KIT: Employment Rights – Injuries at Work

Legal Rights Literacy Kits

This is one of nine kits designed for Literacy and Basic Skills (LBS) programs in Ontario. The kits provide ready-made materials for LBS practitioners to help learners improve their literacy skills while learning about legal rights.

The kits were developed by CLEO, adapting content created by the Community Law School (Sarnia-Lambton). They relate to three areas: Workplace Rights, Tenant Rights, and Consumer Rights. Each kit includes learning activities and tasks that can be used to facilitate learning, and to demonstrate, track and document learners' progress towards completion of their goal path.

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Legal Rights Literacy Kits for LBS

KIT: The Steps to Justice Website

Employment Rights

KIT: Workplace Posters

KIT: Wages

KIT: Injuries at Work

This KIT!

Consumer Rights

KIT: Payday Loans

KIT: Collection Agencies

Tenant Rights

KIT: Paying Rent

KIT: Maintenance and Repair, Part 1

KIT: Maintenance and Repair, Part 2

Introduction to the Kit

This kit includes learning activities and task sets about rights and responsibilities related to getting injured at work.



This kit includes two task sets. Task set 1 involves locating information in a CLEO booklet about making a claim for workers' compensation; task set 2 involves completing Form 6, the form required to file a claim for workers' compensation with WSIB (Workplace Safety & Insurance Board).

This kit uses the following resources to facilitate learning about literacy skills and rights related to getting injured at work.

CLEO Booklet: Workers' Compensation: Making a Claim: This free 23-page booklet explains what workers' compensation benefits are, what to do if you are injured at work, how to report an injury, and how to make a claim with WSIB. The booklet can be viewed or printed from online, or ordered as a print booklet, free of charge at: www.cleo.on.ca/en/resources-and-publications (select Employment and Work, then locate the title of the booklet (Workers'



Compensation: Making a claim). Then you will have an option to <u>select PDF (to view or download)</u> or "Order item" to order copies for learners.

• Form 6: A Form 6 is a 4-page form that workers complete to initiate a claim for workers' compensation. It can be located online by entering the search terms "WSIB Form 6" in your browser search bar, or by visiting:

https://www.wsib.ca/sites/default/files/2022-01/0006a workersreportofinjury english.pdf

You may choose to use the task sets for learning purposes, or to demonstrate, track and document learner progress towards completion of a learner's goal path. Success criteria for each task set is indicated on the task set answer sheet.

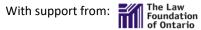
OALCF Cover Sheet and Task Performance

These learning materials are aligned to the Ontario Adult Literacy Curriculum Framework (OALCF). If you use a task set in this kit to demonstrate learner progress towards goal completion, then complete the cover sheet and scoring rubric on the final pages of this kit. Include them in the learner file, along with other assessment items, such as Initial assessment results, Milestones and Culminating Tasks.

The task sets in this kit are offered as examples; feel free to modify the questions, the OALCF cover page or rubric to suit learner needs. Please note that if you adapt the task questions, they may not comply with the level and complexity of the original scoring rubric.

Ongoing Assessment: If you choose to use one or more task sets for ongoing assessment purposes, learners should attempt the task set independently.







Background Information on Legal Rights

Introduce learners to key concepts related to worker and employer rights and employer responsibilities with respect to getting injured at work. In addition to the CLEO booklet featured in this KIT, the Steps to Justice website (https://stepstojustice.ca/) has clear information about rights related to getting injured at work in Ontario.

On **Steps to Justice**, the following questions about getting injured at work are addressed, in the Injured at Work topic:

- What type of worker's compensation benefits can I get from WSIB?
- How do I know if I'm covered by workers' compensation benefits?
- What should I do if I get hurt or injured at work?
- I wasn't at work when I got hurt. Could this still be a work injury?
- I didn't have an accident but may have hurt myself at work. What should I do?
- How and when must I report a workplace injury or accident?
- What is my employer supposed to do after I report a work injury?
- I have a work injury and my employer wants me to go for an "assessment". What should I do?
- What if my employer wants me to take wages or sick pay instead of making a worker's compensation claim?
- The WSIB knows I've been injured at work. What happens next?
- What do I need to know when I'm dealing with the WSIB case manager?
- I'm waiting for a decision about workers' compensation. What can I do to get money and treatment?
- What do I do if I disagree with a WSIB decision?
- How do I get back to work after an injury?



