

POLICY AND PROCEDURES

OHS Occupational Rehabilitation

This policy is important to:

- Staff
- Students
- Contractors

POLICY NUMBER: POH130130000

DATE APPROVED: 29 January 2013

POLICY CATEGORY: People and Culture

POLICY OWNER: Vice-President People & Culture

1. CONTEXT

Victoria University is committed to providing a safe and healthy workplace for all staff. It is the policy of Victoria University that every effort will be made to prevent work-related injuries through an appropriate risk management system. However, should one of our staff members incur a work related injury that means they are unable to continue their normal work, we will provide the necessary assistance for them to remain at work, or return to work as soon as it is safely possible. Victoria University will also take all reasonable steps to ensure the injury (or a similar injury) does not happen again. We will do this through risk management, in line with the policy outlined below and in accordance with legislative requirements.

Occupational rehabilitation is about returning staff to productive employment as quickly and as safely as possible following a workplace injury. The underlying principle is that rehabilitation in the workplace, rather than at home or in a medical institution, is both more effective and more productive for the injured staff member and the employer.

2. DEFINITIONS

Act, for the purposes of this policy, refers to the Accident Compensation Act 1985.

Approved Provider means a provider of specialist Occupational Rehabilitation services that is approved by and registered with the Victorian WorkCover Authority. For an updated list of Victoria University approved providers, refer to the [Workers Compensation website](#) under People and Culture/OHS and follow the "VU Approved Rehabilitation Providers" link.

"The current official version of this policy is maintained on the Victoria University Central Policy Register and downloading and printing of this policy will produce an uncontrolled copy which may not be current."

Early Intervention means identifying physical, mental and organisational risk factors which have the potential to cause an injury and employing individually appropriate strategies to prevent them from reaching that point.

Injury (as defined by the Accident Compensation Act 1985) means any physical or mental injury and without limiting the generality of that definition includes--

- (a) industrial deafness;
- (b) a disease contracted by a worker in the course of the worker's employment (whether at, or away from, the place of employment);
- (c) a recurrence, aggravation, acceleration, exacerbation or deterioration of any pre-existing injury or disease.

Manager, for the purposes of the remainder of this policy, refers to, Deputy Vice Chancellors, Pro Vice Chancellors, Deans, Deputy Deans, Faculty Managers, Heads of school, Executive Directors, Directors, Divisional Managers, and Managers.

Occupational Rehabilitation Services means specialist services, such as workplace assessments, vocational assessments, preparation of complex return to work plans, functional assessments, etc, that are available to assist injured staff to return to suitable and safe employment. Providers of these services are also available to advise and support Managers throughout the Return to Work process.

Return to Work Coordinator means a member of the People and Culture OHS Team who is responsible for initiating and assisting in the development of early intervention risk management strategies and return to work plans in conjunction with the injured staff member, the Manager and other key parties. Victoria University's Return to Work Coordinator is:

Name: Peter Jones
Phone: (03) 9919 9443
E-mail: Peter.Jones1@vu.edu.au

Staff member, for the purposes of this policy, means any person who has a current employment contract with Victoria University. Contractors, students and visitors are not considered staff in this policy.

Suitable Duties means duties that are arranged for injured staff members on a *temporary, fixed-term* basis if they are unable to perform their pre-injury duties. Suitable duties are determined based on:

- availability and appropriateness of duties,
- the injured staff member's work capacity,
- recommendations from Treating Health Practitioners, AND
- are finalised and signed in conjunction with the injured worker and other key parties.

Treating Health Practitioner means a qualified health professional (ie doctor, physiotherapist, psychologist, chiropractor, etc) who provides treatment for a work-related injury.

WorkCover Authorised Agent means an agent that has been authorised by the Victorian WorkCover Authority to administer all aspects of Workers Compensation in accordance with the Accident Compensation Act 1985.

Victoria University's Workcover Authorised Agent is:

Name: Gallagher Bassett Workers Compensation
Phone: (03) 9297 9000
E-mail: wcv@gbtpa.com.au

3. STATEMENT OF POLICY

3.1 Victoria University will assist staff who sustain a physical or psychological injury to remain at or return to their pre-injury duties in accordance with the Accident Compensation Act 1985.

