

TRANSITIONING WORKERS TO FULL EMPLOYMENT

Opening Statement

In 'Accessibility 2024', the provincial government's goal for BC is to have the highest labour participation rate for people with disabilities in Canada by 2024 (p.12); a laudable and supportable goal; however, there is a sub-set of individuals who receive disability supports that are not well represented in the government literature. These individuals are recovering from a long-term illness and are preparing to re-enter the labour market. To ensure their successful re-integration, they require flexibility in the Disability Assistance Program to help both the employer and employee accommodate the transition from a few hours a week to full-time employment.

Background

Although this likely affects a small number of employers (numbers not publicly available due to privacy concerns), workers in this sub-group are not covered by insurance or their insurance had time-limits and they are not Workers Compensation Board (WCB) or Insurance Corporation of BC (ICBC) related and there is no union agreement in place. The challenge requiring time away from employment is usually a major illness or injury of some kind that, at some point, can either go into remission, or the individual is "getting better," or is in some form able to return to work.

Under ideal circumstances, a worker is covered by their employment insurance benefits, and the accommodations required are agreeable to all parties.¹ Unfortunately, not all employees on long-term leave are covered if their employers were not able to provide an insurance benefit, or the benefit is time-limited. Not all employers are able to accommodate if the accommodation requires "undue hardship."²

Limited by lack of assistance, these individuals end up on disability assistance which provides them and any family members a set income per month, plus the ability to earn up to various amounts (determined by their family income, as it applies) per year, before a dollar for dollar deduction or "clawback" is triggered. The exemption limits are:

- \$12,000 for a single person with the Persons with Disabilities designation
- \$14,400 for a family with two adults where only one person has the Persons with Disabilities designation
- \$24,000 for a family where both adults have the Persons with Disabilities designation

Any money earned over those annual earnings exemption limits will be deducted dollar for dollar from the assistance payments; however, to successfully re-integrate into an employment situation, individuals may find the maximum allowable support to be a barrier as they gradually increase their employment hours but are not experiencing the benefit. Further, the increase in employed hours paid may not be sufficient to replace the disability support, hindering the employee's ability to leave the disability assistance program, particularly if that person has dependents.

The dollar-for-dollar deductions after allowable earnings is a major barrier to a successful return-to-work plan requiring recovering employees to full-time while ensuring sufficient income. If returning too soon,

¹<https://www.canada.ca/en/employment-social-development/programs/planned-accessibility-legislation/consultation-legislation.html>

² Canadian Human Rights Commission, <http://www.chrc-ccdp.ca/eng/content/guide-managing-return-work>

the employee can suffer a medical set back impacting their recovery and the workplace. What is required for these willing workers, is a flexible assistance schedule that allows for increasing hours and commensurate pay, and extra time required to successfully integrate. A temporary transitional interim support of 50% deduction before full dollar to dollar recovery, as part of their plan and with the concurrence of their government case worker, would be of great value to ease and encourage a skilled worker back to full employment.

A safe and timely return to work benefits the patient and their family by enhancing recovery and reducing disability. Through improvement of health outcomes, a safe and timely return to work also preserves a skilled and stable workforce for employers and society and reduces demands on health and social services as well as on disability plans.” — “The Physician’s Role in Helping Patients Return to Work After Illness or Injury,” Canadian Medical Association, 201.³

THE CHAMBER RECOMMENDS

That the Provincial Government in their Annual Earnings Exemption table, introduce a transitional Disability Assistance graduated recovery of incomes earned over the allowable income exemption for individuals transitioning to full or near-full employment as part of a gradual return-to-work program.

Submitted by the Surrey Board of Trade

³ <https://www.canada.ca/en/treasury-board-secretariat/services/values-ethics/diversity-equity/disability-management/fundamentals-return-to-work-plan.html>