



SPORTSREADY
EDUCATION & EMPLOYMENT

RETURN TO WORK POLICY

Updated September 2017

AFL SportsReady is committed to providing a safe and healthy workplace for all of its employees.

In the event you are injured at work, we will take all necessary steps to ensure that the injury does not happen again. If you have a work-related injury that means you cannot continue your normal work, we will work with you and your medical practitioner to identify ways in which you can return to work as soon as is safely possible.

This Return to Work Policy sets out the steps that AFL SportsReady will take to assist you to Return to Work. It sets out your rights, your obligations and provides a useful guide that you should refer to in the event you experience a work-related injury.

Legislative obligations differ across the country, so please refer to the relevant information for the state or territory you live in. Quick links to the relevant policy section for each state are listed here:

- [Australian Capital Territory](#)
- [New South Wales](#)
- [Northern Territory](#)
- [Queensland](#)
- [South Australia](#)
- [Tasmania](#)
- [Victoria](#)
- [Western Australia](#)

AUSTRALIAN CAPITAL TERRITORY

What AFL SportsReady will do

AFL SportsReady will:

- Aim to prevent injury and illness by providing a safe and healthy working environment;
- Ensure that the Return-To-Work process commences as soon as possible after an injury, in a manner consistent with medical advice;
- Provide suitable work (modified, selected duties) where practicable, for an injured worker, as an integral part of the InjuryManagement/Return-To-Work process
- Consult with workers and where applicable, any industrial union to ensure that the Return-To-Work Program operates effectively;
- Ensure that participation in a Return-To-Work Program does not, in itself, prejudice an injured worker;
- Co-operate with GIO's Injury Management Program and participate in the creation of Personal Injury Plans, which are established by GIO for injured workers;
- Comply with WorkCover guidelines if and when issued.

Procedures

1. When an injury occurs

The injured worker must notify AFL SportsReady as soon as possible after the injury occurs. AFL SportsReady must notify GIO within 48 hours of becoming aware of a workplace injury. There are financial penalties that apply to employers for injuries that are late reported.

GIO will take action under its Injury Management Program within 3 business days after it receives the injury notice. If the injury is a significant injury, this action will include making contact with the injured worker, AFL SportsReady and where appropriate and practical, the worker's Nominated Treating Doctor.

2. Nominating a Treating Doctor

The worker must nominate a Treating Doctor who will be responsible for medical management of the injury and who will co-operate with the development and implementation of the Personal Injury Plan.

3. Involving a Rehabilitation Provider

When an injured worker is unable to resume their pre-injury duties or cannot return to work without alteration to the workplace or work practices, the Insurer and AFL SportsReady will consult with the Nominated Treating Doctor and/or the Rehabilitation Provider to obtain assistance and guidance.

4. Providing suitable work for injured workers

AFL SportsReady, in consultation with the Nominated Treating Doctor, Insurer and Rehabilitation Provider, will ensure that individual return to work strategies are developed for each injured worker. Where the injured worker is able to return to work in some capacity, AFL SportsReady is required to provide suitable work for the injured worker that is the same as, or equivalent to the pre-injury employment.

Wherever such work cannot be offered AFL SportsReady must provide, wherever possible, other work that is meaningful and productive.

5. Consultation

The Return-To-Work Program must be established by AFL SportsReady in consultation with the workers to whom it relates, any industrial union representing the workers and an approved rehabilitation provider.

6. Disputes

AFL SportsReady will try to resolve disputes via the Grievance and Complaints Process and by consulting with the worker, insurer and, where applicable, the industrial union representing the worker.

NEW SOUTH WALES

AFL SportsReady is committed to the return to work of our injured workers and will:

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

Procedures

1. Notification of injuries

- Notify all injuries to the supervisor as soon as possible.
- Record all injuries in the Register of Injuries.
- Notify GIO of all injuries within 48 hours.

2. Recovery

- Ensure that the injured worker receives appropriate first aid and/or medical treatment as soon as possible.
- Consult with the doctor nominated by the injured worker and who is responsible for the medical management of the injury and assist in planning return to work.

3. Return to work

- Arrange a suitable person to explain the return to work process to the injured worker.
- Ensure that the injured worker is offered the assistance of a WorkCover approved 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.
- Nominated WorkCover approved workplace rehabilitation providers can be found by searching: <https://www.sira.nsw.gov.au/information-search/rehab-provider>
- Arrange for the worker's early return to work (subject to medical and rehabilitation provider advice).

4. Suitable duties

- Develop an individual return to work plan when the worker according to medical advice, is capable of returning to work.
- Provide suitable duties that are consistent with medical advice and that are meaningful, productive and appropriate for the injured worker's physical and psychological condition depending on the individual circumstances of the injured worker. Suitable duties may be:
 - At the same worksite or a different worksite;
 - At the same job with different hours or modified duties;
 - A different job
 - Full time or part time.

