Injury Management and Return to Work Program Procedure

Section 1 - Purpose

(1) This procedure sets out processes and responsibilities for:

a. managing employee work-related injuries and/or illnesses where workers compensation plans and injury management plans are necessary, and
b. supporting employees with work-related injuries and/or illnesses to return to and recover at work in a timely and safe manner.

(2) This procedure provides the injury management program and return to work program for Charles Sturt University (the University) and ensures compliance with:

a. Work Health and Safety Act 2011 (NSW)
b. Workers Compensation Act 1987 (1987 Act)
c. Workplace Injury Management Workers Compensation Act 1998 (1998 Act)
d. Workers Compensation Regulation 2016 (2016 Regulation)
e. NSW State Insurance Regulatory Authority (SIRA) Guidelines for workplace return to work programs 2021

Scope

(3) This procedure applies to all employees, supervisors and leaders.

Section 2 - Policy

(4) This procedure supports the Health, Safety and Wellbeing Policy.

Section 3 - Procedure

Part A - Return to work program

Commencement and review

(5) This program will commence from [INSERT DATE]. It replaces all other University return to work programs.

(6) The University is committed to reviewing this program in consultation with employees or their representatives (unions) at least every two years from the last revision date to ensure it remains current and effective as per clause 17 of the 2016 Regulation.

(7) This consultation will be undertaken by the Division of Safety, Security and Wellbeing, including the Adviser, Injury Management (also known as the Return to Work Coordinator (RTW Coordinator)) and be approved by the policy owner,

the Associate Director, Health, Safety and Wellbeing and Executive Director, Safety, Security and Wellbeing.

Employee representation and consultation

(8) The consultation process on any updates to the University's return to work program will be undertaken through a number of channels, including the safety committee, all employee emails, the union and via the University policy library bulletin board.

(9) Through these channels, a draft copy will be made available, and a reasonable timeframe set to allow comments or feedback from all employees.

(10) Union delegates and employees who are members of any union are encouraged to seek union review of any changes made to the return to work program during the consultation period.

(11) Unions and other employee representatives can influence the University's approach to return to work outcomes for individual claims. The way in which the University handles its relationships with these representatives can greatly impact the success of return to work efforts.

(12) It is important to note that employee advocacy does not have to be adversarial. The partnership approach is considered best practice for several reasons. Unions can assist employees in returning to work, but they will only do so if they trust the organisation and believe it is in the employee's best interest. Additionally, unions can contribute to the development of policies and procedures and encourage employee compliance with the established system.

(13) In an ideal injury management relationship, unions and/or employee representatives will:

a. provide support and commitment to the return to work program
b. ensure that policy documents are relevant, used, and responsive to the needs of the workplace. They will facilitate the transfer of information, often producing documents for their members that outline important return to work issues. Unions can also assist in discussions and negotiations around complex cases, as they often have a greater level of trust from employees and more experience in negotiating
c. provide feedback to the RTW Coordinator about any aspects of the organisation's work disability program that are not functioning properly
d. support employees in their return to work efforts, such as helping them identify appropriate duties and fostering co-worker support
e. assist employees in reporting injuries early and voicing any concerns about the program
f. be aware of barriers to return to work and suggest ways to overcome them
g. when engaged in a partnership approach, play a key role in boosting employee confidence and motivation by working with the employer to achieve positive outcomes
h. provide a system of checks and balances. They can provide clear feedback to line managers who are not supporting employees and offer constructive suggestions to improve the situation.

(14) Trust is essential in the partnership approach. An organisation that collaborates with unions is more likely to gain the trust of its employees, which is crucial in effective injury management and prevention.

(15) All feedback from employees or union will be reviewed for inclusion in the final return to work program.

Part B - University leadership and commitment

(16) The University recognises its legal obligations under the Workers Compensation Act 1987(NSW), Workplace Injury Management and Workers Compensation Act 1998, Workers Compensation Regulation 2016 and Guidelines for Workplace Return to Work Programs 2021.

(17) The University is committed to providing a timely and efficient return to work program with the aim of restoring the injured employee to their pre-injury physical, psychological, social and vocational capacity and status.

(18) The University is committed to:

a. preventing injury and illness by providing a safe and healthy working environment
b. developing a culture that promotes recovery at work by fostering positive attitudes towards employees recovering at work
c. educating all employees about the return to work program and processes, including the importance of early notification of injury via the incident reporting system
d. ensuring that injured employees (and those 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
e. providing regular staff training on work health and safety (e.g. induction training, ongoing manual handling)
f. participating in the development of an injury management plan to ensure the University is returning an injured employee to work as soon as practicable (subject to medical recommendations)
g. consulting with University employees and, where applicable, employee representatives such as the unions, to ensure that the return to work program operates as smoothly as possible, and
h. maintaining the confidentiality of rehabilitation records in accordance with privacy provisions.

Positive communication and workplace culture

(19) A positive workplace culture is essential for individual and organisational wellbeing and performance. It can protect employees from common work stressors, reduce the likelihood of injury and contribute to positive return to work outcomes when injury does occur.

(20) The University is committed to reinforcing positive communication workplace culture via:

a. recruitment and selection techniques via specialised talent and acquisition teams to ensure diverse and high performing workforce
b. flexible work agreements
c. special leave entitlements
d. hybrid working arrangements
e. annual employee engagement surveys and regular surveys
f. Equity, Diversity, and Inclusion Strategy
g. Employee Assistance Program
h. study support leave
i. staff wellbeing framework and calendar of events
j. employee recognition program, and
k. employee excellence awards.

