



## Rehabilitation for Injured Employees

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### Introduction

This procedure outlines the management process to ensure the prompt, safe return to work of injured employee under the Workers Rehabilitation and Compensation Act 1986.

### Roles and Responsibilities

Line Managers and supervisors are responsible for:

- completing and submitting online [OHSW Hazard or Incident Report](#) within 12 hours of all injuries that have resulted, or are likely to result in lost time as documented in the online [OHSW Hazard or Incident Report](#)
- notify OHSW & IM Services of an injury/illness if time is lost and an employee is unable to submit an Incident Report or claims documents
- completing and submitting online [OHSW Hazard or Incident Investigation Report](#) as soon as practicable and within designated time lines
- maintaining contact and communicating with the injured employee and the Rehabilitation Consultant
- ensuring copies of injured employees WMC's, signed Record of Attendance (if an employee is working partial hours) is forwarded to OHSW & IM Services within 24 hours
- maintaining a return to pre-injury duties as the primary goal of rehabilitation and by fully participating in the rehabilitation and return to work process
- making available safe and suitable alternative duties tailored to the employee's medical restrictions
- monitoring progress of the injured employee's return to work
- attending meetings convened by the Rehabilitation Consultant to prepare rehabilitation and return to work plans / programs
- resolving issues associated with an employee's rehabilitation in a timely and effective manner
- ensuring the injured employee only carries out duties as specified by their rehabilitation plan
- ensuring other employees in the injured employee's work area support their return to work
- ensuring that other employees do not work unsafely or are not placed under increased stress or pressure as a result of a rehabilitation program or rehabilitation and return to work plan for an injured employee
- ensuring an accident investigation is conducted within 5 working days of the incident occurring and complete the online investigation form



- provision of job training for alternative work arrangements if a need is identified
- maintaining confidentiality about personal information that the employee does not want disclosed
- completing the online Injury Management module for Managers/Supervisors

#### Responsibilities of Employees:

- report work-related injuries / illnesses to your manager / supervisor within 12 hours after the occurrence, and participate in the incident / injury investigation process
- promptly provide a WorkCover Medical Certificate (WMC) to your employer to cover all time lost from work within 24 hours of your medical appointment
- attend medical appointments reasonably made for you
- actively participate in an established rehabilitation and return to work plan / program with the agreed primary goal being a return to work
- accept duties and restrictions specified for the duration of the program or plan
- provide a copy of your WorkCover Medical Certificate(s) to your supervisor for the duration of the incapacity, that is, from the time of incident to a return to work to pre-injury duties.
- provide a copy of your WMC's to OHSW&IM Services (via fax 8302 1380 or emailed to [WMC@unisa.edu.au](mailto:WMC@unisa.edu.au)) after medical reviews if you are undertaking modified duties until your medical practitioner recommends that you can return to pre-injury workplace duties
- Ensure you have leave approved by your supervisor and notify OHSW&IM Services for any leave taken whilst you are receiving income maintenance payments
- avoid disruptions to return to work activities by arranging, where possible, appointments outside agreed working hours if you are working normal hours
- abide by the agreed medical restrictions as outlined by your treating medical practitioner at work and at home
- notify your supervisor and the Rehabilitation Consultant immediately if you are unable to attend for work
- inform your supervisor of the circumstances if you need to leave work before completing the nominated hours prescribed by your treating medical practitioner. You should contact the Rehabilitation Consultant within 24 hours of the difficulties or aggravation to enable early corrective action to be taken. A change to duties may be necessary and the treating medical practitioner contacted and the rehabilitation plan altered
- ensure that you do not provide any false or misleading information about a claim (NOTE: it is an offence to provide false or misleading information about a claim)

#### The Rehabilitation Consultant

The Rehabilitation Consultant: is a person employed by the University to coordinate the management of workplace injuries and support injured employees throughout the rehabilitation and return to work process. The role may be achieved through, but not limited to the following functions and responsibilities:

- ensure that contact is made with injured employees to assess the initial need for rehabilitation
- inform employees of the rehabilitation process and procedure to ensure they are aware of their rights and responsibilities
- implement rehabilitation and return-to-work strategies
- coordinate the management of workplace injuries by liaising with stakeholders including line managers, supervisors, OHSW consultants, HR managers, doctors and health professionals to ensure a cohesive approach to rehabilitation
- provide effective case management and liaise with all involved stakeholders, eg injured employee, primary treating doctor, line manager/supervisor, claims manager, OHSW & IM Manager and vocational providers
- facilitate and provide advice about modification to work areas or equipment to stakeholders for an employee's safe return to work
- coordinate and consult injured employees about issues and their capacity to return to work and ensure that they are involved in decision-making about their rehabilitation
- ensure that recovery and return to pre-injury hours and duties is the goal of rehabilitation until that goal is deemed not achievable by medical experts
- involve employees in the development of a return to work plan and assist the line manager/supervisor to identify appropriate duties that comply with medical restrictions.



This may involve meeting with employees and involved parties to discuss their work capacity

- ensure that rehabilitation and return to work plans (RTWP) and programs take account of individual needs, particularly recognition of cultural or linguistic background. Arrange for an interpreter if required
- keep personal information confidential
- support employees throughout the rehabilitation process to undertake meaningful duties in a safe and appropriate manner
- organise and conduct case conferences with medical experts
- develop and review RTW Plans and identify hazards and recommend strategies for remedial action that is necessary to prevent other injuries
- implement the provision of suitable alternative duties if an employee is unable to work in their substantive position
- explain the Complaint Management Procedure if an employee is dissatisfied with their rehabilitation or a claim decision
- contribute to quality Injury Management Systems and the IM Action Plan
- establish and maintain case files and relevant documentation in accordance with WorkCover Performance Standards and ensure that they are kept in a secure location

**External Rehabilitation Providers** are responsible for:

- developing and implementing rehabilitation programs and rehabilitation return to work plans for injured employee in accordance with legislative requirements, UniSA's needs and this procedure

### **The need for rehabilitation**

On receipt of an incident report the Rehabilitation Consultant will assess the need for rehabilitation. A record of the assessment will be placed in the injured employee's rehabilitation file.

Rehabilitation may commence if:

- an injured employee is absent from work or likely to be for a period of 5 days or more or;
- a request has been made for rehabilitation assistance (eg by the injured employee, medical practitioner or supervisor) or;
- significant changes are required to duties or hours.

The Rehabilitation Consultant may commence a rehabilitation program prior to a claim being determined under the provisions of Sec 26(4) of the WR&C Act.

If rehabilitation commences prior to the determination of the claim, it is not an admission of liability or indicative of the acceptance of the claim.

The Rehabilitation Consultant may decide to engage an external rehabilitation provider in some circumstances.

### **Obtaining Medical Information**

The Rehabilitation Consultant may obtain relevant medical information with regard to the nature of the injury / illness, possible prognosis, treatment plan and capacity for work following written authorisation from the injured employee.

The injured employee will be required to sign an "Authority to Exchange Information" form.

### **Developing a Rehabilitation and Return to Work Plan or Program**

Rehabilitation programs may be provided for an injured employee whose claim has not been determined or where a claim is accepted but an injured employee has no immediate prospect of returning to work.

Rehabilitation Programs may also be used when a claim has been rejected and the decision is in dispute. In these circumstances the rehabilitation consultant may develop a rehabilitation program or rehabilitation return to work plan Form [OHSW 43](#) or [OHSW 44](#).

Rehabilitation and return to work plans are developed in consultation with an injured employee who is incapacitated for work by a compensable disability. The objectives of rehabilitation are the safe return to work of the injured employee, at the earliest practicable time, to suitable employment at a level of remuneration which is as close as practicable to their pre-injury remuneration, in accordance with the WR&C Act.



The rehabilitation and return to work plan / program will be based on current medical advice and prepared in consultation with the injured employee and their supervisor or manager. Both parties are required to sign the return to work plan / program. If the injured employee does not wish to sign the rehabilitation and return to work plan / program this should be noted in the file including the injured employees reason for refusing to sign the plan / program.