5. Dispute resolution

- AFL SportsReady will work together with the injured worker and (if applicable) their union representative to resolve any disagreements about the return to work program or suitable duties using the AFL SportsReady Grievance and Complaints process.
- If disagreements cannot be resolved, involve other parties such as the worker's treating doctor, the agent/insurer, an approved workplace rehabilitation provider or an injury management consultant.

Contacts

Workplace contact for return to work program

Andrew Craig, AFL SportsReady State Manager NSW 02 8333 3013

Workers compensation agent/insurer

GIO Insurance 13 10 10 wclaimsnsw@gio.com.au

GIO - Agent for the NSW WorkCover Scheme, GPO Box 1464 Sydney NSW 2001

<https://www.gio.com.au/business-insurance/workers-compensation/claims-nsw.html>

WorkCover Claims Assistance Service on 13 10 50

Workers Compensation Commission for resolution of disputes www.wcc.nsw.gov.au

Information for workers

You have the right to:

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

You must:

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

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

NORTHERN TERRITORY

AFL SportsReady will give a proposal in writing for a Return to Work Plan within 7 days after AFL SportsReady becomes aware that the worker's total or partial incapacity is likely to exceed 28 days.

Providing suitable duties will help the injured worker recover at work while reducing disruption to their life and disruption to the business. A Return to Work Plan must aim to ensure the worker can return to work as soon as practicable.

A Return to Work Plan must:

- be developed in consultation with the injured worker and the treating medical practitioner (and vocational rehabilitation provider if appointed)
- be tailored, outcome-based and set out the steps to achieve return to work
- be available to an injured worker with a work capacity
- recognise the existing skills, experience and capabilities of the injured worker to allow suitable employment to be found
- if necessary, utilise retraining when it is not possible for the employee to return to pre-injury duties.
- consider the use of host employers as part of the alternative employer incentive scheme developed by the NT Work Health Authority.

AFL SportsReady will engage in the following when preparing a Return to Work Plan:

Gathering information

We will consider the worker's pre-injury job duties and the injured worker's current statement of fitness for work. We will compare the pre-injury duties physical requirements with any medical restrictions listed on the statement of fitness for work.

Identify if any pre-injury duties that can be achieved on a return to work plan.

If the worker's medical restrictions do not allow for any pre-injury duties to be performed, then consult with other work areas within your business to find suitable duties to allow for the injured worker to safely return to the workplace as soon as practicable.

Return to Work Plans are unique to the individual injured worker and vary on the injured worker concerned and the nature of their injury. Studies have shown that staged Return to Work Plans, developed with the input of the injured worker are most successful.

A Return to Work Plan should start when the injured worker has any capacity to work. A good Return to Work Plan should clearly outline the different 'stages' the injured worker will go through until the injured worker is ready (and declared fit by their treating medical practitioner) to return to their full time pre-injury work, including hours.

Determine the return to work goal

The Return to Work Plan goal should be decided in consultation with AFL SportsReady, the injured worker and the treating medical practitioner. In the majority of cases, the goal would be for the injured worker to safely return to their pre-injury job as soon as practicable.

Consultation with the injured worker and their treating medical practitioner will be required in determining the date expected to achieve the Return to Work Plan goal.

Document the plan

The Return to Work Plan should be considered a draft in the first instance and given to the injured worker and their treating medical practitioner to review. Any changes to the plan should be made if possible. Once the

Return to Work Plan is complete, it should be signed by AFL SportsReady, the injured worker and the treating medical practitioner.

Implement the plan

A Return to Work Plan should start when the injured worker has any capacity to work as provided on the statement of fitness for work and the plan has been agreed by the parties.

Monitor the plan

AFL SportSReady will keep in touch with the worker and their supervisor and will check in each week to ensure the plan is followed and any concerns are discussed. AFL SportsReady, the worker and if relevant the Host Employer must be flexible to any changes that need to be made and update the Return to Work Plan to reflect the changes.

Review the plan

Generally the plan would be reviewed at intervals agreed with the injured worker and their treating medical practitioner. The review date may be proposed in conjunction with the updated statement of fitness for work –progress certificate, which would be at least every 28 days.

QUEENSLAND

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

We support our injured workers by having a system of workplace rehabilitation and providing suitable duties for them while they are recovering.

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

We have appointed a Rehabilitation and return to work coordinator (RRTWC) to manage workplace rehabilitation for our injured workers.

