

Return to Work Standard

Owner: Manager Health Wellbeing Safety
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1. Deakin University's return to work obligations

Deakin University will meet its return to work obligations under the *Workplace Injury and Rehabilitation Compensation Act 2013* by making return to work information available and by consulting about how the information is made available.

Deakin University will make return to work information available to its workers about:

- the obligations of Deakin University under the return to work part of the Act and how the Deakin University is meeting the obligations;
- the rights and obligations of workers under the return to work part of the Act and how workers can obtain further information about their rights and obligations;
- the name and contact details of the University's WorkSafe Agent;
- the name and contact details of the Return to Work Coordinators, if applicable; and
- the procedure for resolving return to work issues in the workplace by providing workers with this document after consulting with them about how the information will be provided to them.

Deakin University will consult with staff on this Standard through the University's OHS Committees and by directly giving staff and managers an opportunity to comment on the Standard.

2. Providing employment

To the extent that it is reasonable to do so, if an injured worker has a current work capacity, Deakin University will provide the worker with **suitable duties** as part of a return to work program. A **current work capacity** means the worker has the ability to carry out some duties for the University. Suitable duties will be offered for a minimum period of 52 weeks where the injured worker is unable to resume their normal duties. Suitable duties may involve modified or alternate duties.

Where practical and reasonable to do so, Deakin University will provide an injured worker with a suitable job offer of pre-injury or the equivalent employment if they no longer have an incapacity for work. An **incapacity for work** means that the injured worker is unable to carry out their full normal pre-injury duties or equivalent. The offer of equivalent employment will not involve any loss of entitlements. Equivalent employment may involve the modification of the worker's pre-injury duties or may involve alternative duties accompanied by appropriate training. A suitable job offer will be offered for a minimum period of 52 weeks where the worker is unable to resume their normal duties.

Deakin University will provide suitable duties or a suitable job offer to an injured worker for a minimum period of 52 weeks during which the worker has an [incapacity for work](#). This period will commence from the date a WorkSafe Certificate of Capacity or a Worker's Injury Claim Form is received from the worker in which

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weekly payments are claimed, or from when the WorkSafe Agent notifies the University of receipt of same (whichever is the earliest).

3. Planning return to work

From the time that Deakin University receives a *Worker's Injury Claim Form* in which weekly payments are claimed or a *WorkSafe Certificate of Capacity* from the worker or the WorkSafe Agent notifies us of receipt of same (whichever is earlier), Deakin University will, to the extent that it is reasonable to do so, commence return to work planning for that injured worker. This is regardless of whether the claim has been accepted or not.

As part of that planning, Deakin University will:

- obtain relevant information about the injured worker's capacity for work;
- consider reasonable workplace support, aids or modifications to assist the worker's return to work;
- assess and propose options for suitable employment or pre-injury employment;
- engage in consultation about the return to work of the worker;
- if needed, involve a rehabilitation provider after consultation with the worker about choice of provider;
- provide the worker with clear, accurate and current details of their return to work arrangements; and
- monitor the worker's progress as often as is necessary to enable the worker to return to work in employment which is consistent with the worker's capacity for work.

4. Consult about the return to work of a worker

Deakin University will, to the extent that it is reasonable to do so, consult with the worker, the worker's treating health practitioner (with the consent of the worker) and occupational rehabilitation provider (if one is involved) in relation to the injured worker's return to work.

Deakin University will consult with the parties listed above by:

- sharing information about the worker's return to work;
- providing a reasonable opportunity for them to consider and express their views about the worker's return to work; and
- taking those views into account.

Deakin University will consult directly with the worker about their return to work, but the worker may be assisted by a representative during any consultation (except for a legal practitioner). The worker may be represented, assisted and supported during the return to work process.

5. Nominate and appoint a Return to Work Coordinator

Deakin University has appointed full time Return to Work Coordinators, who have an appropriate level of seniority and are competent to assist Deakin University meet our obligations under the return to work part of the Act.

The University's Return to Work Coordinators are listed in Schedule 1.

6. Co-operate with labour hire employers

If Deakin University hires labour hire workers and the worker suffers an incapacity for work resulting from or materially contributed to by an injury arising out of working with us, we will, to the extent that it is reasonable to do so, cooperate with the labour hire employer in respect of action taken by the labour hire employer to provide employment, plan a worker's return to work and consult about the return to work of a worker to facilitate the worker's return to work.