3.2 VU's Employer Return to Work obligations: Victoria University's Return to Work Obligations under the Accident Compensation Act 1985 are as follows:

- 3.2.1 For the duration of the employment obligation period, to the extent reasonable to do so, VU will provide injured staff members with suitable employment, if the staff member has a current work capacity, or pre-injury employment, if the worker no longer has an incapacity.
- 3.2.2 From the time that VU know of a staff member's incapacity for work, VU will plan for a staff member's return to work. This includes:
- obtaining relevant information about the staff member's capacity for work
 - considering reasonable workplace support, aids or modifications to assist in the staff member's return to work
 - assessing and proposing options for suitable employment or pre-injury employment
 - engaging in consultation
 - providing the worker with clear accurate and current details of the staff member's return to work arrangements
 - monitoring the staff member's return to work
- 3.2.3 VU will consult with the injured staff member, the staff member's doctor or healthcare provider (where the worker has given their consent) and occupational rehabilitation provider (where one has been engaged) about their return to work
- 3.2.4 VU will nominate and have appointed a Return to Work Coordinator who has an appropriate level of seniority and is competent to assist in meeting VU's obligations under the return to work part of the Act.
- 3.2.5 VU will, at all times, make specific return to work information available to staff members. Return to work information will also be made available to staff members following an injury. This information will include the display of the 'if you are injured poster' required under the Act. VU will consult with staff members about how specific return to work information is made available to workers.
- 3.2.6 If VU hires an on hire worker and that worker is injured while working at VU, VU will, to the extent reasonable to do so, cooperate with the labour hire employer to facilitate the worker's return to work.
- 3.3 VU Staff Rights:** As an injured worker, VU staff members have the right (under the Accident Compensation Act 1985) to:
- 3.3.1 choose their doctor or healthcare provider
- 3.3.2 choose an occupational rehabilitation provider from a list of a minimum of three providers (when this service is required)
- 3.3.3 be represented, assisted and supported in the return to work process. This person can be a family member, friend or colleague or union representative.
- 3.3.4 be provided with suitable employment or pre-injury employment after a workplace injury
- 3.3.5 privacy of their confidential information, maintained in accordance with the Information Privacy Act 2000 and the Health Records Act 2001
- 3.3.6 appeal decisions made regarding their claim
- 3.4 VU Staff Obligations:** As an injured worker, VU staff members are obligated (under the Accident Compensation Act 1985) to:
- 3.4.1 make reasonable efforts to return to work
- 3.4.2 make reasonable efforts to actively participate and cooperate in planning for return to work

- 3.4.3 actively use an occupational rehabilitation service when required and cooperate with the providers of that service
- 3.4.4 actively participate and cooperate in assessments of their capacity for work, rehabilitation progress or future employment prospects
- 3.4.5 actively participate and cooperate with their Agent in an interview to enhance their opportunities to return to work, if requested to do so
- 3.5 **Additional Information:** All staff are encouraged to access additional information about their rights and obligations as an injured worker via the following WorkSafe publications available from the WorkSafe Website:
- [Return to Work Coordination – the basics you need to know](#)
 - [Returning to Work – A guide for injured workers](#)
 - [Introducing WorkSafe, A guide for injured workers](#)
- 3.6 **Issue Resolution Procedure for Return to Work Issues:** If/when an issue concerning return to work arises at VU, we will refer to our internal agreed issues resolution procedure - [Staff Issue and Complaint Resolution Policy](#).
- 3.7 **Policy Consultation:** Following discussions and a 5-week University-wide consultation period, this policy was endorsed by all VU OHS Committees and approved by senior management. It is maintained on the Central Policy Register, available to all staff via the VU Intranet. There are also links to the policy and associated information via the OHS Intranet site.

4. PROCEDURES

4.1 Best Practice Steps for Managers to assist injured staff

1. Assist injured staff member to complete an Incident Report Form and submit it to People and Culture OHS Team for recording on the Incident Register.
2. Consult with the injured staff member to determine their individual needs
3. Talk to OHS Team (with person's permission) about how OHS can support the manager and help them assist the injured staff member
4. Develop a written plan, in conjunction with the staff member, the Return to Work Coordinator, their treating health practitioners and other key parties to either maintain the person at work or return them to work
5. Ensure adjustments can be made (where necessary) to accommodate individual needs. These might include, but are not limited to, a change of hours, changes to duties/responsibilities, or a change of workplace/location.
6. Recognise that each person's needs are different so it is important to keep asking how the person is handling their injury and work
7. Think about the person's work colleagues and the possible issues that may arise in the team
8. Consider how to "keep in touch" if the employee is off work (to help them stay connected)
9. Ask the individual what they would like communicated to their work colleagues, and ask permission before acting
10. Create opportunities for others to be heard
11. Address any stigma issue regarding the injury
12. Manage the team around the issues and workload to ensure further issues/injuries are not sustained by other team members.
13. Provide support and resources accordingly

4.2 General Injuries

- 4.2.1 Staff are to report all work-related injuries, or injuries that could potentially be aggravated by work, to their Manager at the first opportunity. Please refer to the definition of "injury" in section 2 of this policy.
- 4.2.2 The injured staff member must complete an incident report form in conjunction with their Manager and forward it to People and Culture OHS Team immediately, within 48 hours. In circumstances where the

injured person is unable to complete the form, their Manager must act on their behalf and provide the People and Culture OHS Team with preliminary details.