As part of our system of workplace rehabilitation we are committed to:

- providing a safe and healthy work environment
- encouraging the early reporting of injuries
- making suitable duties available to injured workers as soon as possible after an injury occurs
- consulting with injured workers to develop their suitable duties program
- respecting the confidentiality of our worker's medical and rehabilitation information
- reviewing our workplace rehabilitation policy and procedures at least every three years

The role of the injured worker

If you are injured at work you should:

- seek first aid or medical treatment
- notify your supervisor that you have had an injury and complete an incident report
- tell your doctor that other (suitable) duties may be available at your workplace even if you aren't able to do your normal role
- ask your doctor for a workers' compensation medical certificate - you need this to make a claim
- give a copy of the workers' compensation medical certificate to your RRTWC and to WorkCover - keep a copy for your own records.
- You can lodge an application for compensation by:
 - calling WorkCover Qld on 1300 362 128 or
 - faxing your completed application form to 1300 651 387 or
 - by applying online at www.workcoverqld.com.au.
- **It's your responsibility to:**
 - attend medical appointments that are organised by WorkCover
 - attend medical and other treatment appointments, where possible outside normal work hours
 - participate in the development of your suitable duties program
 - provide your employer with a copy your medical certificates
 - keep your RRTWC and your supervisor informed of your progress
- **You have the right to:**
 - workers' compensation for work-related injuries accepted by WorkCover
 - choose your own doctor
 - authorise your RRTWC 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
 - union representation (if wanted)
 - ask for a Q-COMP review of insurer decisions that you disagree with (reviewable decisions are listed under s540 of the Act)

- have access to an impartial grievance mechanism (check with your RRTWC and WorkCover first as they may be able to help out).

Grievance procedure

- If you are unhappy with a decision made at the workplace regarding your rehabilitation, you can raise the matter with your RRTWC. If the matter is unresolved you can ask your manager to review the decision. If you remain unhappy with the decision following internal review you can request that your WorkCover case manager becomes involved to resolve the dispute.
- If either you or your employer are unhappy with a decision made by WorkCover, the decision may be reviewable with Q-COMP.
- Strict time frames apply.

The role of the Rehabilitation and Return to Work Coordinator (RRTWC)

- When an injury occurs at work, your RRTWC's role is to:
 - help you complete an application for workers' compensation (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 a suitable duties plan
 - remain in regular contact with you and WorkCover 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.
 - Your RRTWC will also educate all workers and management about workplace rehabilitation policy and procedures and ensure that this document is available for all staff.

The role of management

When an injury occurs at work, managers and supervisors can:

- help the rehabilitation and return to work coordinator to identify suitable duties
- adjust rosters and workflows where possible to make sure you can participate in suitable duties
- monitor your progress while you are on suitable duties
- offer support and encouragement
- explain the purpose of suitable duties to co-workers and discuss how they can support your return to work.

SOUTH AUSTRALIA

1. Purpose

AFL SportsReady is committed to helping workers recovering from a work injury to remain at or return to work. This procedure describes the process to support our workers and manage recovery/return to work.

2. Related documents

- 2.1 *Return to Work Act 2014* ('the Act')
- 2.2 *Return to Work Regulations 2015* ('the Regulations')
- 2.3 Work Health Safety and Return to Work Policy
- 2.4 Grievance and/or Dispute Resolution Procedure, Equal Opportunity Policy etc.

3. Recovery and return to work

3.1 Reporting of injury

A worker should report the injury to their supervisor, and (if a trainee or apprentice), their Field Officer as soon as practicable, within 24 hours.

The worker must complete an Incident Report form as soon as possible.

The supervisor will immediately advise the return to work coordinator (coordinator) of the injury.

3.2 Claim Form

The worker will be provided with a workers compensation claim form.

3.3 Medical treatment

First aid will be provided onsite, if appropriate and available.

If immediate offsite treatment is needed, the worker should be accompanied to the medical clinic/hospital. At the appointment, support, return to work and suitable duties can be discussed with the doctor if permission is given by the worker.

If the worker is admitted to hospital, SafeWork SA must be informed.

3.4 Claim lodgment

The Field Officer will help the worker lodge a claim.

3.5 Identify suitable duties

The coordinator or Field Officer will contact the treating doctor to clarify if capacity for work is unclear. The coordinator or Field Officer will meet with the worker and supervisor to identify and agree on suitable duties.

The Field Officer and coordinator will document the suitable duties and may prepare a recovery/return to work plan.

3.6 Implementing return to work

The coordinator will:

- Provide clear, accurate and current information on return to work arrangements
- Engage interpreting and translating services, if needed
- Ensure any necessary training is provided before undertaking modified/alternate suitable duties.

3.7 Monitor progress

The coordinator and Field Officer will review progress:

- When a new Work Capacity Certificate is received
- At significant milestones
- When the worker provides new information that impacts on their ability to fulfil their role.

