

STANDARD RETURN TO WORK PROGRAM

EMPLOYER RESPONSIBILITIES

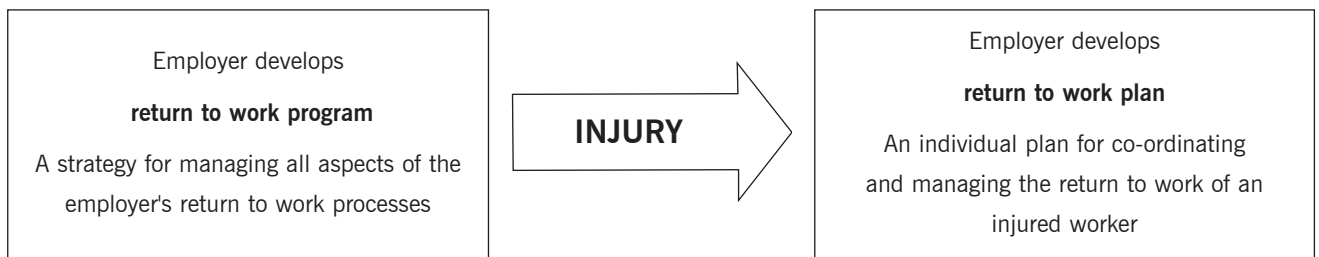
All employers must have a return to work program. This program documents the employer's policies and procedures for managing workers who suffer a work-related injury or illness.

WorkCover has developed a standard return to work program that can be used by most small employers – a copy of which is provided here. After filling in company details, copies of this program should be placed in locations where workers will be able to easily refer to it.

Employers are encouraged to adapt this program to ensure it works for the individual workplace. Employers should ensure that the program is:

- consistent with their workers compensation insurer's injury management program (contact your insurer for further information)
- reviewed every two years.

The program outlines general procedures for handling workplace injuries. In conjunction with this program when a worker is injured, a return to work plan should be developed and tailored to suit the particular needs of the individual who is injured.



This plan must outline how the employer is going to help the injured worker back to work. Key to the success of the plan is to offer the injured worker 'suitable' duties – duties that are appropriate given the worker's injury and capacity for work. Insurers and WorkCover accredited rehabilitation providers can assist employers develop an appropriate return to work plan.

For further information, refer to WorkCover's *Guidelines for Employers' Return to Work Programs* (Catalogue No. 506).

Customised return to work programs

Large employers must develop a *customised* return to work program if they:

- have a basic tariff premium that exceeds \$50,000 per annum, or
- are self-insured, or
- are insured by a specialised insurer, and employ more than 20 workers.

For further information, refer to WorkCover's *Guidelines for Employers' Return to Work Programs* (Catalogue No. 506).

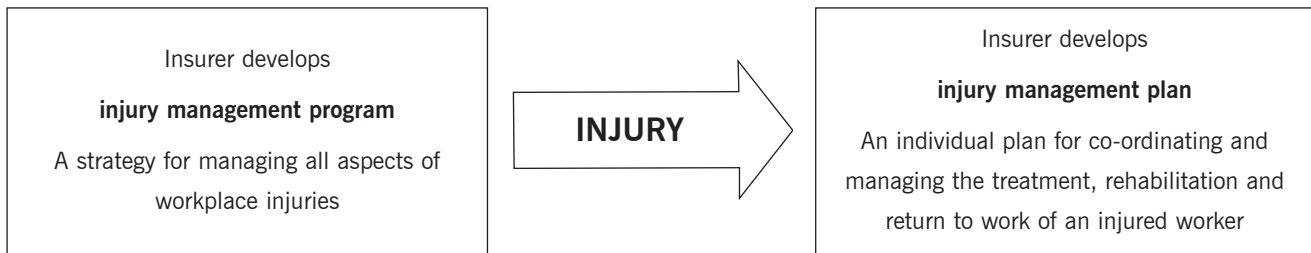
Exemptions

There are some exemptions from the requirement to establish a return to work program – owner builders, employers taking out domestic workers compensation cover and where family members are the only employees. For further information refer to *Workplace Injury Management and Workers Compensation Regulation 2002* Clause 35.

WorkCover. **Watching out for you.**

INSURER RESPONSIBILITIES

Insurers also have responsibilities to assist injured workers return to work. Similar to the employers return to work program, insurers have an injury management program, which is a set of procedures to follow when an insurer is notified about an injured worker.



Following an injury, the employer, insurer and treating doctor must work together to develop an individually tailored injury management plan for the injured worker. This plan outlines the treatment, rehabilitation and return to work of the injured worker.

Injury management

Injury management is the term used to cover all aspects of managing a worker's injury or illness and their return to work.

