



## Policy

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### **46 WORKPLACE REHABILITATION POLICY**

File Reference No:

Strategic Outcome: Good government

Date of Adoption: 20/04/2016

Date for Review: 17/04/2019

Responsible Officer: Enterprise and Risk Manager

#### **1. POLICY STATEMENT**

Council is committed to the prevention of illness and injury by providing a safe and healthy working environment. Where a work related injury or illness occurs, Council will ensure procedures and resources are in place to provide an early and safe return to work.

Council's workplace rehabilitation is a managed process involving early provision of necessary and reasonable services, including suitable duties programs to facilitate the injured/ill worker's earliest possible return to, and recovery at, work.

#### **2. PURPOSE**

The purpose of this policy is to outline the rehabilitation and return to work process that Council has in place and that will apply where an employee sustains an injury or suffers an illness whilst performing work for the Berrigan Shire Council, and the options available to staff returning to work after an injury/illness resulting from circumstances outside of the workplace.

#### **3. SCOPE**

This Policy applies to all Council staff.

This Policy has been developed through a collaborative consultation process between management, Council's Return to Work Co-ordinator, Workplace Health and Safety Representatives, and Union Delegates.

#### **4. OBJECTIVE**

This policy is developed to assist the Council with Community Strategic Plan Objective 2.2



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*Ensure effective governance by Council of Council operations and reporting*

Specific objectives are to:

1. Facilitate return to work for employees who are injured or ill at work, as soon as possible and to provide information to assist an injured and/or ill employee to return to work;
2. Provide voluntary recovery at work programs for employees who are injured or ill due to circumstances outside of the workplace;
3. Determine the needs of injured and/or ill employee by liaising with the employee, nominated treating doctor, Council's workers compensation insurance provider, and other relevant stakeholders;
4. Provide early access to rehabilitation services such as accredited workplace rehabilitation providers where required;
5. Develop and implement the injured and/or ill employee's return to work plan in conjunction with the employee, Council's workers compensation insurance provider, the nominated treating doctor, and the workplace rehabilitation provider;
6. Provide suitable duties for an injured and/or ill employee as an integral part of the rehabilitation and return to work process;
7. Consult with employees and where applicable any employee representatives, to allow the rehabilitation and return to work process to operate effectively;
8. Provide employees with information about workers compensation claims including choice of nominated treating doctor, and accredited workplace rehabilitation provider;
9. Maintain records of workplace incidents and return to work data to continually improve Council's work health and safety management system, and injury management system;
10. Advise injured and/or ill employees that participation in rehabilitation and return to work plans is voluntary, however non-participation may result in reduced weekly benefits.

### 5. DEFINITIONS

**Job Demand Analysis (JDA)** is a systematic procedure to quantify and evaluate the physical and environmental demands of a job.



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**Lost Time Injury/Illness (LTI)** is an injury or illness that results in time away from the workplace.

**Nominated Treating Doctor (NTD)** is the doctor chosen by the injured worker to treat their injury/illness.

**Non-work Related Injuries/Illness** are injuries/illnesses that are not caused by employment and are not claimable through worker's compensation legislation.

**Return to Work Co-ordinator (RTWC).** Council is required by legislation to appoint a RTWC.

The role of the RTWC is to:

- Determine the injured worker's needs;
- Identify suitable duties for the injured worker;
- Co-ordinate and monitor return to work plans;
- Liaise with all parties including the rehabilitation provider where appropriate;
- Provide information and support to the injured worker; and
- Maintain confidentiality

**Return to Work Plans (RWP)** When an injured worker has (according to medical judgement) the capacity to return to work, an individual return to work plan will be developed by the return to work coordinator, outlining the duties to be performed.

**Workplace Rehabilitation Provider (WRP).** Workplace Rehabilitation providers are available to assist when required in the return to work of employees who suffer a workplace injury or illness. When the Return to Work Plan is complex and requires specialist rehabilitation expertise. Berrigan Shire Council has engaged the services of a WRP, however injured employees have the right to nominate an accredited WRP of their own choice.