Progress can be reviewed by:

- Visiting and/or meeting the worker and supervisor/team leader in the workplace
- Convening or attending case conferences
- Staying in touch with the case manager, treating doctor and other medical providers.

Duties and/or hours of work will be adjusted if practicable to respond to any change in capacity for work.

3.8 Reports on return to work (refer to section 52 of the Act)

The coordinator will advise the claims agent in writing when a worker in receipt of income support:

- Returns to work after being totally incapacitated
- When there is a change in earnings for a worker who is partially incapacitated
- When there is a change in the type of work being performed.

3.9 Unable to return to pre-injury duties

If it is proposed the worker cannot return to pre-injury duties:

- Every effort will be made to identify and offer suitable duties
- Suitable duties are supplied to aid recovery and promote return to pre-injury work
- Undertaking suitable duties will be monitored/reviewed through the recovery/return to work plan.

If it is evident that the worker cannot return to normal duties in the foreseeable future:

- The recovery/return to work plan goal will change to 'different employment, pre-injury employer'
- Every effort will be made to identify and offer suitable employment, including:
 - Considering the worker's circumstances (work capacity, previous employment, age, education, skills, work experience and place of residence) and match them to roles that exist in the business
 - Obtaining additional information if needed to assist, such as a functional capacity evaluation, worksite assessment and/or vocational assessment services
 - Providing training and/or modifications to the workplace if required/recommended.

The coordinator will:

- Discuss the need for any such return to work services with the claims agent
- Ensure any necessary training is provided before commencing any new suitable duties or employment.

3.10 Unable to identify suitable employment

If suitable employment cannot be identified the claims agent **MUST** be notified in writing.

The claims agent will consider the evidence as a result of the above activity, and;

- Decide if any other return to work services/assessments may be required
- Review the recovery/return to work goal together with the worker and employer.

A review may also occur due to section 25(10) of the Act to consider whether new or other employment options for the worker need to be taken into account to assist a return to suitable employment.

If the worker believes the employer is not complying with the Act requirements for their retention, employment or re-employment, they may request ReturnToWorkSA to investigate (section 15(2) of the Act).

4. Other matters

4.1 Resolving grievances

Any issue regarded as unfair or against the intent of a successful recovery/return to work can be raised. Please refer to AFL SportsReady's Grievance and Complaints Policy.

The Ombudsman may also consider issues, refer to <http://www.ombudsman.sa.gov.au/return-to-work/>.

4.2 Confidentiality

Information obtained during recovery/return to work will be treated with sensitivity and confidentiality.

The worker will be requested to sign a Medical Authority to permit the coordinator to contact the worker's treating medical providers.

AFL SportsReady will ensure that all personal and medical information relating to the worker is protected against loss and unauthorised access, use, modification or disclosure and against other misuse.

4.3 Case notes and records

The coordinator will keep secured, accurate and objective case notes for each worker's return to work. Hard copy records will be kept in locked storage, or electronically, to only be accessible by the coordinator.

4.4 Information and training

All workers and supervisors/managers will be trained in this procedure.

Induction programs for new workers will include recovery and return to work information.

The coordinator's details are:

Name: [Cassandra Boland](mailto:Cassandra.boland@aflsportsready.com.au) **Phone:** 1300 133 222 **Email:** Cassandra.boland@aflsportsready.com.au

Postal Address: AFL SPORTSREADY PO BOX 305 ABBOTSFORD VIC 3067

5. Responsibilities

5.1 Employer

- Inform managers/supervisors and workers of their roles in the recovery and return to work process via training sessions.
- Report a work injury to the claims agent as soon as possible; the agent will advise if a claim form needs to be completed and if a mobile case manager will be assigned
- Participate and cooperate in the development of a recovery/return to work plan
- Comply with any obligations set out in a recovery/return to work plan
- Arrange suitable duties that can be performed safely whilst recovering from an injury
- Provide suitable employment when the worker can return to work but cannot perform pre-injury work
- Support the return to work coordinator to perform their functions
- Appoint contacts at each worksite to assist the coordinator to perform their functions.

5.2 Worker with a work injury

- Notify the employer of a work injury as soon as possible (within 24 hours if you can)
- Make a claim as soon as possible
- Actively participate in activities designed to support your recovery and return to work
- Participate and cooperate in developing a return to work plan
- Comply with any obligations set out in your return to work plan
- Provide current Work Capacity Certificates
- Return to suitable employment when able to do so.

5.3 Return to work coordinator

The coordinator performs the following functions (section 26(4) of the Act):

- Assist injured workers to remain at work, or return to work as soon as possible, after injury
- Assist prepare and implement recovery/return to work plans
- Liaise with anyone involved in the return to work, or the provision, of medical services to the worker
- Monitor the progress of the worker's capacity to return to work
- Take steps to prevent the occurrence of re-injury.

