

Recover at Work Program

The purpose of this document is to outline the formal policy and procedures for handling work-related injury or illness. This document represents Southern New South Wales Local Health Districts (SNSWLHD) commitment to the health, safety and recovery of workers following a workplace incident.

Every employer in NSW needs to have a Recover at Work (R@W) Program that outlines how they will help workers recover at work following a work-related injury or illness.

Leadership and Commitment

Southern NSW Local Health District (SNSWLHD) is committed to the wellbeing of all workers by providing a safe and healthy working environment. If a workplace injury or illness does occur, SNSWLHD will act to support the injured employee, as far as reasonably practicable, to recover from the injury or illness in the workplace.

- SNSWLHD has a specialised and dedicated Injury Management Unit (IMU) who will support and guide our injured employees through the Workers Compensation and Recover at Work Process.
- The IMU will ensure prompt action is taken to notify the Treasury Managed Fund (TMF) Scheme Agent, EML, of all workplace injuries within 48-hours of initial notification.
- The IMU is made up of a team of Recover at Work Coordinators (R@WC) who work closely with our injured employee and the relevant stakeholders to promote a safe, durable, and sustainable Recover at Work Plan.
- The R@WC assists managers with making reasonable adjustments, such as *suitable duties*, to the workplace to accommodate any restrictions in the injured employees capacity to fulfil the inherent requirements of their role and to ensure SNSWLHD is meeting its obligations under the WHS Act 2011 and WHS Regulation 2017 in providing a safe place of work.
- Suitable duties provided to injured employees will be meaningful activities for the employee and the workplace. The employee will be supported with a graduated Recover at Work, during business hours, Monday to Friday as far as is reasonably practicable until they are fit for their preinjury duties.
- If an employee is unable to return to their preinjury role, SNSWLHD will review available options in line with any permanent medical restrictions.
- The IMU will work closely with Senior Management and Work Health and Safety (WHS) to ensure that additional resources, such as training and equipment, is made available to assist in reducing the risk of same or similar injuries occurring in the workplace.

Workplace arrangements.

- SNSWLHD has a specialised team, IMU who assist employees and managers to facilitate a safe, durable and sustainable Recover at Work for all staff who experience work related injury.
- Contact details for the IMU are available via the MyHub intranet pages [Managing Workplace Injuries \(Managers and Supervisors\)](#) and [Workers Compensation Information for Injured Staff](#).
- The IMU can also be contacted via email to SNSWLHD-Workerscomp@health.nsw.gov.au or by calling 02 4825 5117.
- SNSWLHD has a preferred Rehabilitation Provider who may be referred to in instances where additional assistance is required to facilitate a Recover at Work or if a specific assessment is required such as Functional or Vocational Assessments, Workplace/ Workstation Assessments and Assessments of Activities of Daily Living. These referrals will be provided and confirmed by the IMU.

RehabCo – The Rehabilitation Company
Canberra Office
26 Maryborough Street, Fyshwick, ACT 2609
Phone: 02 6126 2000
Email: canberra@rehabco.com.au

The employee will be notified prior to any referral being made to RehabCo and they will be given the option of choosing their own provider. SIRA accredited Rehabilitation Providers can be found on the SIRA website under the section [Rehabilitation provider search](#). Any provider chosen by an employee is expected to engage with SNSWLHD in the same manner as RehabCo and SNSWLHD will ensure the same level of cooperation is provided.

If any changes or updates are made to SNSWLHD's Recover at Work Program, the updated program will be presented to the Tier One WHS Committee and Joint Consultative Committee to review and provide feedback and ensure consultation with workers and their representatives including the Unions.

Rights and Obligations

The R@WC will provide details regarding an employee's rights and obligations through regular discussion and through documentation associated with the employee's claim, such as a *Recover at Work Plan*.

Employees are obliged to:

- notify their employer as soon as possible after a work-related injury occurs
- participate and cooperate in establishing an injury management plan
- carry out the actions such a plan requires of them
- authorise their NTD to provide relevant information to their insurer or employer using the certificate of capacity, claim form or other form of authority;
- make all reasonable efforts to recover at work.