(21) The University promotes a positive attitude to employees recovering at work by:

a. having person-centred case management
b. training people leaders in how to manage returning to work
c. gaining buy-in from senior managers on employees returning to work
d. conducting audits on the University's return to work systems and processes
e. ongoing process improvements where appropriate

f. actively seeking input and fostering collaboration between injured employees, supervisors and leaders, and coworkers
g. assisting employees to access high quality medical care
h. engaging rehabilitation providers in remote or regional areas, which is essential for enhancing the rehabilitation process by ensuring timely, tailored support and better recovery outcomes, and
i. implementing and complying with appropriate policies and procedures.

(22) The University is committed to the ongoing welfare of employees and recognises the importance of ongoing communication in order to facilitate a successful recovery at work.

(23) It is the responsibility of supervisors, leaders and the Adviser, Injury Management to maintain multiple touchpoints throughout the process with the employee, including when first notified of the injury, whilst they are on leave, in preparation for returning and their first day back to work.

(24) The University acknowledges that every employee will have an individually tailored return to work plan, which may need to be adjusted throughout the process.

(25) The University acknowledges the health benefits of good work and aims to promote internal/external collaboration. The University recognises that long-term work absence may have an impact on health and wellbeing and strives to create a healthy and safe work environment to prevent this. Through safe work practices, fostering a healthy workplace culture and effective injury management programs, the University and contributing stakeholder groups are able to promote the health benefits of good work.

Part C - Workplace arrangements

Return to Work Coordinator

(26) The Division of Safety, Security and Wellbeing manages the return to work of injured employees.

(27) The return to work process at the University is facilitated by the Adviser, Injury Management, also known as the Return to Work Coordinator (RTW Coordinator), or another suitably qualified Return to Work Coordinator.

(28) For direct contact details of the University's Adviser, Injury Management (RTW Coordinator), please visit the staff intranet page Supporting Workplace injuries or email: safety@csu.edu.au to obtain the details.

Preferred rehabilitation providers

(29) To ensure the University’s needs and internal arrangements in the workplace are understood, the University has preferred rehabilitation providers that may be called on by the RTW Coordinator to assist in the return-to-work planning of an employee.

(30) For details of the University's preferred rehabilitation providers please visit the preferred provider page on the Supporting Workplace injuries or email: safety@csu.edu.au to obtain the details.

(31) The University is committed to working in collaboration with the rehabilitation provider. The University’s RTW Coordinator, in consultation with the injured employee’s people leader, will meet regularly with the provider (either face to face or virtually), share relevant information on the company, provide all required information, and identify and discuss suitable duties where possible. The rehabilitation provider will have direct contact with the employee along with access to the workplace to allow them to inspect and gain an understanding of the environment where the employee works.

(32) Employees have the opportunity to refuse or request a change in rehabilitation provider. They are informed of their rights through the information pack provided to them following the reporting of an incident/injury.

Display and notification arrangements

(33) The return to work program at the University is prominently displayed through multiple channels, including the University's online staff hub, campus based notice boards, and updated communications through What's New (the University's daily news email) to ensure all staff are well-informed of the available support and resources.

(34) The University will ensure the return to work procedure is clearly explained and accessible to all employees by prominently displaying it on the staff hub, including detailed guidelines, contact information for support, and step-by-step instructions to facilitate a smooth return to work process.

Part D - Rights and obligations

Recovery at work

(35) The University will provide suitable full-time or part-time employment for employees with the capacity to recover at work, as far as reasonably practicable.

(36) The RTW Coordinator will consult with the University's insurer and any other relevant parties to assist with the development of an injury management plan. This will be facilitated through meetings and discussions between the RTW Coordinator and the University's insurer, following the lodgement of a claim and following receipt of any updated Certificate of Capacity.

(37) This work will be consistent with medical advice, productive, and appropriate for the employee's physical and psychological condition.

(38) It may include parts of the same job, the same job with different hours or modified duties, a different job at the same workplace, training opportunities, or a combination of these.

(39) The University will also:

a. ensure required access to the pre-injury workplace is available for injured employees and service providers
b. if necessary, arrange for an approved workplace rehabilitation provider to help the employee recover at work
c. contribute to the employee's injury management plan, which will be written by the University's insurer, and meet the University's obligations as stated in the plan
d. make early contact with the employee's doctor to cooperatively discuss the employee's normal duties, suitable work that is available, and opportunities for workplace modifications or assistive equipment
e. inform the employee of their rights and obligations, and give them the University's workers compensation insurer's details
f. contact the employee regularly throughout their recovery
g. keep all documents about the workers compensation claim in a confidential file
h. monitor the employee's progress and update the plan as required
i. cooperate and consult the employee, insurer, doctor (where possible) and workplace rehabilitation provider (where applicable) to write a tailored return to work plan
j. begin planning for the employee's recovery at work as soon as the University is notified of a work related injury or illness, and
k. provide other support if necessary, such as equipment, workplace modifications or changes in practices to reduce work demands and aid the employee's recovery at work.

Employee obligations and rights

(40) Under the 1998 Act and/or 1987 Act, injured employees have obligations to:

a. cooperate with the employer to prevent workplace injuries to themselves and to others
b. notify their employer of an injury as soon as possible after the event has occurred
c. actively participate and cooperate with the development of their injury management plan
d. comply with the obligations imposed by the injury management plan
e. nominate a treating doctor who is prepared to participate in the development of, and in the arrangements under, the injury management plan
f. authorise their nominated treating doctor (NTD) to provide relevant information to the University or the insurer for the purposes of the injury management plan and related return to work plan(s)
g. when they have the capacity to do so, make reasonable efforts to return to work in suitable duties or pre-injury duties with the University, or at another place of employment if they are unable to return to pre-injury duties and it is not reasonably practicable for the University to provide suitable employment
h. cooperate with worksite changes implemented to assist the return to work of other employees or workplace changes that will assist other injured employees
i. provide accurate information about any aspect of their claim
j. notify the agent/insurer if they get a job or earn extra income from their job while receiving weekly benefits, and
k. attend medical and rehabilitation assessments.

