

1

‘Playing it smart’ with return to work: Small workplace experience with early return and workplace self reliance

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2

Small Workplaces and OHS

- ~1/3 Canadian workforce in workplaces <50
- higher rates of injury
- entry point for immigrants, young workers
- ‘hard to reach’
- material disadvantage, financial precariousness
- limited management resources
- distinctive social relations: informal, familial
- globally recognized but persistent problem

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3

Certain features and premises of RTW policy and practice can operate *against the grain of small workplaces*, and can have, in some respects, the unintended effect of impeding successful prevention of work disability.

4

Ontario's Early and Safe RTW (ESRTW)

- Return to work asap, *before full recovery*
- Accommodation of injury/disability via '*modified work*' arrangements
- Workplace '*self reliance*' (primary responsibility delegated to workplace parties)
- Legal duty to '*cooperate*' with process

5

Research Objectives

To characterize and explain:

- what happens in small workplaces during the process of ESRTW, from the perspective of both employers and injured workers

- how these experiences are related to
 - a) the nature of work life in small enterprises
 - b) the policy and practices of ESRTW
 - c) the broader socio-political environment

6

Research Method

Design: qualitative

Data: - documentary materials

- interviews; with sub-set repeated over one year

Sample: 22 injured workers, 17 employers,

(7 paired), 5 compensation professionals

worksites <50, non-union, range of

industrial/service sectors, diverse referral sources

Analysis: comparative interpretive and narrative analysis, sociological perspective

7

**Employer experience:
ESRTW as managerial ‘dislocation’**

8

ESRTW as business problem

(Brendon, auto repair) “We’re a small business. We have five stalls, right? I had one empty and I had to keep it empty [for the injured worker’s return]. Like, I’m forced to keep it empty, or hire somebody temporarily which is impossible in our trade. You know, you can’t just say ‘OK, I am going to hire you part time, and when this guy [injured worker] comes back you’re out!’ Basically I was forced to have an empty bay for a year...and then you gotta sit at the meeting every month and say why your department didn’t make any money!”

9

ESRTW as ‘playing doctor’

- decisions re how early, when ‘ready’, what’s ‘safe’
- mediating and co-ordinating role
- confidentiality breaches

10

ESRTW as discipline

- Monitoring compliance, their own and that of their employees
- ‘proving due diligence through the right paper trail’
- concern with the ‘free ride’:

“He (injured worker) decided that it wasn’t for his benefit to do any work. He could sit at home and watch TV I assume”

11

- erosion of trust and working relationships

“When you are a small contractor, you got to have a good relationship. If you got one man, or two men, you know, you have to trust those men” (George, residential builder)

- social hardening and spiralling deterioration

“I put him out in the weigh station...so he brought his lawn chair and was just sleeping. Every chance he had he would take off. But I insisted he came to work” (Melanie, trucking)

- ‘playing it smart’

12

**Injured worker experience:
ESRTW as personal and social dislocation**

13

vulnerability, and public ‘exposure’

- restricted access to protected social niche of ‘sick role’
- ambiguous social status
- constant public scrutiny

14

Social hazards of modified work

- indignities of ‘make work’ and ‘nothing to do’
- class and gender dislocations

15

Suffering from the discourse of abuse

“They [the boss, WSIB] gave me the impression that I was faking it, that I just wanted somebody to pay me so I could sit at home and watch my soap operas” (Duncan, foundry)

“you tell [a person] that you’re collecting workers’ comp and they think you’re scamming the government. Right away it’s ‘oh here’s a lazy guy..’” (John, printing)

16

The performance of integrity

“I can’t paint the living room. It hurts my shoulder, but god knows, if somebody came here and seen me painting the living room, what would happen? [people would say] ‘You can’t work but you can come and paint the living room??’
(Tony, trucker)

17

- sap ability to cope
 - rupture work relationships
- “ when you can't do the work you are nothing, you are garbage. He (boss)only cares about the business...he used to be like a dad to me..”*
- promote dysfunctional ‘playing it smart’
 - reduce viability of successful RTW
 - contribute to chronicity of disability

18

- germane to work injury process in all sizes but intensified in smalls (eg discourse of abuse)
- Policy less feasible in smalls (eg workplace ‘self-reliance’, ‘early’ return)

Self Reliance in small workplaces

- Superimposed on local social/cultural formations
- incompatible with norms, social relations
- involuntary agents of compliance control
- feeds 'playing it smart' and cycle of ill-will
- lack of fair means to resolve conflict locally

- Is 'early' return via modified work viable in the
smalls?
- Does it do any harm?
- What alternatives are there?

RTW in small workplaces

Needed...

- shift away from one-size-fits-all mentality
- understanding of the social ecology of small workplaces
- system that works *with* rather than *against* the grain