5.4 Managers and supervisors

- Make regular contact with the worker to ensure that there are no issues or concerns
- Meet with the worker and coordinator to review the worker's progress at agreed intervals

- Advise the coordinator about any changes, issues or concerns immediately
- Assist identify suitable duties to promote recovery and stay at and/or return to work
- Ensure the worker does not work outside the capacity identified on the Work Capacity Certificate
- Support and offer assistance as required.

6. Review of procedure

This procedure will be reviewed annually.

TASMANIA

Return to Work Plans and Injury Management Plans

Where a worker suffers a significant injury the injury management coordinator assigned to the worker must ensure that there is a plan for managing the worker's treatment, rehabilitation and return to work.

There are two types of plan for managing a significant workplace injury: *return to work plans* and *injury management plans*. The type of plan used depends on the time the worker is (or is likely to be) incapacitated for work.

Return to work plans

A return to work plan is a simple plan for coordinating and managing the treatment, rehabilitation and return to work of an injured worker. It may simply be based upon the information provided in the initial medical certificate accompanying the worker's claim, such as time off work, medical restrictions and alternative duties.

A return to work plan is required where a worker is likely to be totally or partially incapacitated for work for a period of more than 5 working days but less than 28 days. The return to work plan must be prepared before the expiration of 5 days after the worker becomes incapacitated for more than 5 working days, that is, 10 days after the worker becomes incapacitated.

Injury management plans

An injury management plan is a comprehensive plan for co-ordinating and managing the treatment, rehabilitation and return to work of an injured worker. It is more complex than a return to work plan.

An injury management plan is required where a worker is likely to be totally or partially incapacitated for work for 28 days or more. The injury management plan must be prepared before the expiration of 5 days after the worker becomes incapacitated for more than 28 days, that is, 33 days after the worker becomes incapacitated.

Preparation of plans

To ensure that the injury management process starts as soon as possible following an injury, return to work plans and injury management plans are to be prepared regardless of whether AFL SportsReady has accepted or disputed liability for a worker's claim.

The following parties must be consulted in preparing a return to work plan or injury management plan:

- the worker
- AFL SportsReady
- The Host Employer (if the worker is a trainee or apprentice)
- the primary treating medical practitioner
- the insurer
- the injury management coordinator
- the workplace rehabilitation provider (if there is one, which may not be the case for an injury likely to result in less than 28 days of incapacity).

Both AFL SportsReady, the Host Employer and the worker must give their consent to a return to work plan or injury management plan for it to become effective. If one or all of them refuses to consent to the plan, the injury management coordinator can notify the Workers Rehabilitation and Compensation Tribunal.

Review of plans

The injury management coordinator must ensure that return to work plans and injury management plans are regularly reviewed in consultation with the same parties that were consulted in preparing the plan (see above).

Complying with plans

Once a return to work plan or injury management plan is effective (that is, once it has been consented to by the worker and the employer), the worker and AFL SportsReady and the Host Employer must take all

reasonable steps to carry out what is in the plan. If they don't, the Tribunal can be notified. The Tribunal has powers to make various orders, including:

- an order requiring the worker to attend work in accordance with a return to work plan
- an order requiring an employer to provide suitable alternative duties
- an order varying a return to work plan or injury management plan.

When a worker becomes totally or partially incapacitated for work as a result of a workplace injury, AFL SportsReady will not simply terminate their employment due to their injury or incapacity. AFL SportsReady must keep the worker's job available for the worker to return to for 12 months following the worker becoming incapacitated

There are some circumstances where AFL SportsReady can terminate the worker's employment before 12 months:

- where there is medical evidence indicating that it is highly improbable that the worker will be able to do their pre-injury job; or
- where the worker's pre-injury job is no longer required.

If AFL SportsReady is going to terminate the worker's employment for one of the above reasons, they must notify both the worker and the insurer of the reasons why.

Even where AFL SportsReady has terminated the worker's employment, this does not necessarily mean that AFL SportsReady's obligations to the worker for injury management, rehabilitation and compensation cease.

Suitable alternative duties

Where an injured worker cannot return to their pre-injury job following an injury, AFL SportsReady must provide suitable alternative duties.

There is an exception to the requirement to provide suitable alternative duties where it is unreasonable or impracticable for AFL SportsReady to do so. If AFL SportsReady is relying on this exception, it must provide the worker with written reasons as to why it is unreasonable or impracticable to provide suitable alternative duties.