(41) Employees have the right to:

a. nominate their own treating doctor who will be involved in their injury management plan
b. choose their own approved workplace rehabilitation provider if necessary, and
c. be actively involved in the planning of their return to work.

(42) If employees do not comply with their injury management plan, the agent/insurer may suspend their benefits.

Employer responsibilities

(43) Employers have the responsibility to:

a. have a workers compensation insurance policy covering all employees
b. make a compensation claim form available to an injured employee on request
c. record in the 'Register of Injuries' the date of notice of injury and injury details
d. notify the insurer within 48 hours of being made aware of a significant workplace injury (a significant injury results in the employee being absent from work or away from their normal pre-injury duties for seven days or more)
e. notify the insurer within seven days of non-significant injuries
f. participate and cooperate in the development of the insurer's injury management plan for the injured employee
g. comply with reasonable obligations imposed by the injury management plan
h. ensure that payments due to injured employees are paid immediately when authorised
i. establish a return to work program incorporating policies and procedures for the rehabilitation of injured employees
j. provide employees with adequate information on return to work and compensation procedures
k. appoint and train a RTW Coordinator
l. send an injured employee's claim form to the insurer within seven days of receipt of the claim
m. make suitable employment available to injured employees who are certified fit for suitable employment
n. notify the insurer if unable to provide suitable employment when requested by a partially incapacitated employee

o. refer an employee to a rehabilitation provider if the employee faces barriers to returning to work
p. cooperate with the insurer in providing retraining to an injured employee who is unable to return to their pre-injury job, and
q. cooperate with the NTD and other service providers via regular contact through the return to work plan.

Insurer/case manager obligations

(44) Workers compensation insurers have responsibilities to:

a. inform employers of their legislative obligations in relation to the insurer's injury management program
b. commence provisional payments to an employee who has suffered a significant injury within seven days of being notified of the injury (unless a 'reasonable excuse' exists not to approve provisional payments)
c. contact the employer, employee and doctor within three days where an employee has suffered a significant injury and develop an injury management plan in accordance with the timeframes in the insurer's injury management program
d. consult with the injured employee, the employee's NTD and the employer in the development of the employee's injury management plan
e. provide information relating to the injury management plan to the employee and employer
f. inform the employee that weekly benefits may be suspended if the employee does not reasonably comply with the injury management plan
g. have procedures in place for an injured employee to change their NTD and to inform the employee of these requirements
h. consult with the injured employee, employer and NTD when referring to a rehabilitation provider and to advise the employee they may nominate a rehabilitation provider and the procedure to be followed if an employee wishes to change their nominated rehabilitation provider, and
i. ensure vocational retraining is provided where an employee is unable to return to their pre-injury duties and provision of suitable employment is not possible.

Nominated treating doctor (NTD) responsibilities

(45) The nominated treating doctor (NTD) is responsible for:

a. providing the injured employee with completed WorkCover medical certificates
b. organising and monitoring appropriate treatment
c. specifying work restrictions and advising on the suitability of duties offered by the employer
d. providing information to the insurer and employer in relation to the injury management and return to work plans for injured employees
e. reviewing the progress of the employee's recovery and completing formal case reviews where required, and
f. arranging a referral to an accredited rehabilitation provider if required and not initiated by the insurer or employer.

Rehabilitation provider responsibilities

(46) The rehabilitation provider is obliged to:

a. assist the employee and their support team (employer, doctor, insurer) to achieve a positive recovery at work
b. participate, where necessary, in meetings such as medical case conferences and workplace meetings to support the employee's recovery at work, and
c. provide assistance for the employee in seeking alternative employment if they are unable to return to their pre-

injury employer.

Employee representative or union responsibilities

(47) The employee representative's or union's responsibilities include:

a. acting as a representative for the injured employee with respect to their claim, at their request
b. negotiating with the employee's support team to ensure fair and just compensation for any work-related injury
c. attending meetings related to the injured employee's return to work, at their request
d. providing general support and advice to the injured employee, and
e. promoting the health benefits of recovery at work.

Part E - After an incident

(48) Where an employee acquires a work-related injury or illness that requires an injury management plan and/or return to work plan, the key steps are to:

a. seek medical attention
b. report the injury or illness
c. make necessary medical and insurance arrangements, and
d. return to work/recover at work.

Seek medical attention

(49) The Incident Reporting and Investigation Procedure and Health, Safety and Wellbeing Procedure - First Aid set out how incidents, accidents and injuries will be treated by the University. This procedure anticipates that these procedures or another appropriate incident or accident response has been enacted and the injured employee has received immediate necessary treatment.

(50) An employee with a work-related injury and/or illness must obtain medical attention from their NTD and, as soon as practicable, obtain a certificate of capacity/certificate of fitness outlining the required treatment and the employee's capacity for work.

Reporting an injury

(51) The employee, or someone acting on their behalf, must report the injury or illness as soon as possible, preferably within 24 hours:

a. to their manager or supervisor, and
b. via the online Incident and Risk Management System, providing details of the incident and including contact details of the NTD where required.

(52) The employee's manager or supervisor must:

a. ensure work injuries are promptly reported to the online Incident and Risk Management System within 24 hours, and
b. investigate the incident or accident that caused the injury or illness and implement any necessary actions or controls in accordance with the Incident Reporting and Investigation Procedure.

