

POLICY

RETURN TO WORK POLICY

Application and Coverage

This policy applies to all employees employed by Squad Employment & Training, Smart Apprenticeship Solutions and Skill360, including all employees leased to a host employer.

For the purposes of this policy, the terms “the employer” and “employees” collectively refers to the three employing entities and their respective staff.

The employer, value’s the health and safety of our workers and are committed to providing a safe workplace. This policy provides a framework to ensure that workers return to work following an injury safely and effectively.

This policy replaces all previous policies, written or not.

Purpose

The employer recognises that helping workers to stay at work or make an early and safe return after an injury minimises the impact of the injury on them and their families.

The employer supports our injured workers by providing a system for workplace rehabilitation and suitable duties for workers while they are recovering.

The employer expects that all injured workers will return to work on suitable duties as soon as it is medically safe to do so.

The employer has an appointed People & Safety Manager and Return to Work Coordinator (RTWC) to manage the workplace rehabilitation of our injured workers.

Definitions

Worker – includes employees and temporary contractors as otherwise defined under the relevant state OHS/WHS legislation.

Certificate of Capacity

- New South Wales - means a SIRA NSW certificate signed by a medical practitioner, physiotherapist or treating physician.
- Victoria – means a WorkSafe Victoria certificate signed by a medical practitioner, physiotherapist or treating physician.
- Queensland - means a Workcover Queensland certificate signed by a medical practitioner.

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RTW - Return to Work

WHS - Work Health and Safety

OHS – Occupational Health and Safety

WC- Workers Compensation

EAP – Employee Assistance Program

Employee – means all Squad Employment & Training, Smart Apprenticeship Solutions and Skill360 employees, including internal staff, group training employees and labour hire employees whether they are full-time, part-time, fixed term or casual.

PIAWE- Pre-Injury Average Weekly Earnings

NWE – Normal Weekly Earnings

Host Employer - An employer with general supervisory authority over the worksite, including controlling the means and manner of work performed and having the power to correct safety and health hazards or require others to correct them.

Occupational Rehabilitation - Occupational rehabilitation is the science and practices of returning injured employees to a level of work activity that is appropriate to their functional and cognitive capacity, both of which are influenced by the severity of workers injuries.

Return to Work Coordinator (RTWC) - The RTWC is a person who has completed a workplace rehabilitation course approved by WorkSafe Victoria, Q-COMP, or in NSW the State Insurance Regulatory Authority. The RTWC is the link between you, your treating doctor, management, supervisors, WorkCover and any other person involved in your return to work.

Suitable duties programs - These are specially selected duties that match your capacity for work. Suitable duties could mean doing your normal role but with restrictions or doing another job entirely. Your suitable duties program will be monitored and upgraded as your recovery progresses.

Insurer - The insurer in each state will make decisions on your claim regarding employer's liability and will coordinate your overall rehabilitation plan based on the available medical information. The insurer will work closely with your RTWC to ensure the safest and best possible return-to-work outcome for you.

NSW - EML NSW Ltd for icare Insurance NSW

VIC – EML VIC Pty Ltd.

QLD - WorkCover Queensland.

Q-COMP - Q-COMP is the Workers' Compensation Regulatory Authority in Queensland.

Q-COMP has many functions including the running of the medical assessment tribunals, providing administrative reviews of insurer decisions, educating the scheme about rehabilitation and return to work and connecting injured workers with services

that will assist them in re-entering the workplace if they are not able to return to their pre-injury role.

Role of the Injured Worker

If you are injured at work, you should:

- Seek first aid or medical treatment.
- Notify your supervisor and the employer that you have had an injury and complete an incident report.
- Ask your doctor for a Certificate of Capacity (NSW & VIC) Work Capacity Certificate (QLD) - you need this to make a worker's compensation claim.
- Give a copy of the certificate to your Return-to-Work Coordinator and keep a copy for your records.

It's your responsibility to:

- Take reasonable care in the performance of work to prevent injuries to themselves and others.
- Notify the employer and host employer of an injury within 24 hours of the injury or as soon as reasonably practical.
- Attend medical appointments that are organised, where possible, outside normal work hours.
- Attend medical and other treatment appointments and participate in the development of your suitable duties program.
- Provide the employer with relevant medical information and evidence, including medical certificates, specialist referrals and certificates of capacities.
- Keep your Return-to-Work Coordinator and your supervisor informed of your progress.
- Make reasonable efforts to actively participate and cooperate with the employer in planning your return to work.
- Comply with all reasonable directions from the employer that help facilitate a return to work and/or attend relevant medical assessments promptly.
- Co-operate in reasonable workplace changes designed to assist in the rehabilitation of fellow workplace participants.

Failure to comply with these responsibilities may result in corrective action undertaken.

You have the right to:

- Workers' compensation for work-related injuries accepted by the relevant state insurer.
- Choose your own doctor.
- Access to an accredited Rehabilitation Provider.
- Access to an interpreter where necessary.
- Authorise your Return-to-Work Coordinator to contact your doctor for advice about your return to work.
- The safe keeping of your personal information.
- Be provided with suitable duties, where possible, to assist your return to work.
- Be involved in developing a suitable duties plan.

Grievance procedure

If you are unhappy with a decision made at the workplace regarding your rehabilitation, you can raise the matter with your Return-to-Work Coordinator. If you remain unhappy with the decision following an internal review, you can request that your Workcover case manager becomes involved to resolve the dispute.

Strick time frames may apply.

