



2018

**Subsidy Program for an employer hiring a
worker who has suffered an employment
injury**



A division of the Kahnawake Labor Office

Conditions for granting a subsidy to an employer hiring a worker who has suffered an employment injury

Article I. PURPOSE

- (a) The main purpose of this program, is to re-integrate an employee who has suffered a work related injury, but cannot return to his/her original occupation. It assists in re-establishing his/her employability into the work force, it assists an employer to fill positions within their organization, it re-establishes employee self-esteem and productivity.

Article II. EXAMPLE John Doe is a truck driver who was injured and can no longer drive a truck. He will be re-trained by Mohawk Self Insurance and its experts into a new occupation. Because he can no longer perform driving duties does not mean that he cannot perform other occupations.

- (a) It is anticipated to re-train and re-integrate John Doe to his pre-injury earnings, if this is not the situation, then as close as possible.
- (b) Mohawk Self Insurance must determine conditions for granting a subsidy for a period not exceeding (1) one year to an employer hiring a worker who has suffered an employment injury when the worker is unable to meet the normal requirements for employment.
- (c) The purpose of the subsidy is to provide the worker, under the terms of his personal rehabilitation program, with a period of readjustment to his employment or adaptation to his new employment, or to enable him to acquire new vocational qualifications.

Section 2.02 APPLICATION FOR SUBSIDY

- (a) To obtain a subsidy, an employer hiring a worker who has suffered an employment injury shall apply to Mohawk Self Insurance.
- (b) Mohawk Self Insurance shall provide professional and technical services to aid the employer in drawing up his application, in particular for the purposes of job evaluation or defining a hiring or training plan.
- (c) An application shall contain sufficient particulars to make it possible to design a program for the purpose of providing the worker with a period of readjustment to his employment or adaptation to his new employment, or enabling him to acquire new vocational qualifications.
- (d) It shall enable Mohawk Self Insurance to assess the stability of the position in question and the possibilities of keeping the worker employed.

Section 2.03 AMOUNT AND TERM OF THE SUBSIDY

- (a) In determining the amount and term of a subsidy, Mohawk Self Insurance shall take into consideration the requirements of the employment, allowing for the worker's experience, vocational qualifications and residual capacity.
- (b) Mohawk Self Insurance shall also take into consideration any additional costs incurred and the impact on the operation of the undertaking, as shown by the employer.
- (c) The maximum weekly amount of the subsidy paid by Mohawk Self Insurance may not exceed 80%¹ of the gross weekly wage for the subsidized employment.
- (d) Minimum wage is \$480.00² per week (2018) in no case may the employee be paid less than the minimum wage.
- (e) Maximum is \$1,423.08 per week (2018)
- (f) For the purposes of the subsidy, wages, posted on an annual basis, are considered up to the Maximum Yearly Insurable Earnings. \$1,423.08 for 2018
- (g) Where the employer receives or is eligible to receive a subsidy or contribution from another public, or private body and where such a subsidy or contribution may reduce the costs of the program, the employer shall inform Mohawk Self Insurance.
- (h) Where the employer receives or is eligible to receive such a subsidy or contribution, the subsidy of Mohawk Self Insurance shall be reduced by an amount equal to the sum of such subsidies or contributions.
- (i) Where Mohawk Self Insurance consents to pay a subsidy, an agreement shall be made and signed by the employer or his representative and the representative of Mohawk Self Insurance.

Section 2.04 The agreement shall contain the following:

- (a) The amount and term of the subsidy
- (b) The frequency of subsidy payments

¹ At the discretion of MSI

² \$12.00 per hour, \$9.75 per hour for tip earners

KLO Drive (V:), Mohawk Self Insurance folder, Subsidy Program folder, Subsidy Program word document.

- (c) the program to be carried out by the employer; (job description)
- (d) the dates the program begins and ends; and
- (e) any other condition(s).
- (f) The agreement may be varied with the written consent of the parties.

Section 2.05 PAYMENT OF THE SUBSIDY

- (a) Mohawk Self Insurance shall pay the employer the amount of the subsidy at the end of each month upon receipt of a claim in writing enumerating the hours or days actually worked.
- (b) To be accepted, the final claim must be made within 60 days of the last day of the program.