(53) The Adviser, Injury Management (RTW Coordinator) will:

a. notify the University's workers compensation insurer of the injury or illness within 48 hours. This may involve liaison with the manager/supervisor to gather further information about the incident or accident and/or the injured employee
b. ensure that all necessary work injury documents are lodged with the insurer within 48 hours of receipt
c. notify the Division of People and Culture (DPC) via the University's online reporting system of an injury or illness that may be related to allegations of bullying, harassment, serious misconduct, or other inappropriate behaviour. Such incidents will be reviewed by DPC under the relevant Complaints Management Policy and procedure
d. contact the employee within one business day and provide the claim number and any other information including next steps.

Make necessary medical and insurance arrangements

(54) The employee, or someone acting on their behalf, will complete the following actions:

a. Provide consent for the NTD, employer, insurer and other key stakeholders to exchange information for the purpose of managing the injury/illness. This is done via the signed SIRA Certificate of Capacity or the Standard Form for Release of Personal Information.
b. (Optional) Complete a personal or other leave request if paid leave is required until a compensation claim is considered and accepted. If the claim is accepted, then any leave used will be re-credited to the employee's leave balance. If the employee has no leave available, they will not receive wages from either the University or insurer unless the claim is accepted. See also clause 58 for if the claim is not accepted.
c. Complete a workers compensation claim form if requested to do so by the insurer (not all claims require the completion of a workers compensation claim form).
d. Provide a certificate of capacity/certificate of fitness issued by their NTD to the Adviser, Injury Management (with a copy to the supervisor and Payroll) within 24 hours of the certificate being issued.
e. Promptly report all absences relating to any compensable injury and provide supporting medical certificates.
f. Attend medical examination(s) conducted by a doctor chosen by the University and/or the insurer if requested to do so. These examinations are intended to ensure that the employee is receiving appropriate medical treatment and to facilitate a prompt return to work. If an employee refuses to attend a medical examination, the legislation dictates that compensation payments may be suspended until an examination takes place.
g. Report a recurrence or aggravation of the injury to their manager/supervisor and Adviser, Injury Management as soon as possible. A recurrence or aggravation claim is not automatically accepted and the insurer will reassess the claim.

Support for the employee

(55) Throughout the recovery, injury management and return to work process, the University will maintain positive communication between all parties by:

a. maintaining regular contact with the employee by phone, email, casual catch-ups and more formal face-to-face meetings, subject to medical restrictions
b. building and maintaining positive and productive relationships between all relevant parties
c. ensuring transparency in all communications
d. discouraging blame or feelings of guilt, and
e. checking for understanding of the process, limitations, next steps, and relevant contacts.

Adviser, Injury Management (RTW Coordinator) responsibilities

(56) The Adviser, Injury Management (RTW Coordinator) will complete the following actions:

a. Ensure early contact with the injured employee, supervisor/manager and NTD/rehabilitation provider to coordinate recovery at work and identify suitable employment arrangements.
b. Advise, provide support and maintain positive communication with the injured employee, manager/supervisor and other relevant stakeholders regarding the workplace injury management and workers compensation processes.
c. Coordinate the employee's recovery at work, including preparing, monitoring and reviewing a return to work plan (in consultation with key parties) that documents the employee's capacity and duties available.
d. Implement return to work plans in accordance with workplace injury legislation.
e. Ensure that all necessary work injury documents are lodged with the insurer within 48 hours of receipt.
f. Maintain an injury register.

(57) If a statutory rate of workers compensation becomes payable to the employee, the University may arrange for the insurer to take over direct payments of ongoing benefits until the employee is deemed fit to return to work at the University.

(58) If the claim is not accepted (disputed), leave balances will not be reimbursed. The insurer will write to the employee and explain the employee's right to request a review of the decision to dispute liability in respect of a workers compensation claim.

Return/recover at work plans

(59) The University will support the employee by providing suitable work (as far as reasonably practicable) when an employee is able to return to work, either on a full-time or part-time basis.

(60) Under relevant state workers compensation legislation, the University is required to provide suitable work that is (as far as reasonably practicable) the same as or equivalent to the work being performed at the time of the injury.

(61) The University can give no undertaking to provide employment on an unlimited basis where an employee is not able to return to their pre-injury duties but remains certified fit for limited work.

(62) An individual return to work plan or program will be developed to the specific needs of the employee in consultation with manager(s), Adviser, Injury Management, employee, NTD and, where requested by the employee, their support person. Return to work plans will be used to set goals, ensure roles and responsibilities are understood, and agree on time frames to return/recover at work.

(63) A return to work plan may involve:

a. the same job with:
    i. different hours
    ii. modified duties
    iii. modified workplace, and/or
    iv. the same or a different workplace
b. a different job
c. a training opportunity, or
d. a combination of these options.

(64) Suitable employment will be identified based on:

a. the employee's capacity for work
b. physical demands of the tasks

c. psychological, cognitive and social demands of the tasks
d. work environment (e.g. accessibility, working alone or in noisy environments)
e. risk management to reduce the risk of further injury
f. training and education that is available to help the employee complete different tasks
g. psychosocial factors that might influence the employee's recovery (e.g. proximity to familiar colleagues if working at a different site), and
h. contribution to the workplace (e.g. ensuring the employee is given meaningful work that adds value).

Notifiable incident

(65) A notifiable incident is a workplace incident that meets the definition under the Work Health and Safety Act. There are three main categories of notifiable incidents, these are:

a. death of a person
b. serious injury or illness of person, or
c. potentially dangerous incident.

(66) A notifiable incident occurs when a person experiences a serious injury or illness or a potentially dangerous incident occurs. Charles Sturt University will notify Safe Work NSW (13 10 50) immediately when serious injuries, illnesses and dangerous incidents happen at work.