It's a good idea to review and provide practice with literacy skills and strategies related to the OALCF Competencies and related task groups addressed in this Kit.

Skills/Strategies related to OALCF Competency A: Find and Use Information

- Skimming for gist: Direct learners to glance at the table of contents, pay attention to the headings and glance at parts of the document. Inform them that this helps them determine what the document is about, and whether it applies to them. Encourage learners to predict what information the document contains, and when they may need it.
- Questioning: Engage learners in posing questions that they want answered by the text. This helps them read for a purpose.





Introducing the Steps to Justice

learners to the Steps to Justice website, this video introduces

https://vimeo.com/44890

If you want to introduce

the website and how to

navigate within it.

7424/4645a8a934

Website

- Scanning for specific information: When searching for details, guide learners in first determining where to search, by first locating the relevant section in the table of contents, or heading within the text, then looking over the information for key words.
- **Using layout**: Encourage learners to notice how a document is organized and its visual layout (e.g., table, chart, headings), and to use the layout to locate information.
- **Using pictures and illustrations:** Draw learners' attention to images, logos or icons and their meaning.
- **Using features of lists, tables and simple tables**: Guide learners in using the features (e.g., titles, headings, bullets/numbering, row/column headings) to find information and understand purpose.
- **Identifying the source of information**: Guide learners in locating the source of information and the date it was written. This will help them determine whether the information can be trusted.
- Retelling or summarizing: Encourage learners to retell the information in their own words.
- Vocabulary Development: Encourage learners to identify words or phrases they are unfamiliar
 with. Guide them in predicting what they may mean based on the surrounding text. Learners can
 look up words in an online dictionary (e.g., dictionary.com) to confirm their predictions.

Skill/Strategies related to OALCF Competency B: Communicate Ideas and Information (filling out forms)

- **Checking for instructions:** Before filling out a form, guide learners in locating any instructions for the form, such as: *print only, fill out form entirely, do not complete the FOR OFFICE section.*
- **Using layout:** encourage learner to notice the form is organized and to use this to determine where to make entries in simple forms/documents.
- **Determining what is needed:** Guide learners in skimming over the form to determine the information they need to have ready in order to complete the form.
- Making inferences: Direct learners in looking at sections of the form that require a written response (e.g., a description of a problem). Guide them in making inferences about why the information is required, what they need to convey, and how to best present the facts for optimal outcomes.
- **Vocabulary:** Encourage learners to identify unfamiliar words or short forms on a form (applicant, DOB, full name, initial). Guide them in predicting what they mean.





Learning Activities: Practitioner Notes

Facilitate learning activities prior to having learners attempt the task sets, so that learners can improve their literacy skills. This can involve providing background information on related laws and legal problems, and providing practice with reading comprehension and filling out forms. Use the ideas below.

- Pre-reading Discussion (p. 5): Prior to reading information about getting injured at work, engage learners in a discussion to activate their existing knowledge, and spark interest in the topic. They can brainstorm questions they have about their rights related to getting injured at work, share personal experiences, or set learning goals.
- **Vocabulary Development (p. 6)**: Ensure learners understand basic terms and concepts related to injuries at work, with activities such as this one.
- **Previewing the Making a Claim booklet (p. 7):** Prior to having learners read the booklet about making a claim, engage them in previewing it. For example, looking at the cover, table of contents and organization of it. Through previewing the booklet, learners should get a sense of the gist of the text, its purpose, and have a good idea of what it will contain.

