - HRM 110](#)

10.3 References to related corporate-wide procedures, forms, and resources

- [STD Claims Management SOP](#)
- [LTD Claims Management SOP](#)
- [Attending Physician Form \(APF\)](#)
- [Collective Agreements](#)

11. Revision History

Date	Description
2024/08/01	Approved by CAO/CLT on July 31, 2024. – Replaces the following rescinded policies: Short-Term Disability 9.1.0 Long-Term Disability 9.2.0
2027/08/01	Next Scheduled Review