Informed consent

(67) Informed consent is where an employee is given all the relevant information before consenting to the release and exchange of information. It aims to ensure that the employee understands the benefits of providing consent and the risks of not doing so.

(68) The initial consent from injured employees will be obtained through the signed SIRA Certificate of Capacity. This Certificate of Capacity consent will be utilised prior to the University's RTW Coordinator requesting and obtaining further consent from the employee, either via the signed SIRA Certificate of Capacity or the Standard Form for Release of Personal Information.

(69) As part of the ongoing return to work process, the signed standard consent form is required from the injured employee to obtain information from and/or share information with the injured employee's treating team and the insurer.

(70) As part of the claims process, the RTW Coordinator will contact the injured employee to provide them a copy of the standard consent form and advise them of the implications of agreeing to sign the form (the objective of this consent is to facilitate effective communication and promote transparent decision-making among all parties involved) or refusing to sign the form (which may lead to workers compensation entitlements being affected).

(71) The RTW Coordinator will only collect personal and health information that is relevant and necessary to manage the injured employee's recovery at work and facilitate the workers compensation claim. This information may include any electronic or paper-based information or opinion about an employee's physical or psychological health, treatment, rehabilitation, retraining, claims and injury or employment management practices. The personal information includes financial details e.g. payroll and PIAWE.

(72) The following roles are authorised to exchange and release information that has been outlined in the standard consent form and can include the NTD, allied health treatment practitioner, workplace rehabilitation provider, RTW Coordinator, injured employee's people leader, insurer, and other specified representatives.

(73) The University will ensure any consent is gathered from the injured employee and saved to their employee file in

line with the ‘Records’ heading of this procedure.

Role	Responsibility/authority
Adviser, Injury Management (RTW Coordinator)	Authority to represent and make decisions for the University in relation to: 1. preparing, monitoring and reviewing recover at work plans in consultation with all stakeholders 2. referring employees to external rehabilitation providers where deemed appropriate or requested by the NTD 3. recommending rehabilitation services if these are not provided through the workers compensation claim 4. where an injury results in a disability, refer as necessary to Equity, Diversity and Inclusion for consideration of an appropriate disability action plan, in accordance with the Disability and Work or Study Adjustment Policy 5. arranging interpreters as required 6. providing education, training and support 7. creating and maintaining confidential case records in line with recordkeeping and privacy legislation and University policies.
Managers and supervisors, including the relevant organisational units’ leaders	1. Participate in the consultation process. 2. Liaise with the Adviser, Injury Management to identify suitable duties if required. 3. Be actively involved in implementing, monitoring and ensuring compliance with the return to work plans. 4. Provide appropriate ergonomic work equipment as recommended by the treating doctor and/or the Adviser, Injury Management. 5. Report to the Adviser, Injury Management any difficulties that the employee may have in performing their suitable duties.
Employees returning/recovering at work	1. Cooperate and show commitment to the process of injury management. 2. Focus on recovery and aim to stay at work in some capacity or return to work as soon as possible. 3. Engage in supports and services available to help them take an active role in their recovery at work as their capacity for work increases. 4. Attend treatment as directed by the NTD or specialist. 5. Stay in touch with the University and the people they work with – there may be training opportunities that can be undertaken while recovering. 6. Adhere to any conditions and undertake all activities agreed to as part of their return to work plan. 7. Ensure their certificate of capacity or certificate of fitness is current and is forwarded to the Adviser, Injury Management. 8. Provide a certificate of capacity or certificate of fitness for injury/illness related workplace absences.
Colleagues/fellow employees	1. Support the return to work of the injured employee and create a positive accepting environment. 2. Not hinder aid to an injured employee. 3. Not interfere with or misuse equipment provided for the health, safety and welfare of the injured employee. 4. Cooperate in reasonable workplace changes designed to assist rehabilitation of fellow employees.

Attending medical appointments during working hours

(74) An employee, working full-time hours, may be entitled to attend medical/treatment appointments for work-related injuries/illnesses during work time.

(75) Where possible, appointments should be made either at the beginning or towards the end of the shift. If disruption is unavoidable, then the employee must discuss this with their manager/supervisor prior to appointments being made.

(76) Employees undergoing rehabilitation on reduced normal hours are expected to make appointments outside these reduced hours. If this is not possible, then the employee must discuss this with their manager/supervisor prior to appointments being made.

(77) Employees must provide a certificate of attendance for all medical appointments/treatment, including physiotherapy, in order to receive pay for time lost.

(78) Where compensation has been approved, the insurer will pay for reasonable time to attend medical appointments. Health, Safety and Wellbeing may be contacted if clarification is required.

Part F - Disputing an outcome or assessment

(79) In cases where the employee disagrees with an outcome or assessment, the first step is to contact the University's Adviser, Injury Management to discuss resolving the dispute. The University recognises the benefits of preventing and resolving disputes in a timely manner.

Prevention of disputes

(80) Dispute prevention and resolution have a key role in ensuring an employee returns to work following a workplace injury.

(81) The University is committed to the prevention of disputes through the following:

a. Employees are encouraged to raise any issues at an early stage to their manager/supervisor.
b. During an injured employee's return to work plan, the RTW Coordinator will encourage injured employees to speak up and provide their feedback and concerns.
c. The University's RTW Coordinator will be available to answer any questions regarding the return to work process. For direct contact details of the Adviser, Injury Management (RTW Coordinator) please visit the Supporting Workplace injuries website or email: safety@csu.edu.au to obtain the details.

(82) The RTW Coordinator will consult each party involved to determine the cause of the issue or conflict and seek a resolution.

Resolution of disputes

(83) The University acknowledges that workplace injuries and the subsequent recovery at work process can often be a source of disagreement between stakeholders which can lead to disputes.