Additional Resources

The following resources offer help to workers who have been injured at work, and educational information.

i Help for those injured at work

- Office of the Worker Adviser (Toll-free: 1-800-435-8980)
 Provides free, confidential help to non-union injured workers in Ontario (e.g., advice, education, representation) www.owa.gov.on.ca
- Occupational Health Clinics for Ontario Workers (Toll-free: 1-877-817-0336)
 Links to six Ontario clinics that provide no-cost diagnostic services to workers with work-related health problems www.ohcow.on.ca
- Industrial Accident Victims Group of Ontario Legal Clinic IAVGO (Toll-free: 1-877-230-6311) www.iavgo.org
- Injured Workers Community Legal Clinic (Toll-free: 1-833-461-2411) www.injuredworkersonline.org
- Workers Health and Safety Community Legal Clinic (Toll-free: 1-877-832-6090) www.workers-safety.ca

Educational Resources

Steps to Justice

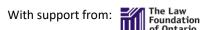
A website with clear, reliable information about legal rights in Ontario. Includes a section on getting injured at work, and safety at work https://stepstojustice.ca/

Worker Health and Safety Awareness in 4 Steps

An eLearning module on workplace safety rights and responsibilities, produced by the Government of Ontario. It includes audio and video information, quizzes, a 25-page guide, and a completion certificate. Some Ontario employers require new employees to complete it.

https://www.labour.gov.on.ca/english/hs/elearn/worker/foursteps.php





You will read about your rights when you get injured at work. Before you read, think about the following scenarios. Discuss them with your classmates.



Jason works part time at a warehouse. He lifts heavy boxes all day long. He felt fine during his work shift, but when he got home his back started hurting. After a few hours, he couldn't move. Jason's doctor told him he needs to take at least a week off and rest. Jason's employer told him that if he cannot work, he won't get paid.

What do you think? Is Jason's employer right?



Liam works in the kitchen at a fast-food restaurant. He was joking with his co-workers, and accidentally dropped hot oil on his arm. He got a severe burn. Liam's doctor told him he cannot work for three weeks while his arm heals. Liam's manager said the accident was Liam's own fault, because he was having fun with his co-workers, and not paying attention to his work. He fired Liam.

What do you think? Is the manager allowed to fire Liam? Does Liam have a right to get paid or keep his job?



Janice works in a very dusty factory. When she is at work, she gets asthma symptoms. Sometimes she cannot stop coughing and has trouble breathing. She feels much better on the weekends, when she is not working. She thinks her asthma is related to her work, and she is afraid she will get so sick that she cannot work, but she really needs the job.

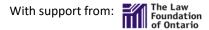
What do you think? Is there is anything Janice can do?



Emily works in construction. Last Monday morning, just as she was starting her workday, she stepped on a screw that punctured her foot. She had to leave work right away, and go to the doctor. She paid over \$100 for a taxi to the hospital, and she wasn't able to work for the rest of the week. She is very worried that she will not have enough money to pay her bills.

What do you think? Is there anything Emily can do?





You will read about rights related to getting injured at work. Before you read, think about what the words below mean. Match the terms and their meanings by writing the correct letter beside each term.

- 1. ___ Workers' Compensation benefits
- 2. WSIB
- 3. _ File a claim
- 4. ___ Modified work
- 5. ____ Work-related injury
- 6. Work-related disease



- A. An acronym that stands for Workplace Safety and Insurance Board. It is the Ontario agency that provides insurance to workers who are injured at work.
- B. An injury that happens at work or because of your work
- An illness that you have because of your work
- D. To make a formal request, which usually involves completing a form, for compensation to an insurance company.
- E. Work your employer assigns that is different from your usual work duties, when you cannot do your usual job because of an injury.
- F. Payments made for injuries or diseases that are related to the work you were doing.

Answers: 1-F, 2-A, 3-D, 4-E, 5-B, 6-C



- 1. How long is this book (how many pages is it)?
- 2. Look at the **Table of Contents**. Sally has the question below. What page number should she go to? *ONLY* look at the table of contents to find the page numbers. Write the number on the lines.

		_	What I should do if I get injured at work?	-		
	I want to know	What I should do AFTER I tell my employer about my injury?				
			Am I am covered by workers' compensation?			
			Where can I get help or more information?			
		7	What does my employer have to do if I get hurt at work?			
2.		ad the first paragraph on pa mpensation is.	ge 1 of the booklet. In your own words, describe w	hat workers'		
3.	Loc	ok at the section of the book	let titled "Where can I get help and information?"			
	a.	a. What pages does this section begin and end on?				
	b.	What is the toll-free numb Community legal clinic?	er to call to find a			
	c.	What is the toll-free number of the Office of the c. Worker Adviser?				
	d	What is the URL of the Ste	ns to Justice website?			



