

Rehabilitation Policy and Procedure

1. Purpose

1.1 Eureka Sustainability ('**Eureka Sustainability**') aims to assist workplace participants returning to work following a work related injury or illness.

1.2 Under Workers Compensation legislation, an employer is required to establish a workplace return to work program that is consistent with the Insurers/Agent's injury management program to assist injured workers return to work.

1.3 Occupational Rehabilitation aims to provide an early and safe return to work for workers suffering from work related injury or illness by using the workplace itself as a vital part of the rehabilitation process.

2. Commencement of Policy

2.1 This policy and procedure will commence from 29/08/2019. It replaces all other rehabilitation policies and procedures of Eureka Sustainability (whether written or not).

3. Application of Policy and Procedure

3.1 This policy and procedure applies to employees, agents, contractors (including temporary contractors) and 'workers' as otherwise defined under relevant OHS/WHS legislation of Eureka Sustainability, collectively referred to in this policy and procedure as 'workplace participants'.

3.2 This policy and procedure does not form part of any employee's contract of employment. Nor does it form part of any other workplace participant's contract for service.

4. Eureka Sustainability's commitment

4.1 Eureka Sustainability is committed to the prevention of illness and injury by providing a safe and healthy working environment, so far as is reasonably practicable.

4.2 Eureka Sustainability is committed to the rehabilitation of workplace participants who sustain an injury during the course of their employment. The company aims to manage the process of rehabilitation in the workplace to ensure that all injured workplace participants have the opportunity to recover and return to work by:

- a) ensuring that a return to work as soon as possible is a normal practice and expectation;
- b) ensuring early access to rehabilitation services, e.g. accredited rehabilitation providers or similar professionals for all who need them;
- c) providing suitable duties for an injured workplace participant as an integral part of the rehabilitation process;

- d) consulting with workers and their representatives (where applicable) to ensure that the rehabilitation program operates smoothly and effectively;
- e) informing workplace participants of their rights in relation to a workers compensation claim including the choice of doctor and accredited rehabilitation provider;
- f) providing access to interpreter services;
- g) ensuring that participation in a return to work plan will not of itself prejudice an injured workplace participant;
- h) ensuring no dismissal occurs within the legislatively prohibited period of the injury occurring, solely or principally because of that injury [note: this period is six months in NSW].

5. Return to work co-ordinator

5.1 Note: Certain employers are required by workers compensation law to appoint a RTW Co-ordinator. Check with the Statutory Authority to determine whether this requirement applies to your company. Employers in all States/Territory should discuss rehabilitation with their Insurers/Agents and work out the best approach for them.

5.2 The Return to Work Coordinator is [RTWCo-ordinator].

5.3 The role of the Return to Work Coordinator is to:

- a) determine the injured workplace participant's needs;
- b) identify suitable duties for the injured workplace participant;
- c) co-ordinate and monitor return to work plans;
- d) liaise with all parties including the rehabilitation provider where appropriate;
- e) provide information and support to the injured workplace participant; and
- f) maintain confidentiality.

6. Confidentiality

6.1 The confidentiality of rehabilitation records shall be maintained. Reports and records will only be available on a 'need to know' basis.

7. Procedure

7.1 Procedure for the management of injured workplace participants:

- If any work related injury or illness occurs it must be reported to the [ReportToPosition], [ReportToName], an incident report and investigation form completed and treatment arranged.

- The Company will notify the insurer/agent within the specified timeframe (*check your State/Territory for reporting requirements*)
- Claims for compensation are to be forwarded to the insurer/agent within the specified timeframe of receipt of the claim (check your specific State/Territory for the timeframe requirements).
- Eureka Sustainability will arrange for a suitable person in the organisation or, where this is not practicable, their workers compensation insurer/agent, to provide advice to the injured workplace participant to:
 - Assist in filling out Workers Compensation forms;
 - Explain rights, obligations, benefits and rehabilitation procedures to the injured worker;
 - Ensure that the workplace participant is offered the help of an accredited Rehabilitation Provider who will be given reasonable access to the workplace (the injured workplace participant in consultation with the employer, may select the Rehabilitation Provider to be used);
 - Where appropriate, arrange a return to work plan on the advice of the treating doctor or the accredited Rehabilitation Provider in consultation with the treating doctor.

8. Providing suitable duties/employment

8.1 When an injured workplace participant suffering from a work-related injury is, according to medical judgment, well enough to return to work on suitable duties Eureka Sustainability shall, as far as practicable, provide suitable duties/employment. Suitable duties/employment shall be approved by the treating doctor or by the accredited Rehabilitation Provider in consultation with the treating doctor. The Return to Work Coordinator or Rehabilitation Provider can identify suitable duties in the workplace.

9. Consultation

9.1 Eureka Sustainability will consult with the injured workplace participant and other workplace participants on the rehabilitation process.

10. Resolving disputes

10.1 If any disputes arise, every effort will be made to resolve them in a spirit of cooperation through discussion with the workplace participant, management and where applicable, the workplace participant's representative.

11. Responsibilities of workplace participants

11.1 Every workplace participant shall:

- a) take reasonable care, in the performance of work, so as to prevent injuries to self and others;

- b) co-operate in reasonable workplace changes designed to assist in rehabilitation of fellow workplace participants;
- c) notify the employer of an injury as soon as possible;
- d) co-operate in reasonable efforts by the company to rehabilitate the person.

12. Rights of employees

12.1 Each workplace participant who sustains an injury shall have the choice of treating doctor and of accredited Rehabilitation Provider, and access to an interpreter where necessary.

13. Nominated rehabilitation providers

13.1 The Nominated Rehabilitation Provider/s for this company is/are:

- [RehabilitationProvider]

Variations

Eureka Sustainability reserves the right to vary, replace or terminate this procedure from time to time.