Employees have the right to:

- nominate their own treating doctor
- employment that is both suitable and, so far as reasonably practicable, the same as or equivalent to their pre-injury employment

- be consulted and involved in identifying suitable work and developing their recover at work plan
- privacy and confidentiality
- access mechanisms for resolving complaints and disputes.

Information regarding employees rights and obligations as well as the roles and responsibilities of relevant stakeholders is available on the MyHub Southern NSW *Staff Services* intranet page, [Workers Compensation Information for Injured Staff](#). Injured employees will be provided a copy of the SNSWLHD Recover at Work Expectations which provides more detail in relation to employee rights and obligations under workers compensation.

[Injured at work: A Recovery at work guide for workers](#) developed by State Insurance Regulatory Authority (SIRA) is available on their website and provides detailed information for employee's who has sustained a workplace injury.

After an Incident

- Following an incident, if treatment is required, staff are to report to their manager in the first instance to receive First Aid. If the employee requires immediate medical attention, the employee is to attend the onsite Emergency Department or alternatively an Ambulance must be called.
- If the employee does not require emergency medical intervention, they are to attend an appointment with their Nominated Treating Doctor (NTD) as soon as reasonably practicable following the incident to receive treatment and advice regarding their capacity to perform the inherent requirements of their role.
- An employee must notify their supervisor that an incident has occurred immediately after the event and an incident notification form must be completed as soon as possible following the incident, within 24-hours at the latest.
- Incident reports are completed and maintained using the *Incident Information Management System (IIMS)* in accordance with NSW Health Policy, [PD2020 47 Incident Management](#)
- Information on accessing IIMS and relevant training is available on the SNSWLHD intranet page [Incident Information Management System \(IIMS\)](#) and the Health Education and Training (HETI) website under [IIMS: Notifier training](#).
- If an employee is unable to complete the IIMS notification themselves, they are to advise their supervisor in order for the report to be completed on their behalf.
- IMU conducts daily reviews of all IIMS notifications lodged for incidents involving SNSWLHD staff and will contact the employee's management team to identify whether the employee sustained an injury, required medical treatment and/or had any time off work as a result so that the workers compensation claim process can commence for the injured employee if required. From time to time there may be near misses these should also be recorded.
- The SNSWLHD WHS Manager reviews the IIMS reports regularly in order to implement risk prevention strategies.

Support for a Worker

- The IMU will request the injured employee completes and returns an 'Your Authority for the Collection of Personal Health Information' form which allows access to the IMU to discuss the employee's work-related injury with the relevant stakeholders such as TMF Scheme Agent 'EML', the employee's treating health practitioners and their supervisor.

- By understanding the employee's work-related injury or health condition SNSWLHD can ensure the appropriate level of support is provided to the injured employee. This may be through reasonable adjustments to their role, ensuring regular contact between the employee and the workplace as well as attendance by the R@WC at Medical Case Conferences.
- The IMU is also responsible for ensuring that accurate wage information is provided to EML at lodgement of a claim via a Pre-injury Average Weekly Earnings (PIAWE) calculation. The PIAWE is a base rate the employee may be entitled to should they require a wage payment while on workers compensation due to lost or restricted duties. It is determined from the average earnings over a relevant period of 52-weeks prior to the claimed injury (there are some cases where the relevant period will change). EML will advise of the entitlement amount the employee will receive each week, whether this be 95% or 80% of the PIAWE rate.
- When an injured employee's claim is accepted by EML and there is a wage entitlement, the IMU will ensure that payment of workers compensation benefits is made to the employee in their regular pay cycle, which for the majority of employees of SNSWLHD is fortnightly.
- The IMU will review the employee's rostered hours to ensure compliance with restrictions and will seek confirmation of the rostered hours from the employee via a R@W Timesheet, this is designed to prevent any disputes related to pay and to ensure accurate payment of the employee's entitlements for each pay period.
- If an employee elects to dispute their PIAWE amount they should contact EML or [icare](#) in the first instance.
- Information on how a PIAWE is calculated can be found on the SIRA Website, [GN 5.1A Calculating PIAWE](#)
- If an employee has a dispute over their pay while on workers compensation, they can contact the IMU and speak with the Claims Officer about their concerns. The Claims Officer can assist in directing their concern to the appropriate department, such as Payroll if the concern is not related to the benefits associated with their claim.