Task Set 1

TITLE: Locate and identify information in a booklet about **Workers' Compensation benefits**.

Instructor Note: To view/download the booklet "Workers' Compensation: Making a Claim:" www.cleo.on.ca/en/resources-and-publications (select Employment and Work, then locate the booklet)

Refer to the CLEO booklet titled Workers' Compensation: Making a Claim, to answer the questions.

	List three things you should do if you get injured at work.		
	Why is it important to report an injury to your employer right away, even if it is a small injury?		
	Who fills out the following forms when a worker is injured at work? Check off either doctor, employer or worker next to each form.		
	employer or worker next to each form.		
	employer or worker next to each form. Form 6: worker employer doctor		
•	employer or worker next to each form. Form 6: worker employer doctor Form 7: worker employer doctor		
	employer or worker next to each form. Form 6: worker employer doctor Form 7: worker employer doctor Form 8: worker employer doctor		
•	employer or worker next to each form. Form 6: worker employer doctor Form 7: worker employer doctor Form 8: worker employer doctor		
•	employer or worker next to each form. Form 6: worker employer doctor Form 7: worker employer doctor Form 8: worker employer doctor		
	employer or worker next to each form. Form 6: worker employer doctor Form 7: worker employer doctor Form 8: worker employer doctor		





5.



Sally works at a warehouse. Last Monday, a conveyor belt snapped, dropping a 50-pound weight on her right arm. Sally was in pain, so she stopped working and told Donald, her supervisor.

Donald told Sally to take the rest of the day off. Sally went straight to the doctor. The doctor said her arm was broken, and she needs to take a few weeks off work.

List at least two things Sally's employer needs to do.							

Task Set 1: Answer Sheet

TITLE: Locate and identify information in a booklet about **Workers' Compensation benefits**.

1. List at least two things you should do if you get injured at work. (2 points)

Answer is on pp. 3-4 of booklet. Learner answers should include ideas from at least two of:

- Report the injury to the employer
- Get medical help
- File a report with the board
- 2. Why is it important to report an injury to your employer right away, even if it is a small injury? (2 points)

Note: The answer is on pp. 3-4 of the booklet. Learner should include ideas from the following:

Always report any injury to your employer as soon as possible, no matter how small you think it is. If you do not report your injury right away, it might be hard to prove later that it happened at work.

3. Who fills out the following forms when a worker is injured at work? Write doctor, employer or worker next to each form. (**3 points**)

Form 6:	☑ worker	☐ employer	□ doctor (located on p. 7 of booklet)
Form 7:	\square worker	$oxed{\square}$ employer	\square doctor (located on p. 11 of booklet)
Form 8:	\square worker	\square employer	☑ doctor (located on p. 6 of booklet)

4. Name at least three benefits an injured worker in Ontario can receive from the Board. (3 points)

Answer is located on p. 14 of the booklet. Learners should include at least 3 of the following:

- some of your lost wages
- health care costs
- transportation costs to go to a doctor or to therapy
- costs related to a permanent disability
- lost retirement income

- a work transition assessment and plan
- an independent living allowance (for a severe permanent disability)
- an allowance for clothing damaged by braces and wheelchairs
- 5. Sally works at a warehouse. Last Monday, a conveyor belt snapped, dropping a 50-pound weight on her right arm. Sally was in pain, so she stopped working and told Donald, her supervisor. Donald told Sally to take the rest of the day off. Sally went straight to the doctor. The doctor said her arm was broken, and she needs few weeks off work. List at least two things Sally's **employer** needs to do. (2 **points**)

Answer is on p. 11. Learners should include at least two of:

- Send the Form 7 to the Board within 3 business days and give Sally a copy of it
- Pay Sally for the day she was injured
- Pay for Sally to get to the doctor or hospital

Success: at least 9 out of 12 points





Task Set 2

TITLE: Complete a Form 6 Injured worker report to file a WSIB claim.

Instructor note - Form 6: https://www.wsib.ca/sites/default/files/2022-01/0006a_workersreportofinjury_english.pdf

Read the situation below, and complete page 1 and 2 of the WSIB Form 6 for Joseph.



Joseph Horgan has been working as a tree trimmer for OnGuard Tree Service since Jan 1 2005. OnGuard's offices are located as 123 Elm Street, Sarnia, Ontario N7T 1G3. His site supervisor is Jane Jones.