7. Resolution of return to work issues

Deakin University will attempt to resolve return to work issues in accordance with the procedure in Schedule 2. If you have any questions or queries regarding the agreed procedure, please contact the Manager HWS.

8. Worker's return to work rights and obligations

Injured worker's rights are:

- to be provided with return to work information and be consulted about how that information is to be made available;
- to be provided with a choice of rehabilitation provider from the University's [list of providers](#);
- to the extent that it is reasonable for Deakin University to do so, be provided with [suitable duties](#) if they have a [current work capacity](#) for a period of 52 weeks in accordance with the Act;
- to the extent that it is reasonable for Deakin University to do so, be provided with a suitable job offer (pre-injury employment or equivalent) if they no longer have an [incapacity for work](#) for a period of 52 weeks in accordance with the Act;
- to be consulted by Deakin University about planning the return to work;
- to be provided with clear, accurate and current details of their return to work arrangements as part of planning for their return to work;
- to the extent that it is reasonable for Deakin University to do so, to be consulted and be provided with information about their return to work. The injured worker should be given a reasonable opportunity to consider and express their views about their return to work and have those views taken into account;
- to be assisted by a representative during any consultation about planning for their return to work.

Injured worker's obligations are:

- in co-operation with Deakin University and the Agent, to make reasonable efforts to actively participate and co-operate in planning for their return to work;
- in co-operation with Deakin University and the Agent, to make reasonable efforts to return to work in suitable or pre-injury employment at their place of employment or at another place of employment. This includes providing information to the return to work coordinator about the nature of the injury and facilitating access to medical practitioners and other relevant parties.
- when considering the choice of occupational rehabilitation service offered by Deakin University or the Agent to select the service within five working days;
- to actively use an occupational rehabilitation service where provided and co-operate with the provider of that service;
- to actively participate and co-operate in assessments of their capacity for work, rehabilitation progress and/or future employment prospects at the request of Deakin University and/or the Agent;
- to notify Deakin University through the Return To Work Coordinator or Return To Work Supervisor as soon as practical of any change or likely change in work capacity;
- to actively participate and co-operate with the representative of the Agent in an interview to enhance their opportunities to return to work, as required;

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- if an issue about their return to work arises, the injured worker must attempt to resolve the issue in accordance with the procedure for resolving return to work issues (see below).

The procedure for resolving return to work issues:

In the event that a return to work issue arises, Deakin University and its workers should follow our Agreed Return to Work Issue Resolution Procedure in Schedule 2. If you have any questions or queries regarding the agreed procedure, please contact the Manager HWS.

If you as the worker do not comply with one or more of these obligations, your weekly payments may be suspended, terminated or ceased and determined in accordance with the Act.

Additional details regarding the rights and obligations of an injured worker are available in WorkSafe's *Return to Work Obligations – Information for workers* Fact Sheet available from www.worksafe.vic.gov.au or via the WorkSafe Advisory Service ph: (freecall) 1800 136 089 or (03) 9641 1444.

Schedule 1: Where to get help

Deakin University's Return to Work Coordinators

Name	Phone	Email Address	Notes
Katherine Lukic	924 68152	katherine.lukic	Melbourne Burwood Campus
Human Resources Division, 221 Burwood Highway, Burwood 3125			
Chris Ross	522 72868	chris.ross	Geelong and Warrnambool Campuses
Human Resources Division, Pigdon's Road, Waurin Ponds, Locked Bag 20000, Geelong, 3220			

Deakin University's WorkSafe Agent (Insurer)

Geelong and Warrnambool	Melbourne
Name: CGU Insurance Phone: (03) 5215 3000 Freecall 1800 806 954 Web: http://www.cgu.com.au/cgu/workers-compensation-vic/Pages/workers-compensation.aspx Postal Address: GPO Box 1744, Geelong VIC 3220	Name: CGU Insurance Phone: (03) 8630 1000, Freecall 1800 066 204 Web: http://www.cgu.com.au/cgu/workers-compensation-vic/Pages/workers-compensation.aspx Postal Address: GPO Box 2090S, Melbourne VIC 3000