Note: If 30 days have elapsed, between becoming aware of the injury and the reporting, there may not be an entitlement to Workers Compensation.

- 4.2.3 The Manager should contact the employee to discuss the incident/injury/etc. They should find out how they are doing, how the University can assist them in their return to work and ascertain what the employee understands about their diagnosis, prognosis and work restrictions.
- 4.2.4 The Manager must then alert the Return to Work Coordinator, who will provide guidance and assistance to facilitate the safe return of the injured staff member to their normal duties. The Manager must provide details regarding the injured staff member, the incident, type of injury, type of work usually performed, medical restrictions and available suitable duties.
- 4.2.5 A member of the OHS Team will contact the injured employee, offer advice/assistance and determine medical restrictions and capacity for work.
- 4.2.6 The Return to Work Coordinator will liaise with the Treating Health Practitioners as soon as possible and make a referral to a Rehabilitation Provider for specialist support if necessary. Victoria University will provide a choice of at least three (3) appropriate Occupational Rehabilitation Providers for the staff member to choose from.
- 4.2.7 If the staff member cannot or does not want to make a choice, one will be recommended for them. If the employee is off work or has medical restrictions, the Return to work Coordinator will discuss these restrictions with the employee's Manager and ensure that the Manager has a clear understanding of the medical requirements.
- 4.2.8 A Return to Work plan developed in consultation with the injured staff member, Manager, Treating Health Practitioners, Return to Work Coordinator and key providers. The plan and an agreement will be in writing and conform to legislation.
- 4.2.9 The Return to Work Coordinator and/or the Rehabilitation Provider will obtain the Treating Health Practitioners' advice, support and guidance prior to arranging the return to work plan, providing suitable duties and suitable hours, monitoring progress and, where necessary, prior to arranging placement in an alternative position.
- 4.2.10 Regular return to work planning meetings will be scheduled and conducted as part of the return to work process. During these meetings, the plan will be monitored and revised in accordance with medical advice and legislative requirements.
- 4.2.11 Continuation of the plan will be determined by evaluating progress towards the stated objective. If staged increases in hours and range of duties cannot be achieved within 52 weeks of the specified date or if frequent recurrences or aggravations of the injury occur, the return to work plan will be revised or possibly abandoned. If the plan is abandoned, a rehabilitation plan in another organisational unit may be trialled if appropriate. Eventually, the staff member may have to consider other employment options within Victoria University if suitable and practical.
- 4.2.12 If the staff member is not successful in obtaining a position within the University, vocational re-education may then be considered or placement in a program such as the WISE Program (WorkCover Incentive Scheme for Employers). The WISE program assists workers who are work-ready, fit and motivated to return to work find employment where they do not have the option of returning to their pre-injury employer. Further information can be found under the "workers" link on the Victorian WorkCover Authority website.

- 4.2.13 The rate of pay for the period of participation in rehabilitation duties will be paid according to that of the alternative position, with appropriate compensation and make-up pay. Should the rate of compensation alter, or make-up payments cease, the injured employee will be advised in writing prior to it occurring.
- 4.2.14 If makeup pay is due to cease, the injured employee will be advised so they can contact their Superannuation Fund or the University Superannuation Officer for advice regarding their options.

4.3 WorkCover Claims

- 4.3.1 A WorkCover claim for compensation form and information will be sent as appropriate.
- 4.3.2 The injured staff member must promptly provide the original medical and WorkCover certificates, the completed claim form and other relevant information to the People and Culture OHS Team. The staff member must give copies of the medical certificate to their Manager. For all lost time claims, the claim must be processed and sent to the WorkCover Authorised Agent by the WorkCover Officer **within 10 calendar days** of receiving the claim from the worker.
- 4.3.3 The OHS Team shall inform staff whose claims have been accepted that they will have reasonable medical and similar expenses (such as Doctor, Specialist, medical treatment, hospital, Physiotherapist, Chemist etc) paid for by WorkCover. The Agent (insurer) decides if a particular cost is reasonable or not and cannot pay above the WorkCover Scheduled Fee.
- 4.3.4 In the event a WorkCover claim is rejected by the Insurer and the employee has no paid leave entitlement, the University will encourage the employee to access income support from relevant government agencies (i.e. Centrelink).