Joseph was injured at work on June 12, 2020, at 10 am, while he was working at a residential location (623 Hickory Street, Sarnia Ontario, N7T 1G3). Joseph fell from a tree, while he was using a chain saw. Jane Jones was there, and called an ambulance right away. Joseph was taken to the Bluewater Hospital Emergency Room (850 Yonge Street, Sarnia Ontario, N7T 3H7). At the hospital, the doctor said Joseph's left lower leg was broken. The doctor put a cast on it, prescribed pain medication, and sent Joseph home to rest.

Two co-workers witnessed the accident: Jane Jones (site supervisor), and Kamil Kodrum (tree trimmer).

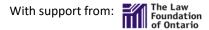
A week later, Joseph saw his family doctor, Dr. Munke. Dr. Munke told Joseph to stay off work for at least six weeks.

Joseph has asked **you** to help him complete a Form 6 so he can get WSIB benefits.

Joseph told you that you would need his full address to fill in the form: It is 890 Lee St., Sarnia Ontario N7T 3E5.

Complete the Form 6 for Joseph.





Task Set 2: Answer Sheet

TITLE: Complete a Form 6 Injured worker report to file a WSIB claim.

NOTE: To download Form 6, enter the search terms **WSIB Form 6** in a browser search bar, or go to: https://www.wsib.ca/sites/default/files/2022-01/0006a_workersreportofinjury_english.pdf

Success: at least 25 out of 34 points.

The learner should complete most of the fields that <u>can be</u> completed on p. 1-2 of Form 6. See below for general guidance. Use your professional judgment to determine learner success.

	A. Worker Information	save	
Section A: 8	Last Name First Name Social Insurance Number		
points (one	rt Horgan Joseph		
point for each	Address (number, street, apt., suite, unit)		
'	890 Lee St.		
field	City/Town Province Postal Code Alternate/Cell Phone		
completed)	Sarnia Ont N7T3E5 Job Title/Occupation (at the time you were hurt) Date you dd mm yy How long have you		
' '	Job Title/Occupation (at the time you were hurt) Tree Trimmer Date you dd mm yy How long have you started the method of the me		
	Only check if you are one of the following: executive elected official owner spouse or relative of the employer Birth	уу	
	Sex Your Preferred Language Would an interpreter be helpful? yes [no	
	Are you a member of a union? Do you authorize your union to represent you If yes, do you consent to the disclosure of verbal claim in this claim? yes no no file status information to your union representative?	no	
	Provide your Union Name and Local		
Section B: 6	B. Employer Information		
	Company/Employer Name		
points (one	OnGuard Tree Service		
point for	123 Elm St.		
each field)	City/Town Province Postal Code		
each held)	Sarnia ON N7T 1G3		
	Your Immediate Supervisor's Name Company Telephone Jane Jones		
	onic sones		
Section C 1-	C. Accident/Illness Dates & Details		
5: 6 points	1. Date and hour of accident/Awareness of Illness 12 06 20 PM 10 AM 2. Who did you report this accident/Illness to? (Name & Position) Jane Jones		
maximum	of illness 12 00 20 5 5 Man Same Jones Date and hour reported dd mm yy Man Telephone		
	to employer 12 06 20 PM site supervisor		
(one point	3. Area of Injury (Body Part) - (Please check all that apply)		
for each field completed)	Head Teeth Upper back Lower back Shoulder Ser(s) Chest Pelvis Forearm Finger(s) Finger	t 🔣	
	Other: Left Handed Right handed		
4. Did the accident/illness happen on the employer's property or work site? Specify where it happened (shop floor, warehouse, client/customer site, parking lot, etc.): in a tree on the customer's residence			
	5. Did it happen outside the Province of Ontario? If yes, indicate where (city, province/state, country):		
	6. Have you hurt this area(s) of your body before? 7. Do you have any prior related WSIB/WCB claims? no yes - In Ontario yes - Outside Ontario		