Identifying "suitable alternative duties"

Suitable alternative duties are duties that the worker is suited to taking into account:

- the nature of the worker's incapacity and pre-injury employment
- the worker's age, education, skills and work experience
- the worker's place of residence
- any suitable duties for which the worker has had rehabilitation training
- any other relevant circumstances.

Suitable alternative duties do not include duties which are:

- token in nature, or do not involve meaningful work related to the employer's trade or business; or
- demeaning given the worker's pre-injury employment, age, education, skills and work experience.

When considering whether alternative duties are suitable for an injured worker, it is a case of looking at the circumstances of both the worker and AFL Sportsready. For example, at many workplaces, requiring a worker to count paperclips may be considered a token and meaningless task, but at a business supplying stationery, it may be a meaningful duty. Requiring an injured worker to carry out photocopying and filing may be demeaning for a worker whose pre-injury employment was as a surgeon, but may be appropriate for a worker whose pre-injury employment included office duties.

Consultation

AFL SportsReady must consult with the injured worker in deciding what alternative duties to give the worker. AFL SportsReady must also ensure that the duties:

- are appropriate taking account of any medical advice or restrictions on what the worker can do
- comply with the worker's return to work plan or injury management plan.

Disputes about injury management

Any dispute regarding injury management should be addressed using AFL SportsReady's Grievance and Disputes Policy.

If the dispute is not resolved through this process, then any of the parties can notify the SA Workers Rehabilitation and Compensation Tribunal.

VICTORIA

Important Return to Work Information

AFL SportsReady's return to work obligations under Victorian Workers' Compensation legislation

AFL SportsReady's return to work obligations	How AFL SportsReady will meet its obligations
<p>Make return to work information available and consult about how the information is made available</p>	<p>AFL SportsReady will make return to work information available to its workers about:</p> <ul style="list-style-type: none"> (a) the obligations of AFL SportsReady under the legislation and how the employer is meeting the obligations; (b) the rights and obligations of workers under the legislation and how workers can obtain further information about their rights and obligations; (c) the name and contact details of the authorised Agent selected by the employer; (d) the name and contact details of the Return to Work Coordinator, if applicable; and (e) the procedure for resolving return to work issues in the workplace - <p>by providing workers with this document after consulting with them about how the information will be provided to them.</p>
<p>Provide employment</p>	<p>To the extent that it is reasonable to do so, AFL SportsReady will provide suitable employment to an injured worker if they have a current work capacity and provide pre-injury employment to them if they no longer have an incapacity for work.</p> <p>To the extent that it is reasonable to do so, AFL SportsReady will provide pre-injury or suitable employment to an injured worker for a period of 52 weeks of the worker's incapacity. This will commence from the date a <i>Certificate of Capacity</i> or a <i>Worker's Injury Claim Form</i> in which weekly payments are claimed is received from the worker or from when the authorised Agent notifies us of receipt of same (whichever is the earliest).</p>
<p>Plan return to work</p>	<p>From the time that AFL SportsReady receives a <i>Worker's Injury Claim Form</i> in which weekly payments are claimed or the initial <i>Certificate of Capacity</i> from the worker or the authorised Agent notifies us of receipt of same (whichever is earlier), AFL SportsReady will, to the extent that it is reasonable to do so, commence return to work planning for that injured worker.</p> <p>As part of that planning, AFL SportsReady will:</p> <ul style="list-style-type: none"> • 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; and • provide the worker with clear, accurate and current details of their return to work arrangements; and • monitor the worker's progress <p>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.</p>
<p>Consult about the return to work of a worker</p>	<p>AFL SportsReady 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.</p> <p>AFL SportsReady will consult with the parties listed above by:</p> <ul style="list-style-type: none"> • 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.

	AFL SportsReady 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.
Nominate and appoint a Return to Work Coordinator	AFL SportsReady has nominated and appointed at all times a Return to Work Coordinator who has an appropriate level of seniority and is competent to assist AFL SportsReady meet our obligations under Victorian Workers' Compensation legislation.
Cooperate with labour hire employers	If AFL SportsReady 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.
Resolution of return to work issues	AFL SportsReady will attempt to resolve return to work issues in accordance with: Our agreed Return to Work Issue Resolution Procedure which is contained within AFL SportsReady's Grievance and Complaints Policy. Details regarding this procedure are available on AFL SportsReady's website. If you have any questions or queries regarding this procedure, please contact Cassandra Boland on 1300 133 222.

Worker's return to work rights and obligations

Injured worker rights are:

- To be provided with return to work information and be consulted about how that information is to be made available
- To the extent that it is reasonable for **AFL SportsReady** to do so, to be provided with suitable employment if they have a current work capacity or pre-injury employment if they no longer have an incapacity for work for a period of 52 weeks in accordance with the legislation.
- To be consulted by **AFL SportsReady** about planning their 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 **AFL SportsReady** to do so, to be consulted and be provided with information about their return to work. The injured worker must 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 represented, assisted and supported (except by a legal practitioner) during any stage of the return to work process, including in the consultation process.