Recover at Work

Recovery at Work put simply means staying at work in some way following an injury so that work can be used to improve overall wellness and help with recovery. Staying at work may mean engaging in suitable duties (also referred to as alternate or light duties), these duties may be in the same job with different hours or days, they may also be duties in a different role.

When an injured employee is participating in suitable duties, these will be under the guidance of their Recover at Work Coordinator and documented in a Recover at Work Plan (R@W Plan). An example of a R@W Plan is available on the SIRA Website [Recover at work plan – a tool for employers](#)

The R@WC will work collaboratively with the injured employee, their Nominated Treating Doctor (NTD) and management team to identify suitable duties.

The Recover at Work Plan will include;

- Goal of the Recover at work plan
- Duties, hours and proposed upgrading
- Who should have a copy of the plan
- How we will monitor progress and communicate with the employee
- How and when we will review and update the plan.

SNSWLHD will make all reasonable efforts to provide ongoing suitable duties when an employee sustains a workplace injury. The duties will be in line with the employee's capacity for employment this is to ensure we are adhering to our obligations under WHS are met in providing a safe place of work.

SNSWLHD will not dismiss any employee, as a result of the injury, within the first 6-months after the employee first becomes unfit for employment. Any employee whose employment is terminated as a result of being medically retired due to work related injury may apply for reinstatement within 2-years of their dismissal in accordance with Section 241(1), 247 and 248, of the Workers Compensation Act 1987.

Dispute prevention and resolution

- SNSWLHD will continue providing assistance, with Recover at Work to employees whose claims for workers compensation are declined via our *SNSWLHD Procedure for Managing Non-Work-Related Injuries and Health Conditions*.
- If there are disputes regarding an employee's medical treatment they may be required to attend an Independent Medical Examination (IME) for an independent specialist opinion.
- If there are disputes regarding an employees capacity for work they may be required to attend an Injury Management Consultant (IMC) for an independent opinion on capacity for work as a result of workplace injury.
- If an employee has any concerns regarding their suitable duties, their first point of contact is their supervisor and R@WC. The R@WC will then review the duties in consultation with the employee, their NTD and supervisor and draft an amended plan if required.
- An employee can request a workplace Rehabilitation Consultant be appointed to assist in the development of a Recover at Work Plan.
- If there is a dispute over an employee's capacity for work, the employee may be requested to attend an appointment with an Injury Management Consultant,
- If an employee is not satisfied that their concerns have been addressed appropriately or have a dispute relating to SNSWLHD's obligation to provide suitable work, they can seek assistance from SIRA by calling 13 10 50 or emailing contact@sira.nsw.gov.au

Administration

- SNSWLHD takes our legal obligations and your care seriously taking particular care when collecting, using and disclosing an individuals personal and health information.
- SNSWLHD will seek an employee's consent prior to requesting or reviewing and health information, including speaking with an employees NTD.
- Health information is only collected and retained when necessary.
- The IMU uses a restricted database for claims management activities, the database is not accessible by anyone outside of the IMU and further restrictions regarding access can be applied to individual files. This database ensures confidentiality for each injured employee.

Consultation

This document has been reviewed by a panel, including Union representatives, and will be further reviewed and updated every two years or as required by changes in legislation and policy.

The following persons have committed to this program by signing the below.

Panel signatures:

Manager, Injury Management Unit

Sign:

Date:

District Director People and Culture

Sign:

Date:

Union representative

Sign:

Date:

Chief Executive

Sign:

Date:

DRAFT