Section C 8-11: **8 points** (3 points for field 8; 5 points for sections 9-11

C. Accident	Illness Dates & Details (continued)					
8. If you had a sudden type of accident/illness, describe your injury and what happened to cause it (e.g. hurt lower back while lifting a 50 pound box, sprained left ankle when I slipped on a wet floor, used a new cleaner and immediately got a rash). Please indicate the size, weights and names of any objects involved.						
	Or If you had a gradual onset type of injury, describe your injury, the work that you do and what you believe caused your injury/condition.					
I was in a tall tree. I was trimming a branch using a chain saw. I fell from the tree and broke my left lower leg.						
	first start to have problems with this injury/condition?					
	y it happened					
TU. If you did not	report this to your employer right away, please tell us the reason	on why.				
	ny witnesses to your accident, or if you mentioned your pain o ames & positions.	or problems to your sup	upervisor or any of your co-workers,			
	Name		Position			
1. Jane Jones site supervisor						
2. Kamil Kodrum tree trimmer						
12. The Workplace Safety and Insurance Act requires your employer to give you a copy of the Employer's Report of Injury/Disease (Form 7). Did you receive a copy of the Form 7? yes no						
	The Workplace Safety and Insurance A (Worker's Report of Injury/Di					
D. Health Ca	are Information	Give your I	Health Professional your WSIB Cla	im numb		
1. Did you get first aid or care at work yes no lf yes, when dd mm yy and by whom (Name): 12 06 20 paramedic (ambulance)						
2. Where did you g	o for health care, for your injury, outside of work? (Check	all that apply)				
		Date of Visit	dd/mm/yy)			
Nursing Station	Bluewater Hospital	Date of Visit (dd/mm 12 06	Ambulance			
Emergency Department			Health Professional Office			
Admitted to Hospital	C I C I STET STITE		Clinic			
3. Were you prescribed any medications/drugs? yes no 4. Were you referred for any other treatment or tests? yes no						

Section D: 6
points (1
point for
each field
completed)

OALCF Task Cover Sheet

TITLE: Task Set 1: Locate and identify information in a booklet about Workers' Compensation benefits.						
	-	njured Worker Report for WSIB				
Learner Name:						
Date started:		Date completed:				
		Successful Completion:				
Goal Path: ☐ Employment ☐ Apprenticeship ☐ Secondary School ☐ Post Secondary ☐ Independence						
Competency	Task Group	Level Indicator				
For Task Set 1 and	2					
A: Find and Use A1: Read Continuous Text A1.2 Read texts to locate and connect ideas and information		A1.2 Read texts to locate and connect ideas and information				
For Task Set 2						
A: Find and Use A2: Interpret Documents A2.2 Interpret simple documents to locate and connect information						
B. Communicate Ideas and	B2. Write Continuous Text	B2.2 Write texts to explain and describe information and ideas				
Information	B3. Complete and Create Documents	B3.2a Use layout to determine where to make entries in simple documents				
For Performance D	Descriptors for each Level Inc	dicator, see Task Performance form, on next page				
Materials Require	d:					
Pen and task sheets, and						
For Task Set 1:						
• CLEO booklet: Workers' Compensation, Making a Claim: www.cleo.on.ca/en/resources-and-publications (select Employment and Work, then locate the booklet title)						
For Task Set 2:						
		er the search terms WSIB Form 6 in a browser search				





Task Performance Form

TITLE	Task Set 1: Locate and identity information in a book	☐ Task Set 1: Locate and identify information in a booklet about Workers'						
	•	Compensation benefits. ☐ Task Set 2: Complete a Form 6 Injured Worker Report for WSIB						
Performa	ance indicators:	Needs Work	Completes task with support from practitioner	Completes task independ- ently				
Task Set	1 or 2	\downarrow	\downarrow	\downarrow				
A1.2 •	Makes connections between sentences and between paragraphs in a single text							
•	Scans text to locate information							
•	Uses layout to locate information							
Task Set	2 (in addition to the indicators above)							
A2.2 •	Extracts information from tables and forms							
•	Uses layout to locate information							
B2.2 •	Writes texts to explain or describe							
•	Uses a limited range of vocabulary and punctuation appropriate to the task							
B3.2a •	Uses layout to determine where to make entries							
•	Begins to make some inferences to decide what information is needed to, where and how to make entries							
	☐ was successfully completed ☐ needs to be tried again omments:							
	Instructor (print)	Learne	er signature					