### **Provision of Duties**

Safe, suitable duties will be provided for an injured employee who participates in a rehabilitation and return to work plan/ program. The identification of suitable duties for an injured employee should have regard to the skills, capacity and previous experience of the employee, and the various options available for modification of duties, hours or working conditions.

The Rehabilitation Consultant will arrange to meet as soon as practicable with the employee and their immediate supervisor to document mutual expectations. A referral to an external expert for advice may be made in some circumstances.

### **Relocation / Redeployment**

Every effort shall be made to provide safe and suitable duties within the University. Where this is not possible, consideration may be given to job seeking options.

The Rehabilitation Consultant will facilitate a process whereby a clear vocational goal is identified for all employees participating in rehabilitation (based on the WR&C Act and WorkCover guidelines).

In seeking to redeploy an injured employee within the University, the Rehabilitation Consultant will liaise with the Redeployment Consultant.

### **Not Participating in Rehabilitation**

Where an employee refuses to undertake suitable duties for which they are fit, or fails to fulfil an obligation of a rehabilitation and return to work plan / program the Claims Manager may recommend that income maintenance payments cease.

### **Confidentiality**

All information related to injured University employees will be kept confidential and made available only to those specifically authorised to access it.

An authorisation form from the injured employee will be required for the Rehabilitation Consultant to exchange medical information.

The Rehabilitation Consultant will ensure that rehabilitation files are stored in a secure location. Access to rehabilitation files will be restricted to the following:

- Rehabilitation Consultant
- External Rehabilitation Providers engaged to coordinate the rehabilitation of specific cases
- Human Resources Director
- OHSW & IM Manager
- WorkCover approved evaluator/auditor

### **Rehabilitation Files**

Rehabilitation files will be established where a need for rehabilitation has been identified.

Rehabilitation Files may contain:

- a signed authority to exchange medical information
- copies of prescribed medical certificates
- medical and other reports
- rehabilitation programs and / or rehabilitation return to work plans
- comprehensive case notes
- correspondence
- any other relevant information



### **Linguistic Diversity of Workforce**

UniSA recognises the existence of employees in the workforce who use English as a second language. The Rehabilitation Consultant will take all the necessary actions to identify the needs of employees who may require access to interpreters or translators.

### **Workers Compensation & Rehabilitation Complaint Management Procedure**

If you are dissatisfied with any aspect of your claim or rehabilitation you should immediately discuss your concerns with the Claims Manager, Rehabilitation Consultant or OHSW&IM Manager. You can also seek independent advice or representation from your union or solicitor if the issue cannot be resolved. A copy of the Workers Compensation and Rehabilitation Complaint Management procedure can be found on the OHSW & IM website.

### **Rehabilitation Case Closure**

A Rehabilitation file shall be closed when:

- the injured employee member has made a full return to work or
- there has been an agreed outcome or
- when a decision has been made to cease rehabilitation

A rehabilitation closure report form [OHSW 67](#) will be completed for the closure of rehabilitation and placed in the employees rehabilitation file.

### **Monitoring and Review**

This procedure will be reviewed on a biennial basis or when there are changes to legislation.

### **Documents/Forms**

[OHSW 42 - Authority to Exchange Information](#)

[OHSW 43 - Rehabilitation Return to Work Plan](#)

[OHSW 44 - Rehabilitation Program](#)

[OHSW 65 - Claim for Travel Expenses related to a Worker's Compensation Claim](#)

[OHSW 66 - Initial Meeting Record](#)

[OHSW 67 - Rehabilitation Case Closure Report](#)

[OHSW 75 - Interim Payment Application Form](#)

Workers Compensation Leave notification available online

[Flow chart of the injury management process](#) (PDF 22kb)

### **References**

[University OHSW&IM Policy](#)

[University OHSW Strategic Plan 2009 - 2011](#) (PDF 158kb)

[OHSW & Injury Management System](#) (PDF 128kb)

[Workers Rehabilitation and Compensation Act 1986](#)

[Occupational Health, Safety & Welfare Regulations, 2010](#)

[WorkCoverSA Code of Conduct for Self Insured Employers](#)