(84) Successful return to work processes require co-operation between all parties and conflicts and disputes are to be resolved as quickly as possible to ensure continued and effective return to work.

(85) The University is committed to making all efforts to resolve disputes and effectively to resolve any disagreement immediately.

(86) Where a dispute results from a recovery at work situation, the RTW Coordinator will consult in open discussions with each party involved to determine the cause of the issue or conflict and seek a resolution, this may involve contact with the below parties:

a. injured employee
b. nominated treating doctor
c. insurance case manager
d. union representative
e. employee representative
f. direct manager/supervisor, and
g. any other person involved in the dispute.

Resolution of disputes for injury management, suitable duties or recover at work planning

(87) If disagreements about the injury management, return to work program or suitable employment arise, the University will work together with the injured employee and any representative (if applicable) in trying to resolve them in line with the University's Complaints Management Policy.

(88) If the University is unable to resolve the dispute, the University will involve its insurer, an accredited rehabilitation provider, NTD or an injury management consultant.

(89) If required, employee representatives/union may help an employee in relation to dispute prevention and resolution regarding the return to work and injury management process.

(90) The University will:

a. seek help from the insurer or an approved workplace rehabilitation provider if the employee's recovery at work is difficult or progress has stalled, and
b. work with the employee and their representative to resolve any disputes, and seek help from the insurer if necessary.

Grievances

(91) Grievances are managed in line with Complaints Management Policy which outlines the process for informal and formal grievances.

Resolution of formal disputes contacts

(92) In the case there is a dispute, and a formal course of action is required, the University will give the employee the insurer's contact details as well as the following useful contacts:

a. SIRA Customer Service Centre Phone 13 10 50 or visit www.sira.nsw.gov.au
b. Independent Review Officer (IRO) - Phone 13 94 76 or visit www.iro.nsw.gov.au
c. Personal Injury Commission (PIC) - Phone 1800 742 679 or visit http://www.pi.nsw.gov.au
d. National Tertiary Education Union (NTEU) - Phone: 03 9254 1910 or visit https://www.nteu.au/
e. Community and Public Sector Union - Phone: 1300 137 636 or visit Home (cpsu.org.au)

(93) Employees will receive training on this process and other processes relating to the University's return to work program through onboarding, induction, ongoing consultation, communication and training.

Part G - Communication and training

(94) Employees will be provided with education and training on Health, Safety and Wellbeing Policy and workers compensation at the time of their onboarding, during induction and as required through refresher training.

(95) The training provided will cover topics such as:

a. details of the return to work program
b. roles and responsibilities, rights, and obligations of the relevant parties
c. reporting an incident or injury
d. management of an injured employee and their rehabilitation
e. the importance of recovering at work
f. consultation
g. the location of information on Health, Safety and Wellbeing Policy and the return to work program

h. informing employees of their rights regarding dismissal under workers compensation law
i. the health benefits of meaningful and productive work, recognising that a supportive work environment contributes to the overall wellbeing of employees including the Helping people return to work: Using evidence for better outcomes - A Position Statement from the Australasian Faculty of Occupational and Environmental Medicine (AFOEM) and the Royal Australasian College of Physicians (RACP)
j. the informal dispute and grievance process, regarding injury management, suitable work, and recover at work planning, and
k. the formal dispute mechanisms available through the workers compensation system.

(96) Training will be facilitated in a number of ways including face to face, virtual and the use of ELMO courses via the e-learn portal. Face to face training will be provided by representatives of the Division of People and Culture team, which may include the RTW Coordinator.

(97) Communication on the University's return to work program will commence at the onboarding of employees.

(98) This will continue throughout their employment through a number of channels, including all employee emails, intranet updates, the University fortnightly employee newsletter ‘Stay in Touch’ and quarterly All Employee Updates distributed University-wide.

Part H - Weekly benefits

(99) When an employee has a work-related injury/illness, and they are unable to perform their full pre-injury duties, they may be paid a percentage of their pre-injury average weekly earnings (known as PIAWE) for a set period.

(100) The University will provide the information as requested by the insurer to enable them to determine the entitlement. How a PIAWE is calculated is set by legislation and the insurer will use this to determine how much the employee will be paid. The maximum amount is capped. For more information refer to the ‘Weekly payments’ heading in Injured at work: A recovery at work guide for workers.

(101) Weekly payments should commence within seven days after the insurer has been notified of the claim unless the insurer has provided the employee with a reasonable excuse not to. To receive weekly payments, employees must have a current certificate of capacity from their NTD.

Payment of weekly payments

(102) Workers compensation payments are processed by Remuneration and Performance and are paid in line with the University’s usual pay cycle. If there is an error in any payments or changes to the rate of pay, or any other payment variations, these will be passed on as soon as practicable or in the University’s next usual pay cycle.

Payment of other entitled workers compensation related payments

(103) Any other entitled payments due to the injured employee will be processed by Remuneration and Performance, and are paid in line with the University’s usual pay cycle.

(104) Employees are required to notify the Adviser, Injury Management and DPC of any change in employment that affects their earnings such as commencing work for another employer.

(105) If an employee has a PIAWE-related enquiry or complaint, they should contact their claims service agent (EML) or iCare in the first instance.

(106) If an employee is unable to resolve the matter see 'Part F - Disputing an outcome or assessment' in this procedure.

Part I - Recovery at work

(107) Following initial medical assessment and treatment, an employee will be either fit for pre-injury work, have capacity for some type of work, or have no current capacity for any work. This documentation should be provided by the NTD on either a medical certificate, letter or Workers Compensation certificate of capacity for a work-related injury.

Fit for pre-injury work

(108) No further action will normally be required.