Injured worker's obligations are:

- In co-operation with **AFL SportsReady** and the Agent, to make reasonable efforts to actively participate and cooperate in planning for their return to work.
- In co-operation with **AFL SportsReady** 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.
- To actively use an occupational rehabilitation service where provided and cooperate with the provider of that service.
- To actively participate and cooperate in assessments of their capacity for work, rehabilitation progress and/or future employment prospects at the request of **AFL SportsReady** and/or the Agent.
- To actively participate and cooperate with the representative of the Agent in an interview to enhance their opportunities to return to work, as required.
- If an issue about their return to work arises, to attempt to resolve the issue in accordance with the procedure for resolving return to work issues (see above).

If you do not comply with one or more of the above obligations, your weekly payments may be suspended, terminated or ceased and determined in accordance with the legislation by our Agent.

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 worksafe.vic.gov.au or via the WorkSafe Advisory Service ph: (free-call) 1800 136 089 or (03) 9641 1444.

Where to get help

Our Return to Work Coordinator

Name: [Cassandra Boland](mailto:Cassandra.boland@aflsportsready.com.au) **Phone:** 1300 133 222 **Email:** Cassandra.boland@aflsportsready.com.au
Postal Address: AFL SPORTSREADY PO BOX 305 ABBOTSFORD VIC 3067

Our Authorised Agent

Name: [Gallagher Basset](http://www.gallagherbassett.com.au) **Phone:** 1300 975 609 **Web:** www.gallagherbassett.com.au
Postal Address: Gallagher Bassett, Level 2, 333 Collins Street, Melbourne, VIC 3000

WorkSafe

Phone: free call 1800 136 089 or (03) 9641 1444 **Web:** worksafe.vic.gov.au
Email: info@worksafe.vic.gov.au **Postal Address:** WorkSafe, 222 Exhibition Street, Melbourne 3000

WESTERN AUSTRALIA

AFL SportsReady will develop a Return to Work Program for an injured worker as soon as practicable after:

- The treating doctor indicates in writing the need for a Return to Work Program; or
- The treating doctor signs a Certificate of Capacity to the effect that the worker has partial capacity for work or has total capacity for work but is unable to return to their pre-injury position for some reason.

When developing a Return to Work Plan, AFL SportsReady will:

- Give the worker an opportunity to participate in the development of the program;
- Describe the program in writing
- Give copies of the program to the doctor and the injured worker (and the Host Employer if the injured worker is a trainee or apprentice);
- Provide a copy of any changes in the program in writing to the injured worker and doctor;
- Communicate with the treating doctor when developing the program;
- Inform line managers and supervisors of the program's content;
- Monitor the worker's progress in the program;
- Update the program when the worker's medical restrictions change or if there is a change in the workplace that affects the program.

If the worker is going to be off work for a long time, then AFL SportsReady should work with the host employer to make efforts to keep the worker connected to the workplace. This might include items such as:

- Weekly phone calls with news on what's happening at work;
- Inviting your injured worker to attend staff meetings and functions;
- Sending workplace newsletters; and
- Including your injured worker in training days (with medical approval).

The Return to Work program must include:

- Name of the employer, host employer and the worker
- Description of the goal of the Return to Work Program;
- The actions to be taken to enable the worker to return to work and who is to take them;
- A statement as to whether the worker agrees to the content of the program;
- The names and contact details of the treating doctor, the insurer and the AFL SportsReady (including the Injury Management Coordinator contact).
- The medical restrictions as noted in the worker's Certificate of Capacity.
- A list of duties complying with the medical restrictions that the injured worker can undertake.
- The injured worker's proposed days and hours of work while on the program.
- Space for parties to sign to indicate their agreement to the program.
- The contact person for the injured worker should they have any difficulties or questions regarding the program (generally the Injury Management Coordinator).
- A date for review of the program.

Consultation

- AFL SportsReady must consult with the worker and his or her treating doctor when developing the Return to Work Program.
- If AFL SportsReady and the worker are unable to agree on the program, this will be escalated to AFL SportsReady's insurer (GIO in WA) and a case conference may be organised with the worker and the treating doctor.
- Where a worker unreasonably refuses to participate in a Return to Work program, AFL SportsReady may make an application to Conciliation and Arbitration services to intervene.

Identifying a return to work goal

The return to work goal describes what the injured worker will be doing when they have returned to their best possible work capacity. A goal provides clarity and ensures parties are working to a common focus.