Employer Obligations

The employee will, to the extent that it is reasonable to do so:

- Provide to the worker suitable employment, taking into account the capacity of the worker as a result of the injury; and pre-injury employment, if the worker no longer has an incapacity to work.
- Plan the worker's return to work by obtaining relevant information about the worker's capacity to work.
- Consider reasonable workplace support, aids or modifications to assist in the worker's return to work.
- Assessing and proposing options for suitable employment and pre-injury employment
- Consult with the worker, the worker's healthcare practitioner and any provider of occupational rehabilitation services about the return to work of the employee by:
 - Sharing information about the worker's return to work.

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- Providing a reasonable opportunity for those persons to consider and express their views about the worker's return to work; and
- taking those views into account.
- Informing the insurer of all injuries within 48 hours of their occurrence.

The Return-to-Work Coordinator will ensure that all parties honour their obligations under this policy.

The role of the Return-to-Work Coordinator (RTWC)

When an injury occurs at work, your RTWC's role is to:

- Help you complete a worker compensation application (if required).
- Ask you to sign an authorisation form that gives them permission to contact your doctor for guidance on your return to work.
- Develop suitable duties return to work plan.
- Remain in regular contact with you and the insurer throughout the rehabilitation process.
- Continue to monitor and upgrade your suitable duties program.
- Keep your supervisor up to date with your progress.
- Keep the details of your rehabilitation file confidential.
- Ask for your feedback on the rehabilitation process once your claim has ended.

The Groups appointed Return to Work Coordinator can be contacted via;

Squad

Phone: 0488 090 314

Email: rtw@squad.org.au**Smart**Email: safety@sasat.com.au**Skill360**

Phone: 0488 090 314

Email: rtw@squad.org.au

Return to Work Plan

A return to work (RTW) plan will be developed to help injured workers stay at work or return to their pre-injury work duties.

The employer will take all reasonable steps to provide suitable employment for employees who are undertaking a rehabilitation program. Reasonable adjustments may also be required to support recovery and return to work.

Employees will be consulted on their rehabilitation program. Active engagement in the development of the RTW program empowers employees and supports better return-to-work outcomes.

Providing suitable duties/employment

When an injured worker suffering from a work-related injury is, according to medical judgment, well enough to return to work on suitable duties, the employer will, as far as practicable, provide suitable duties in conjunction with the host employer and injured worker.

Suitable duties shall be certified by the Treating Medical Specialist OR by the accredited Rehabilitation Provider in conjunction with the Treating Medical Specialist.

The Return-to-Work Coordinator and/or Rehabilitation Provider can identify suitable duties available in the Workplace.

Non-Work Related (Personal) Injury and Illness

The employer aims to engage with employees who:

- Are absent for significant periods (more than 10 days in a twelve-month period) due to a personal injury or illness and/or;
- Are experiencing a medical condition which affects their ability to perform the inherent requirements of their pre-injury/illness position.

It is the employee's obligation to inform the employer that they may have a personal injury or illness that will likely lead to an extended period of absence.

During a period of such ("extended") absence, the employer may remain in contact with employees to discuss matters such as:

- Temporary arrangements to cover the work the employee would ordinarily perform;
- Discuss the employee's prognosis and timeframe for recovery including necessary treatment(s) and;
- The medical information provided, and in some cases request and/or direct the employee to obtain more detailed medical information if the circumstances warrant further enquiry or the absence has become long-term.

Return to Work

Where employees are seeking the support and permission of the employee in respect of a return to work associated with a non-work related (personal) injury or illness, the employee must provide a medical certificate that outlines their capacity to work as well as any restrictions that may apply to their capacity. This is to enable the employer to make informed decisions in relation to the design of a return-to-work plan for the employee.

Employees should note that there is no obligation for the employer to provide temporary suitable duties to an Employee who is not capable of performing the full range of the inherent requirements of their pre-Injury/illness position. This means the employee will remain away from work on personal leave or another form of absence until they are medically fit to return to work without medical restrictions.

If the employer elects to provide suitable duties to an employee who is suffering from a personal injury or illness, the Employee should understand that:

- Such duties will be temporary or on a trial basis unless specified otherwise. Should the trial not be successful the employee may be asked to stay away from work on sick leave (or other leave) until they are medically fit.

Such suitable duties would be determined in conjunction with the treating doctor or the Independent Medical Examination (if applicable).

Confidentiality

The confidentiality of injury and illness records shall be maintained at all times.

Dispute Resolution

Where an injury reaches a workers compensation claim, the acceptance/ dispute of the claim lies with the employer's nominated insurer in the relevant state. If the insurer is to dispute the workers compensation claim the injured worker can appeal the decision with the insurer through the appropriate channels.

Support

Support will be available for the injured worker during the recovery and return to work process through their Employer Representative, Host Employer, RTWC and EAP. Support for the injured worker will also be available through the insurer and their nominated rehabilitation provider.

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Related Information

For more information, please refer to the following;

New South Wales

- www.sira.nsw.gov.au
- Workers Compensation Act 1987
- Workplace Injury Management and Workers Compensation Act 1998
- Workers Compensation Regulation 2016

Queensland

- www.worksafe.qld.gov.au
- Workers' Compensation and Rehabilitation and Other Legislation Amendment Act 2024
- Work Health and Safety and Other Legislation Amendment Act 2024

Victoria

- www.worksafe.vic.gov.au
- Occupation Health and Safety and Other Legislation Amendment Act 2021
- Workplace Injury Rehabilitation and Compensation Act 2013

Contact Details

For further information about this policy and please contact;

CEO – 0478 477 128 or ceo@squad.org.au

People & Safety Manager – 1300 784 787 or rtw@squad.org.au