Capacity for some type of work

(109) Employees who are ill or injured may have capacity for some type of work:

a. from the time of onset of the illness or injury, or
b. following a period of unfitness for work when subsequent improvement has occurred to the point where the individual has capacity to return to some form of work.

(110) Each employee will be reviewed by the RTW Coordinator, or relevant supervisors and leaders, and details recorded.

(111) The RTW Coordinator, following written consent and in consultation with the employee and people leader, will define and negotiate suitable employment based upon the review, recommendations and discussions with the NTD.

(112) The employee, their supervisors and leaders, and the RTW Coordinator will confer before the employee returns to work and agree on the type of work and the hours of work to be performed.

(113) The RTW Coordinator should complete a return to work plan, which documents the agreed suitable employment and a staged upgrading program to allow upgrade to pre-injury duties. This document should be developed in consultation with the employee, their people leader, the NTD and signed agreement obtained. A copy of this plan will be provided to all key parties.

(114) At regular intervals, no greater than two weeks, the RTW Coordinator will check in with and review the employee, preferably in the workplace.

(115) Where uncertainty exists about the availability of suitable employment, or the progress of the employee in the return to work program is slower than expected, the RTW Coordinator will enlist the assistance of appropriate additional resources.

(116) An external rehabilitation provider may be contacted to assist with elements of the employee’s return to work. If one is appointed, they will be involved in developing and coordinating the return to work plan and subsequent activities.

(117) The workload impact on fellow employees of the employee being rehabilitated will be minimised.

(118) To assist with upgrading work capacity, supervisors and leaders will ensure that the maximum agreed workload is undertaken (e.g. lift up to 10kg does not mean no lifting). The supervisors and leaders will communicate any difficulties with the return to work program to the RTW Coordinator.

(119) When the employee returns to normal duties, a return to ‘pre-injury duties’ medical certificate will be obtained and filed with the employee’s return to work file. The employee should return to performing all pre-injury duties from this time.

(120) Employees must not undertake overtime until the organisation is satisfied that medical opinion clearly states that the employee is fully fit to resume the full requirements of the job for which they were employed.

(121) Treatment is to be taken outside of work hours wherever possible. Reviews should be booked in advance in order to meet this obligation. If this is not possible, this should be negotiated with the RTW Coordinator and the employee's director supervisor.

No current capacity for any work

(122) Where an employee is certified with no current capacity for any work by their NTD, the RTW Coordinator will liaise with the NTD and attempt to negotiate a return to suitable work.

(123) The RTW Coordinator will enter the employee's details into the workplace WHS Incident/Injury Register.

(124) The RTW Coordinator and the employee's supervisors and leaders will maintain regular contact with the employee.

(125) The RTW Coordinator will maintain regular contact with the NTD to ascertain progress and to facilitate a return to useful productive work.

(126) The RTW Coordinator will instigate the use of internal or external resources, as required, to facilitate a return to useful productive work, including an accredited rehabilitation provider.

(127) Progress towards return to work (excluding confidential medical information) will be given to the people leader.

(128) Regular contact with the injured employee will be maintained by the RTW Coordinator and people leader.

Suitable duties

(129) The RTW Coordinator and injured employee's supervisors and leaders in consultation with any external parties, will develop an individual return to work plan as soon as the injured employee is capable of returning to work following medical advice.

(130) The University will undertake to provide suitable employment that is consistent with medical advice and that is meaningful, productive and appropriate for the injured employee's physical and psychological condition. Depending on the individual circumstances of the injured employee, suitable employment may be:

a. at the same worksite
b. in the same job with different hours or modified duties
c. in a different job
d. full-time or part-time
e. providing various training options, or
f. combination of the above options.

(131) Every effort will be made to assist an employee to return to their pre-injury duties. Suitable duties can only be provided for a limited period.

(132) A workplace rehabilitation provider will be engaged in the case where the employee's return to work is not straight forward and if additional expertise is required.

(133) The workplace rehabilitation provider is responsible for assessing the workplace and tasks that are available, looking at potential obstacles and then providing a recovery of work plan. They are able to offer advice in relation to timings and reasonable guidelines in relation to progressing the plan forward.

Return to work

(134) If the employee is unclear about the process, the employee's supervisors and leaders, Division of Safety, Security and Wellbeing and/or the Division of People and Culture team will explain the return to work process.

(135) The University will arrange for the employee's return to work (subject to medical and rehabilitation provider advice) as soon as possible.

(136) The University will ensure that the injured employee is offered the assistance of a workplace 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.

Unable to return to pre-injury duties

(137) Where it has been determined that the employee does not have the capacity to return to pre-injury duties, assistance will be provided by the insurer and rehabilitation coordinator to help the employee gain alternative employment.

(138) This may include internal review of redeployment opportunities within the University.

(139) Possible strategies to manage instances where no suitable work can be identified or the employee is not able to return to pre-injury duties include:

a. referral to an accredited workplace rehabilitation provider
b. retraining
c. job placement
d. commencement of career coaching
e. reviewing the need for a vocational assessment
f. agreement to new suitable employment goals
g. job seeking skills training, and/or
h. where required, utilisation of vocational programs in accordance with section 53 of the Workplace Injury Management and Workers Compensation Act 1998.

Termination of employment

(140) The University will not dismiss the employee for six months after they become unfit for employment because of a work-related injury, as the law requires.

(141) If the University dismisses an employee because they are unfit for employment due to the injury, the University will ensure this is conducted in line with legislative requirements, seeking external advice if required.

(142) The injured employee will be advised by the RTW Coordinator of their rights regarding their dismissal under workers compensation law, through conversation and in writing. The injured employee may apply to the University after their dismissal to be reinstated. Refer to sections 241(1), 247 and 248 of the Workers Compensation Act 1987 (NSW).

