

3.5 Return-to-Work Program

POLICY TITLE: RETURN-TO-WORK PROGRAM

FILE REF: SC278

EXPIRY DATE: NOVEMBER 2027

OBJECTIVES

To provide guidelines for ensuring that Council and staff comply with the Workers Compensation Act 1987, Workplace Injury Management and Workers Compensation Act (1998) and the Workers Compensation Regulation 2016, and to support the concept of injury management to assist in the early return to work of injured or ill employees.

STATEMENT OF COMMITMENT

Lockhart Shire Council is committed to the rehabilitation of employees who are injured or develop an illness or disease during their employment. If employees are injured or develop an illness or disease due to other circumstances, sympathetic consideration may be given to the rehabilitation of the employee under Council's Return-to-Work Program. Council is committed to:

- 1) The prevention of injury and illness through providing a safe and healthy working environment.
- 2) Developing and implementing a Return-To-Work Program in consultation with its employees and their representatives, which is consistent with its insurer's Injury Management Program.
- 3) The early commencement of rehabilitation of an injured worker to encourage an early return to work.
- 4) Ensuring that all reasonable efforts are made to provide meaningful and suitable duties consistent with medical judgment. Return-to-Work Plans for individuals will be devised to support Council's commitment to rehabilitation and minimise the effects of the injury or illness on employees.
- 5) Ensuring that no employee is disadvantaged whilst participating in Return-to-Work Plans and expects its employees to cooperate with Council's rehabilitation efforts
- 6) Council's Return to Work Coordinator is Council's Human Resources/Enterprise Risk Manager.

RESPONSIBILITIES

1) Council's (Employer's) Responsibilities

Council is a Category 1 employer for the purposes of the Workers Compensation Regulation 2016 and as such is responsible for:

- a) Appointing a Return-to-Work Co-ordinator
- b) Ensuring the Return-to-Work Co-ordinator is provided with the necessary training to perform the role
- c) Developing a return-to-work program
- d) Consulting workers and unions
- e) Implementing the return-to-work program

2) Return-to-Work Coordinator Responsibilities

- a) Developing and implementing the Return-to-Work Program, educating the workforce, keeping injury and return to work statistics and developing policies for the consideration of Management and Council to improve systems.
- b) Providing information on the return-to-work process and associated workers compensation benefits to injured workers.
- c) Obtaining the injured worker's consent before obtaining or releasing rehabilitation information about the worker.
- d) Determining the injured worker's needs by discussion with the worker, the nominated treating doctor and other treatment practitioners.
- e) Working with the insurers as they develop an injury management plan for the injured worker.
- f) Identifying appropriate suitable duties and assisting the injured worker to return to work as soon as possible.
- g) Supporting the redeployment of workers into suitable employment when they cannot return to their pre-injury duties.

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- h) Preparing a Return-to-Work Plan to document suitable duties and work restrictions so that all parties are informed and managing the return-to-work process.

3) Rehabilitation Provider's Role

- a) Council engages fully accredited rehabilitation providers who are available to assist in the rehabilitation of those workers who suffer a workplace injury or illness at Lockhart Shire Council.
- b) Notwithstanding that the Council has appointed its own Rehabilitation Provider(s), an injured or ill employee will retain the right to nominate an accredited Provider(s), of his/her own choice.
- c) Council will facilitate reasonable access to the workplace by any accredited Rehabilitation Provider(s) involved in rehabilitation at this workplace, so as to enable familiarity with the workplace.
- d) Council will ensure ready access to any injured or ill employees nominated accredited Rehabilitation Provider(s) at all stages of rehabilitation, including the initial workplace assessment.

4) Management Responsibilities

A crucial element of the Council's Return-to-Work Program is the prevention of injury or illness to our employees. To this end, Council is committed to:

- a) Ensure the health, safety and welfare of all workers.
- b) Develop, implement and review the Return-to-Work Program in consultation with workers and relevant unions.
- c) Assist injured or ill employees return to pre-injury occupation or suitable alternatives without prejudice.
- d) Encourage rehabilitation at the workplace through the provision of modified or suitable duties where practicable and consistent with stated medical judgment.
- e) Display a summary of the program prominently at the Council Administration building, Lockhart Works Depot and The Rock Works Depot.
- f) Provide employees with adequate information on rehabilitation and workers compensation.
- g) Appoint and train a Return-to-Work Coordinator.
- h) Notify the insurer within the prescribed timeframe(s) when the worker has an injury.
- i) Provide suitable employment for injured workers for as long as is practicable.
- j) Participate and cooperate in the establishment of an injury management plan for an injured worker.
- k) Comply, to the fullest extent practicable, with obligations on the employer in the Injury Management Plan written by the insurer.

5) Employee's Responsibilities

- a) To take all necessary care in the performance of work with a view to preventing work related injuries to themselves and fellow employees.
- b) To actively co-operate in the specific Return-to-Work Plan designed as part of their recovery process.
- c) To actively co-operate in the specific Return-to-Work Plan designed as part of a fellow employee's recovery process.
- d) To report all injuries/illnesses promptly to allow corrective action to be implemented.
- e) To specify one nominated doctor or medical practitioner who is prepared to participate in the development of any injury management and Return-to-Work Plan.
- f) To provide their consent for information regarding their injury management and recovery at work to be shared between the insurer, employer, nominated treating doctor, treating practitioner providers and the State Insurance Regulatory Authority.
- g) To participate and co-operate in the establishment of an injury management plan.
- h) To comply with obligations in any Injury Management Plan written for them.
- i) To make all reasonable efforts to recover at work.

3.5 Return-to-Work Program (cont'd)

RETURN TO WORK PROGRAM

- 1) A Return-to-Work Program shall be developed and maintained that complies with the Workers Compensation Act 1987, Workplace Injury Management and Workers Compensation Act (1998), Workers Compensation Regulation 2016 and the Guidelines for Workplace Return to Work Programs issued by the State Insurance Regulatory Authority.
- 2) The Return-to-Work Program will cover the following aspects:
 - a) Leadership and commitment
 - b) Workplace arrangements
 - c) Rights and obligations
 - d) After an incident
 - e) Support for the worker
 - f) Recovery at work
 - g) Dispute prevention and resolution
 - h) Administration
- 3) The Work Health and Safety Committee will be consulted on the initial development of the Return-to-Work Program and any significant changes to the Program.

*Adopted by Council 25 November 2024
Refer Minute No. 187/24*

*Revised by Council 15 November 2021
Refer Minute No. 222/2021*

*Revised by Council 19 November 2018
Refer Minute No. 320/2018*

*Amended by Council 17 August 2009
Refer minute 283/09*

*Amendments adopted by Council – 20 June 2005
Refer Minute No. 24669*

*Amendments adopted by Council – 17 July 2000
Refer Minute No. 22273*