The aim of effective injury management is a timely, safe and durable return to work for workers who suffer a work-related injury or illness. The key to effective injury management involves:

- having systems in place so that everyone in the workplace agrees, understands and knows what to do in the event of an injury
- early reporting of injuries – workplace injuries must be reported to the insurer within 48 hours
- timely provision of treatment and assistance for return to work
- appropriate return to work – the workplace is the most effective place for a worker to recover
- the injured worker, the employer, the insurer and treatment providers working in an effective and coordinated way
- timely payment of weekly benefits and medical expenses.

Further information

- WorkCover Assistance Service on **13 10 50**
- WorkCover Publications Hotline on **1300 799 003**
- www.legislation.nsw.gov.au
- www.workcover.nsw.gov.au

Disclaimer

This publication contains information regarding occupational health, safety, injury management or workers compensation. It includes some of your obligations under the various workers compensation and occupational health and safety legislation that WorkCover NSW administers. To ensure you comply with your legal obligations you must refer to the appropriate Acts.

This publication may refer to WorkCover NSW administered legislation that has been amended or repealed. When reading this publication you should always refer to the latest laws. Information on the latest laws can be checked at www.legislation.nsw.gov.au or contact (02) 9238 0950 or 1800 463 955 (NSW country only).

Catalogue No. 4 WorkCover Publications Hotline **1300 799 003**



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Standard Return to Work Program

Our commitment

We _____ are committed to the return to work of our injured workers.
(name of organisation)

1. We will prevent injury and illness by providing a safe and healthy working environment.
2. We will participate in the development of an injury management plan and ensure that injury management commences as soon as possible after a worker is injured.
3. We will support the injured worker and ensure that early return to work is a normal expectation.
4. We will provide suitable duties for an injured worker as soon as possible.
5. We will ensure that our injured workers (and anyone representing them) are aware of their rights and responsibilities – including the right to choose their own doctor and rehabilitation provider, and the responsibility to provide accurate information about the injury and its cause.
6. We will consult with our workers and, where applicable, unions to ensure that the return to work program operates as smoothly as possible.
7. We will maintain the confidentiality of injured worker records.
8. We will not dismiss a worker as a result of a work related injury within 6 months of becoming unfit for employment.

Procedures

1. Notification of injuries
 - all injuries must be notified to the supervisor as soon as possible
 - all injuries will be recorded in the Register of Injuries
 - our workers compensation insurer (see below) will be notified of any injuries within 48 hours.
2. Recovery
 - we will ensure that the injured worker receives appropriate first aid and/or medical treatment as soon as possible
 - the injured worker must nominate a treating doctor who will be responsible for the medical management of the injury and assist in planning return to work.
3. Return to work
 - we will arrange a suitable person to explain the return to work process to the injured worker
 - we will ensure that the injured worker is offered the assistance of a WorkCover-accredited rehabilitation provider if it becomes evident that they are not likely to resume their pre-injury duties, or cannot do so without changes to the workplace or work practices

WorkCover-accredited rehabilitation providers:

- we will arrange for the worker's return to work (subject to medical and rehabilitation provider advice).
4. Suitable duties
 - when the injured worker, according to medical advice, is capable of returning to work we will develop an individual return to work plan

- we will undertake to provide suitable duties that are consistent with medical advice and that are meaningful, productive and appropriate for the injured worker's physical and psychological condition depending on the individual circumstances of the injured worker, our suitable duties may be:
 - at the same worksite or a different worksite
 - the same job with different hours or modified duties
 - a different job
 - full time or part time.

5. Dispute resolution

- if disagreements about the return to work program or suitable duties arise, we will work together with the injured worker and any union representing them to try to resolve them
- if we are unable to resolve the dispute, we will involve our insurer, an accredited rehabilitation provider, the treating doctor or an injury management consultant.

Contacts

Workplace contact for return to work program

Name _____ Telephone _____

Workers Compensation Insurer

Name _____ Telephone _____

Address _____

_____ Website _____

WorkCover Claims Assistance Service on **13 10 50**

Workers Compensation Commission for conciliation of all claims for most workers **www.wcc.nsw.gov.au**

Information for workers

You have the right to:

- nominate your own treating doctor who will be involved in your injury management plan
- choose your own accredited rehabilitation provider if necessary
- be actively involved in the planning of your return to work.

You must:

- take care to prevent work injuries to yourself and others
- notify your employer of an injury as soon as possible
- comply with your injury management plan
- provide accurate information about any aspect of your claim
- notify the insurance company if you get a job or if you earn extra income from your job while you are receiving weekly benefits
- attend medical and rehabilitation assessments
- cooperate in workplace changes that will assist other injured workers.

If you do not comply with your injury management plan, the insurer may suspend your benefits.