Recovery at work plans

(143) Using the 'return to work plan' template, recovery at work plans will be prepared where suitable duties are offered. For approval, the plan is reviewed and signed by the employee, supervisors, leaders and NTD.

(144) The recovery at work plans will be monitored and reviewed in line with medical restrictions until the injured employee achieves their pre-injury capacity.

(145) The RTW Coordinator will regularly meet with the employee during the development of the recovery at work plan, this will be done via face to face, virtual meetings, telephone or email.

(146) The RTW Coordinator will monitor to ensure that the recovery at work plan is developed and upgraded in consultation with the injured employee, the designated supervisors and leaders and NTD, with all parties being made aware of any changes made.

(147) The RTW Coordinator and designated supervisors and leaders will investigate suitable duties options available within the current medical capacity.

(148) The RTW Coordinator and designated supervisors and leaders will create a recovery at work plan (with the support of the rehabilitation provider if appointed) that is consistent with the NTD's advice, including medical review dates.

(149) The recovery at work plan will be properly documented, filed, and regularly reviewed in line with any changes to the certificate of capacity and staged changes outlined in the plan.

(150) A copy of the plan, including any changes, will be provided to all parties electronically and a hard copy can be requested if required. This includes the injured employee, NTD, allied health treatment practitioner, workplace rehabilitation provider, RTW Coordinator, injured employee's people leader, insurer and any other representative as required.

(151) Changes to the plan will be provided electronically to all relevant parties for their acknowledgement in line with the above point.

(152) A valid and completed Recovery at Work plan demonstrates a formal offer and acceptance of suitable duties.

(153) The plan should contain and will capture:

a. demands of the work
b. diagnosis, capacity and restrictions
c. recover at work goals
d. treatment and rehabilitation arrangements
e. medication which may impact the employee's ability to perform tasks
f. the environment
g. task elimination and substitution
h. available duties and hours
i. modifications within the workplace
j. supervision arrangements
k. personal circumstances
l. equipment or other accommodations required
m. review dates
n. contacts for all involved including concerns, difficulties or possible changes to their plan, and
o. agreement/acknowledgement.

Part J - Administration

Confidentiality

(154) The University understands the requirement to retain workers compensation claim files and information in a

confidential manner.

(155) To ensure only authorised persons have access to injured employees' information, the RTW Coordinator will create a separate workers compensation claims file for each employee once notified of a workplace incident or injury.

(156) Workers compensation claim files are located in the University's corporate records management system (Unirecords). Access is only available to authorised persons including the Adviser, Injury Management and Associate Director, Health, Safety and Wellbeing.

(157) All information and records collected during the management of an injured employee will be kept confidential in accordance with Commonwealth and State privacy legislation and will only be disclosed in accordance with these and/or the provisions of the Workplace Injury Management and Workers Compensation Act 1998 (NSW) (see also the Privacy Management Plan). This includes information involving and related to the treatment, rehabilitation, retraining, claims management and employment management practices for an injured employee.

Records

(158) Workers compensation records will be maintained by the RTW Coordinator within the University's corporate records management system (Unirecords). Any paper documents are scanned and saved, and the original paper document is securely destroyed.

(159) Records include:

a. case notes
b. information consent form
c. suitable employment plans and/or recovery at work plans
d. certificates of capacity
e. notifications and updates from the insurer
f. reports from treating parties and the accredited rehabilitation provider
g. relevant correspondence.

Section 4 - Guidelines and other resources

(160) External resources that support this procedure include:

a. SIRA Workers compensation guidelines
b. SIRA - Injured at work: A recovery at work guide for workers
c. SIRA - Guidelines for workplace return to work programs
d. Workers compensation guide for employers - SIRA.

Section 5 - Glossary

(161) This procedure uses the following terms:

a. Adviser, Injury Management – is the position within the University accredited by SIRA NSW and responsible for coordinating the compensation claims and rehabilitation of staff who have a compensable injury, illness or disease. The Adviser, Injury Management is also the Return to Work Coordinator (RTW Coordinator) for the purpose of the State Insurance Regulatory Authority's return to work guidelines.
b. Injury management plan - means a plan for coordinating and managing those aspects of injury management

that concern the treatment, rehabilitation and retraining (where indicated) of an injured employee, to achieve a timely, safe and durable return to work for the employee.

c. Injury management program – means an insurer-developed strategy for managing all aspects of workplace injuries and illnesses.
d. Nominated treating doctor (NTD) – means the medical practitioner (or medical practice) nominated by the injured employee who will work with the University and insurer in developing and implementing the injury management plan, as per Workplace Injury Management and Workers Compensation Act 1998(NSW) s47.
e. Rehabilitation provider - means a person or company accredited by SIRA NSW to provide occupational rehabilitation services to injured staff.
f. Return to Work Coordinator (RTW Coordinator)– see Adviser, Injury Management.
g. Return to work plan - means the individual return to work plan or program developed to the specific needs of the employee in consultation with manager(s), injury management coordinator, employee and, where requested by the employee, their support person.
h. Selected duties - means an employee's usual duties modified to eliminate tasks that may aggravate the injury, illness or disability; duties selected from the employee's usual range of duties that are compatible with their physical and/or psychological constraints.
i. Significant injury - means a workplace injury that is likely to result in the employee being incapacitated for a continuous period of more than seven days, whether or not any of those days are work days and whether or not the incapacity is total or partial or a combination of both.
j. Suitable duties - means duties for which an injured employee is suited while recovering from an injury. Suitable duties may include alternate and/or selected duties.
k. Work-related injury or illness - means any injury or illness (physical or psychological) that arises in the course of, or connection with, an employee's work, and to which the work is the main contributing factor.

Section 6 - Document context

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