

SUGGESTIONS FOR DEVELOPING A RETURN TO WORK PROGRAM

Contents

1	Statement.....	2
2	Responsibilities.....	2
3	Procedural Development.....	2
3.1	Resources.....	2
3.2	Accident Investigation and Hazard Control.....	3
3.3	Injury reporting.....	3
3.4	Access to Medical Treatment.....	3
3.5	Injury Management / Rehabilitation Providers.....	3
3.6	Injury Management Obligations of the Employer and Employee.....	4
3.7	Suitable Duties.....	4
3.8	Dispute Resolution.....	4

1 Statement

The Return-to-Work Program should provide a statement of the organisation's goals in relation to the injury management process, with a focus on returning an injured employee to work. It needs to provide all parties with details of the organisation's policies and procedures for the rehabilitation of injured workers (including if necessary vocational rehabilitation) and should include information covering:

- how the Return-to-Work Program was established in accordance with any guidelines issued by the Minister under Section 110 of the Act
- how the Program is consistent with the Vero Injury Management Program 2004
- the organisation's commitment to workplace injury prevention and the reduction of workplace risks
- the organisation's commitment to consultation with employees on the formation of the return to work policy and workplace rehabilitation process. The Return-to-Work Program needs to be developed in consultation with company employees, any industrial union representing company employees and an approved rehabilitation provider
- the organisation's commitment to early commencement of injury management, making reference to the 48 hour notification requirement for reporting of injuries
- the organisation's commitment to provision of suitable duties for injured employees to assist in early return to work
- and finally, comment to the effect that undertaking rehabilitation should not disadvantage any injured employee eg. they should not be excluded from promotions, taking into account other suitability criteria for promotion.

2 Responsibilities

The Return-to-Work Program needs to define responsibilities for each participant in the injury management process to demonstrate commitment throughout the workplace. Responsibility should be assigned, for example:

- Senior Management
- Managers / Supervisors
- Employees
- RTW / Rehabilitation Coordinator
- Insurer
- Rehabilitation provider
- Union if applicable.

Senior Management should sign off the policy. The RTW coordinator may also sign if desired, and the union representative if applicable. It would be worthwhile to include contact details for the RTW Coordinator eg. name, telephone extension and workplace location.

3 Procedural Development

The following are prompts in the key areas that need to be covered to develop a Return-to-Work Program that is relevant to the organisation – its structure, people and systems.

3.1 Resources

The Return-to-Work Program should be developed with reference to:

- *Worker's Compensation Act 1951 (ACT) No2 (the Act) including any published amendments and Regulations*
- Information Summary (Section 178) – NOTE: ACT WorkCover Information brochure enclosed in the information package 11.10
- The organisation's existing organisational policies and procedures eg OH&S procedures.

3.2 Accident Investigation and Hazard Control

The Return-to-Work Program should integrate existing OH&S procedures eg accident / incident investigation including responsibility allocation for this activity. The outcome of accident investigations should be addressed with comment as to how any identified hazards will be controlled.

3.3 Injury reporting

There needs to be clear advice as to how and to whom the injury is reported. The process of notifying the workers compensation insurer should also be included. Time frames for reporting at various levels should be highlighted. Document the steps in the process in an easy to understand straightforward manner. Provide details for access to First Aid and / or medical treatment. The use of Register of Injuries and Injury Notification forms should be explained and documented.

The Insurer's telephone number, fax number and E-mail for the injury notification must be listed and easily accessible (Remember when you are notifying the insurer by phone you must follow this up with a written notice within three days.)

Procedures should also reflect reporting requirements to WorkCover ACT, and who is responsible for this function. Make reference to any forms that employees / managers are required to fill in and include them in an appendix eg. incident/injury report.

The information should be a step-by-step approach and where required accompanied by a flow chart that can be displayed in the workplace. It is important to note that an entry in the register of injuries is considered a notification of injury to the employer and notification to the insurer must occur within 48 hours of this entry.

The reporting procedure from employee to management level needs to be documented. The information regarding the reporting of injuries and the responsibilities of specific parties must be easily understood to allow for a smooth process with no complications. A summary of reporting procedures and obligations must be displayed prominently in the work environment.

3.4 Access to Medical Treatment

Indicate whether the organisation has a process for injured employees to access urgent quality treatment from a doctor or clinic with expertise in occupational medicine and conveniently located close to the workplace. If so, describe the procedure for accessing this treatment and give contact details of the doctor or clinic.

Define the company policy in relation to reasonable treatment within work hours. There should be a statement in relation to when appropriate treatment should be sought and guidelines with respect to negotiating with the employer when treatment needs to take place within work hours. Include processes for liaising with treating professionals and a process for signing an Information Release Form.

3.5 Injury Management / Rehabilitation Providers

Indicate how the RTW process will take place including information regarding the development of Personal Injury Plans - when they are required and what they include.

Personal Injury Plans (PIP's) are required where an injury results in the total or partial incapacity of the employee for a continuous period of more than seven days. PIP's are written plans for coordinating and managing those aspects of injury management that concern the treatment and rehabilitation of an injured employee, to achieve a timely, safe and durable return to work.

Personal Injury Plans ensure that all parties involved in the rehabilitation of the employee are aware of the goals and process of returning them to work, and how the claim is being managed medically. It also advises all parties of their obligations in the process of rehabilitation. PIP's are drawn up and signed off after discussions with the employee, their nominated treating doctor, employer and insurer. PIP's must be prepared with the assistance of an approved Rehabilitation Provider.

3.6 Injury Management Obligations of the Employer and Employee

The organisation has an obligation to take part and cooperate in the establishment of the Personal Injury Plan and to provide suitable duties for employees to assist in their rehabilitation.

Employees must make all reasonable efforts to return to work as soon as is possible considering the nature of their injury. Employees are required to comply with their Personal Injury Plan and to undertake any work offered them that has been certified as suitable by their nominated treating doctor. If a claim is to be made for compensation the employee must provide a current medical certificate with the claim form.

3.7 Suitable Duties

Highlight how suitable duties will be identified and allocated. Indicate that a current medical certificate is required with any restrictions placed on the injured employee clearly identified.

While suitable duties may involve restrictions in duties and hours of work in accordance with the doctor's recommendations, the employee's duties and/or hours should be regularly updated in accordance with the recovery of the employee. The upgrades should continue throughout the recovery process until the employee returns to full pre injury duties and hours.

It is important to state that the expectation for any injured employee is that they will return to their pre-injury duties. Where this outcome is not achievable, the procedures need to indicate what will happen to the injured employee.

There may be some statement in relation to the organisation's policy with regards to working overtime on suitable duties

3.8 Dispute Resolution

Procedures must state what occurs in the event of a dispute. If a conciliation process is to be instituted, the Return-to-Work Program should cover how referrals are made to the conciliator and who makes these referrals. (This is usually actioned by the appointed Rehabilitation Provider)