## 6. POLICY IMPLEMENTATION

### 6.1. Responsibilities

#### 6.1.1. Workplace Managers/Supervisors

Workplace Managers and/or Supervisors are responsible for:

- Ensuring that appropriate first aid and/or medical treatment is provided for work related injuries and/or illnesses;
- The ongoing workplace management of an injured and/or ill employee;
- Ensuring that incident report forms and/or workers' compensation claim forms are completed for all work related incidents and/or injuries;



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- Assisting the Return to Work Coordinator and Workplace Rehabilitation Provider in the development of Return to Work Plans;
- Providing suitable alternative duties when required to enable the development and implementation of Return to Work Plans.

### 6.1.2. Employees

Employees are responsible for:

- Taking care to prevent work related injuries and/or illnesses to themselves and others in the workplace;
- Notifying Council of any work related incidents/injury or illness as soon as possible;
- Undertaking the rehabilitation program provided by Council;
- Cooperating with the RTWC and WRP;
- Providing accurate information about any aspect of their claim;
- Notifying Council of any change in circumstances, for example, changes to the medical condition, changes to home circumstance which might impact on the injury or changes to financial circumstances;
- Attending scheduled medical and rehabilitation assessments, as required;
- Cooperation with workplace changes that will assist other injured employees.

### **6.2. Injury Notification**

When a work related injury or illness occurs, the employee must notify their Workplace Manager as soon as possible.

The Manager will notify the Return to Work Co-ordinator (RTWC) who will in turn notify Council's workers compensation insurer within 48 hours. The RTWC will also liaise with relevant staff to initiate an incident investigation.

Where the injury or illness results in a Lost Time Injury/Illness (LTI), the employee must provide Council with a suitable NSW Workers Compensation Certificate of Capacity from their Nominated Treating Doctor (NTD). The RTWC will notify Council's insurers immediately upon receipt of the documentation.

### **6.3. Injury/Illness Follow Up**

When an employee sustains a significant injury/illness at work, the RTWC will arrange for a representative from Council's Workplace Rehabilitation Provider (WRP) to contact the employee to provide advice and assistance with:

- Completing workers compensation forms;
- Explaining the employee's rights, obligations, benefits, rehabilitation and return to work procedures;
- Arranging a Return to Work Plan (RWP) on the advice of the NTD.



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The RTWC will consult with Council's insurers, the injured employee and the NTD in developing and implementing a RWP.

The RWP will include alternative or suitable duties and/or a graduated return to work. The RWP will be approved by the WRP in consultation with the NTD.

Some serious injuries/illnesses may require extended injury management. Berrigan Shire Council will assist employees who are not fit to return to their pre-injury duties by investigating alternative work arrangements within the Council.

### **6.4. Suitable Alternative Duties**

Suitable alternative duties are work duties agreed between the RTWC and an injured employee, in consultation with the Manager/Supervisor, which facilitates the injured employee's rehabilitation and recovery at work.

Suitable alternative duties will be determined by referencing the Job Demand Analysis (JDA) to determine tasks that are achievable and which comply with a NSW Workers Compensation medical certificate issued by the employee's NTD.

Suitable alternative duties may include:

- Parts of the job the employee was performing before the injury
- Duties at the same or different worksite
- Different hours and/or modified duties
- Different duties altogether
- Full time or part time duties
- Training opportunities

These duties will be identified after consultation with relevant parties and will be specified in writing.

### **6.5. 6.5 Non-Work Related Injury and Illness**

Where an employee is unable to work due to circumstances outside of the workplace, Council will consult with the employee where clarification of a diagnosis/prognosis is necessary or further information is required. In the case of a non-work related injury/illness, a RWP may be developed, however this is a voluntary arrangement co-ordinated by the RTWC between Council, the employee, and where required in consultation with the treating doctor.

Each case will be assessed individually.

## **7. RELATED POLICIES OR STRATEGIES**

Additional publications to be read in conjunction with this policy include:

- *Workers Compensation Act 1987*
- *Workplace Injury Management and Workers Compensation Act 1998*



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- *Workers Compensation Regulation 2010*
- *Work Health and Safety Act 2011*
- *Privacy and Personal Information Protection Act 1998*
- Local Government (State) Award 2014
- Work Health and Safety Policy
- Code of Conduct
- Privacy Management Plan