AFL SportsReady, the Host Employer (if relevant) the doctor and the injured worker should participate in the establishment of the goal which must be included in the Return to Work Program. Most goals are determined after considering the treating doctor's estimation of the injured worker's capacity for work once they have reached their highest level of recovery.

If medically appropriate, the first preference should always be for an injured worker to return to the same job and employer they were working with at the time of injury.

Sometimes, due to the nature of the injury or other circumstances, this is not possible.

The goals, in order of preference are as follows:

- The worker returns to work in the same job
- The worker returns to work in a modified job
- The worker returns to work in a new job
- The worker returns to work with a new employer or host employer in a new job
- Other workplace rehabilitation options.

Identifying alternative, modified or restricted duties (suitable duties)

Alternative, modified or restricted duties may be required to assist a worker to return to work, depending on the severity of their injury and their progress. These are known as 'suitable duties'.

How to identify suitable duties

AFL SportsReady is required to act promptly to identify suitable duties following an injury. It will consider the worker's education, skills and experience and avoid token or demeaning work, or work that is otherwise inappropriate to the skill level of the worker.

AFL SportsReady will try to find duties that will maintain the worker's association with their usual work area. The Return to Work suitable duties will be developed as follows:

- Modifications to the worker's pre-injury role must be considered. The worker's supervisor or immediate manager are best placed to assist with this and can offer suggestions on how to organise duties to fit current work routines and schedules.
- Apply the restrictions contained in the Certificate of Capacity.
- Have the worker undertake as much of their normal role as medically possible.
- Gain agreement for the suitable duties from the worker and the doctor.
- Document the duties clearly in the Return to Work Program.

The injured worker's Return to Work Program should comply with the conditions and restrictions outlined in the most recent Certificate of Capacity from the treating doctor.

When identifying suitable duties, the following should be considered:

- Consider the key physical demands of each task. For instance, making a bed may require standing, bending and using both arms while digging a hole may require standing, repetitive bending, twisting of the trunk and lifting weights. Compare these demands with the injured worker's Certificate of Capacity information.
- The environment that the injured worker will be working in should also be considered. For instance working on rough ground, working at heights, working alone and working in unfamiliar areas may all affect the worker's ability to undertake specific tasks.
- Consider the following in respect to the injured worker when structuring suitable duties to optimise the effectiveness of the Return to Work Program:
 - The number of hours the worker can perform;
 - When and how often they should take breaks (if needed);

- How long they should perform each task for;
- How much work they should achieve in a specific time period;
- What days they should work;
- What time they should start and finish work.
- It may be appropriate to have the worker perform their normal job but in a different way. This can include assistance from equipment or modifications to the work environment. For instance, if a worker has a knee injury that makes it difficult to stand for long periods, providing a chair so they can work sitting down could be a solution.
- Changing the schedule of work tasks is another form of modifying duties.
- Suitable duties should be meaningful and where possible connected to the role that the worker will be returning to once they have reached their best level of recovery. A worker may undertake any combination of alternative, modified and normal duties.
- If the worker must learn new skills to carry out the suitable duties, consider the worker's aptitude for learning and gain medical approval for the training required.
- All actions in the program should state who is responsible for carrying them out and the time frame in which this should happen.

Monitoring and updating the Return to Work Program

AFL SportsReady must monitor the Return to Work Program and ensure the program is effective and up-to-date and make any amendments needed in consultation with the worker, and where necessary, with the treating doctor.

When updating a Return to Work Program, AFL SportsReady must:

- Consult with the injured worker.
- If the update is not one resulting from the treating doctor's recommendation, take reasonable steps to obtain the injured worker's consent.
- Document the changes and provide a copy of this to the injured worker and the treating doctor.
- Provide copies of the revised program to the worker's line manager and keep a copy for yourself.
- Consider the need to organise a case conference with the injured worker and treating doctor if consensus is unable to be reached.
- Keep in mind the Return to Work Program goal. Make sure changes to the program are focused on achieving progress towards the agreed goal.

As the injured worker recovers they will have an increased capacity for duties at work. Ways AFL SportsReady may gradually progress a worker's Return to Work Program include:

- Increasing the hours of work they are undertaking;
- Reduce the additional rest breaks or length of rest breaks;
- Reduce the amount of assistance the worker has to complete tasks;
- Require the worker to perform more work in the same time period (increasing the work pace);
- Replace suitable duties with new duties that require an increased level of physical effort.

An 'in house' check of the Return to Work Program should be undertaken at least once a week. In the early stages of the program you may check the worker's progress even more regularly as this is the time problems are most likely to occur.

Workers' compensation insurer can take responsibility for the Return to Work Program

AFL SportsReady can request its insurer take responsibility for its obligations to establish and implement a Return to Work Program.



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