5. POLICY ADVISOR

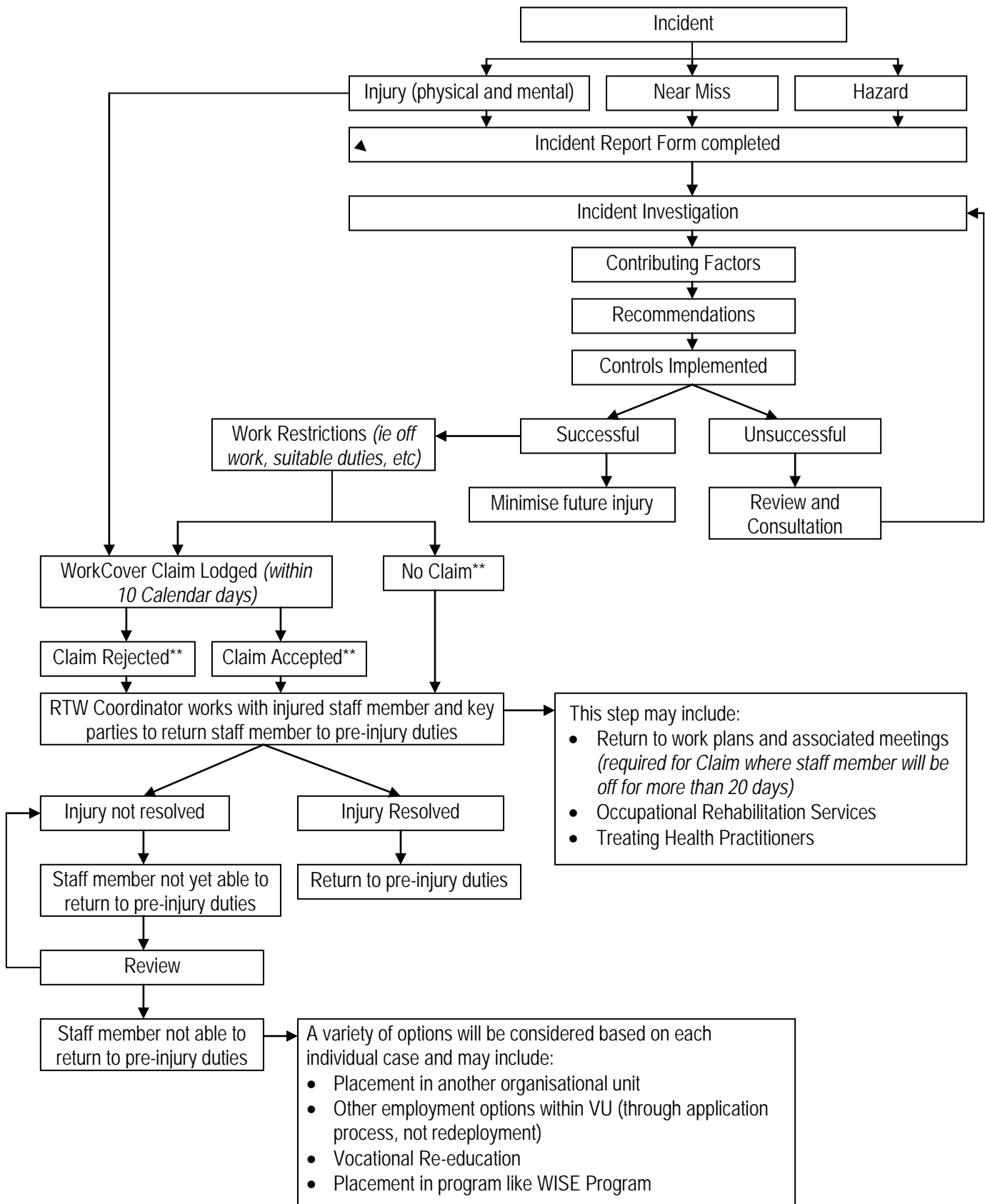
6. RELATED POLICIES AND LEGISLATION

Victorian Occupational Health and Safety Act 2004
 Accident Compensation Act 1985 plus Amendments
 Information Privacy Act 2000
 Health Records Act 2001
 Victoria University Occupational Health and Safety Charter
 Victoria University OHS Legislative Compliance Policy
 Victoria University Staff Code of Conduct

POLICY HISTORY

Version approval date	Summary of changes
29 January 2013 (POH130130000)	Minor modification – Return to Work Co-ordinator updated.
5 July 2012 (POH120723000)	Minor amendments – Return to Work Co-ordinator updated.
2 April 2012 (POH120423000)	Review policy.
16 December 2011 (POH120210001)	Minor modification – updated replaced “Human Resources” with “People and Culture”.
29 August 2006 (POH060823004)	New policy

Occupational Rehabilitation Flow Chart



**The only difference in the management of a WorkCover Claim and a non-Claim injury is that the claimant receives compensation for medical expenses, must be involved in creating a return to work plan and may require more complex management.