WorkSafe Victoria

Phone: freecall 1800 136 089 or (03) 9641 1444

Web: www.worksafe.vic.gov.au

Email: info@worksafe.vic.gov.au

Postal Address: WorkSafe, Ground Floor, 222 Exhibition Street, Melbourne 3000

Deakin University's Occupational Rehabilitation Providers

Geelong	Melbourne	Warrnambool
<ul style="list-style-type: none"> • WorkAble Geelong (03) 5229 5471 • Nabenet Geelong, (03) 9981 9888 • Commonwealth Rehabilitation Service Geelong West, (03) 5362 5222 	<ul style="list-style-type: none"> • Bridge Rehabilitation Forest Hill, (03) 9894 3886 • Cheltenham, (03) 9533 5595 • Commonwealth Rehabilitation Service Box Hill, (03) 9564 7333 • Nabenet Hawthorn, 9981 9888 	<ul style="list-style-type: none"> • Commonwealth Rehabilitation Service (03) 5559 5900 • Occupational Health & Safety Services (03) 5561 6504 • Nabenet Geelong, (03) 9981 9888

Schedule 2: Agreed Return to Work Issue Resolution Procedure

1. Purpose

The purpose of this procedure is to facilitate the resolution of issues that arise at a workplace between Deakin University and a worker concerning the worker's return to work.

2. Definitions

Return to work co-ordinator means the person nominated by Deakin University to assist the University to meet its obligations under Division 2 of the *Workplace Injury and Rehabilitation Compensation Act* as required by section 104 - 108 of the Act.

Return to work supervisor means the University supervisor or manager that is directly involved in the worker's return to work and will be the worker's supervisor while on the return to work program.

Return to work issue means an issue about a worker's return to work but excludes a complaint about WorkSafe, the authorised agent, claim liability, payment of a benefit or entitlement, termination or suspension of a claim, reimbursement of an expense, a conciliation application or outcome; and also excludes general matters of policy and practice applying across the workplace and not directly and particularly related to the worker's return to work.

3. Persons who can raise return to work issues

A return to work issue may be raised for resolution at the workplace in accordance with the procedure set out in this direction by –

- (a) the worker;
- (b) a representative of the worker;
- (c) the worker's manager or supervisor;
- (d) the return to work supervisor;
- (e) the return to work co-ordinator;
- (f) the provider of occupational rehabilitation services to the worker; or
- (g) the worker's treating health practitioner.

4. Procedure for reporting issues

- (1) A worker who wishes to raise an issue for resolution in accordance with this procedure may do so by reporting the issue to Deakin University through the worker's manager or supervisor, or the return to work co-ordinator.
- (2) A worker's representative, treating health practitioner, return to work co-ordinator, manager, supervisor or provider of occupational rehabilitation services may raise an issue on behalf of the worker by reporting the issue to the employer through the worker's return to work co-ordinator.

5. Procedure for resolving issues

- (1) As soon as possible but no longer than 10 days after a return to work issue has been reported the following persons must meet and try to resolve the issue –
 - (a) the return to work supervisor;
 - (b) the return to work coordinator; and
 - (c) the worker.
- (2) If a person referred to in section 3 raises a return to work issue, the University will also invite that person to participate in the issue resolution process.

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- (3) The issues resolution procedure must be conducted in a manner and in a language that is agreed by the parties referred to in section 5(1) to be appropriate.
- (4) For the purpose of resolving the return to work issue, the parties referred to in clause 5(1)(a) and 5(1)(b) must liaise directly with the worker, however a worker may be represented, assisted and supported during the return to work issue resolution process, including at all meetings referred to in clause 5(1).
- (5) For the purpose of resolving the return to work issue as quickly and effectively as possible the persons referred to in clause 5(1) and any person referred to in clause 5(2) who is participating in the issue resolution process must have regard to –
 - (a) return to work planning for the worker;
 - (b) the worker's progress in recovering from the injury;
 - (c) the employer's return to work obligations as set out in the Act; and
 - (d) the worker's return to work obligations as set out in the Act.
- (6) If a person referred to in clause 5(1) or 5(2) requests the employer to set out in writing details of the return to work issue, and matters relating to its progress, resolution or outcome, the employer must do so, within 14 days of the request, in a manner and a language that is agreed by the parties referred to in clause.