Section 2.06 DUTIES OF THE EMPLOYER

- (a) The employer shall grant the worker all of the rights and privileges granted to other workers in his business, including wages, for a position corresponding to that which the worker will hold, taking into account the worker's qualifications and experience.
- (b) The employer shall allow representatives of Mohawk Self Insurance access to the establishment, with reasonable prior notice (24 hours), to ensure supervision of the program from the point of view of progress realized or the application of the subsidy.
- (c) The employer shall allow the representatives to examine records and book related to the program and the subsidy.

Section 2.07 DUTIES OF THE WORKER

- (a) The worker shall take an active part in the program drawn up and shall fully comply, failure to comply will result in termination of benefits.
- (b) The worker shall abide by the administrative and professional by-laws or practices current with the employer.

Section 2.08 END OF SUBSIDY

- (a) If the employer or the worker does not comply with these conditions or with the conditions fixed in the program or the agreement Mohawk Self Insurance will terminate all payments of the subsidy by giving 14 working day notice in writing.

Section 2.09 RECOVERY OF SUBSIDY

- (a) Mohawk Self Insurance shall recover all or part of a subsidy it has paid to the extent that the subsidy has not been applied to the purposes for which it was granted.
- (b) There are certain criteria that must apply to the hiring of the worker
- (c) Employer must be registered to provide the worker with Mohawk Self Insurance, Employment Insurance, Quebec Parental Insurance Plan benefits (mandatory)
- (d) Ideally if the employer can also provide a pension and group insurance plan (non-mandatory)

Section 2.10 Physician must agree to the occupation and job description

Section 2.11 Employer must respect the physical limitations (if any) of the worker

Section 2.12 Employer must provide an employment contract

Section 2.13 Inspection of the premises where the worker will be employed is mandatory, inspections by the Occupational Safety and Health office of the Kahnawà:ke Labor Office and a representative of Mohawk Self Insurance.

Section 2.14 The worker has the possibility of becoming a permanent employee of the employer.

Section 2.15 Salary cannot be below the minimum wage \$480.00 per week or no more than \$1,423.08 per week, if the position pays more than \$1,423.08 per week, MSI will subsidize only up to maximum weekly insurable.

Section 2.16 MSI will reimburse employer on a monthly basis after receiving MSI-16e form

Subsidy Example

The new position pays \$600.00 per week

$\$600.00 \times 80\% \text{ subsidy} = \480.00

The employer pays \$120.00 plus all mandatory deductions

- EI (Employment Insurance)
- QPIP (Quebec Parental Insurance Program)
- MSI (Mohawk Self Insurance)

The employer at its own cost can also offer pension and group health/life insurance to the employee

After the 52 weeks, the subsidy may be terminated, but remains open to discussion and with the possibility of the worker becoming a permanent employee of the employer.

Other conditions:

If the employee is purposely uncooperative, continually, missing days, difficult, tardy, bad attitude, any sort of self-sabotaging themselves, all benefits are terminated, pending an investigation. The employee must conduct themselves in a serious employment manner, this is not a free ride.

If the employee is terminated by the employer, (as per the policy and procedures of the employer) all benefits are terminated.

All benefits for the employee (MSI claimant) will also be terminated.

STEPS TO TAKE

Step 1	Contact the Mohawk Self Insurance Office	450-632-9595 Chelsea Phillips Lorna Delaronde Joel Jacobs
Step 2	Arrange a meeting and Receive Information Package	
Step 3	Complete Application form MSI-Ae	
Step 4	Complete Employee info form MSI-Be	
Step 5	Provide MSI with a detailed job description	
Step 6	Provide MSI with an employment contract	

Forms

MSI-16e Employer Subsidy Salary reimbursement request

MSI-Ae Application form

MSI-Be Employee information form

Re-imburement Procedure

At the end of each month the employer will submit to MSI (Claims Officer) an invoice for the gross wage amount paid to the worker using the MSI-16e form. The employee's timesheet to accompany the invoice.

MSI will verify the amount and reimburse the employer by Mohawk Council of Kahnawà:ke cheque within 10 working days of receipt.