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| **POLICY AND PROCEDURES FOR :** |  |
| **Injury Management is the process that comprises activities and procedures established and undertaken for the purpose of achieving a timely, safe and durable return to work for workers following workplace injuries / illness.** |

**Work Health and Safety Policy**

The health and safety of all persons employed in and visiting the workplace is of the utmost importance. Resources to ensure the health and safety of workers and others in the workplace will be made available so far as is reasonably practicable.

**Return to Work Program (RTW Program)**

This organisation is committed to the rehabilitation of injured workers. In consultation with our workers and any industrial union representing them we have developed the following RTW Program.

**Our Commitments Are:**

* To return an injured worker to work as soon as possible (subject to medical opinion).
* To commence the occupational rehabilitation process as soon as possible after a workplace injury.
* To provide early access to rehabilitation services (i.e. rehabilitation providers) for workers who need them.
* To obtain a worker’s consent to exchange information via a Certificate of Capacity or separate relevant consent form.
* To maintain the confidentiality of rehabilitation / injury management records in accordance with relevant legislation.
* To follow normal payroll procedures in consultation with Hotel Employers Mutual (HEM) for managing weekly payments following an injury.
* To provide suitable duties / employment, where reasonably practicable, to injured workers and to otherwise assist them with their return to work in a safe and proper manner.
* To consult with our workers and any industrial union representing them to ensure that our RTW Program operates effectively and in conjunction with our Insurer’s Injury Management Program (IMP) i.e. HEM
* To provide workers with information about the RTW Program.
* To ensure that participation in the IMP and / or RTW Plan (RTWP) will not prejudice an injured worker’s rights. It is the organisation’s policy to fully inform such workers of their rights and obligations in relation to:
	+ their right of choice of nominated treating doctor (NTD) and rehabilitation provider,
	+ access to interpreter services where appropriate,
	+ their right not to be dismissed within six (6) months of injury, solely or principally due to that injury,
	+ their participation in a RTWP, which will not of itself, prejudice a worker in either job security, promotion or workers compensation benefits,
	+ their non-participation in an IMP or RTWP, which may result in suspension or reduction of weekly benefits,
	+ their nomination of a treating doctor who is willing to participate in the development of, and in the arrangements under an IMP and or RTWP,
	+ their need to obtain approval from HEM before changing the NTD.
* Where relevant, follow the Fair Work Act 2009 relative to the dismissal of an injured worker.

The designated **RTW Coordinator(s)** for this workplace is / are:

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| Name(s) | Phone / Fax |

They will be responsible for the proper management and coordination of the RTW Program and have received the required training for this role. The duties include (but are not limited to) ensuring prompt receipt of first aid attention, referral to the company and / or the NTD for any injured worker as soon as possible, development of a RTWP where in consultation with HEM, the NTD and Injured worker and may include visits to the injured worker and / or their NTD. The RTW Coordinator acts as the focal point for contacts with the injured worker.

The following accredited **rehabilitation provider(s)** are available to assist in the rehabilitation of workers who suffer a workplace injury / illness. Alternatively the injured worker may nominate their own preferred provider.

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| Name | Address | Phone / Fax |
| Name | Address | Phone / Fax |

The following **medical practitioner(s)** **or practice(s)** are available to assist in the RTW Program

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| Name | Address | Phone / Fax |
| Name | Address | Phone / Fax |

**Procedures in the Event of an Injury**

**When an Injury occurs**

* It is to be reported immediately to the injured worker’s supervisor and RTW coordinator. They will be responsible for ensuring that the injured person receives first aid and if required, referral for treatment by a doctor as soon as possible.
* If there is a serious injury or illness, a death or a dangerous incident, it must also be reported immediately to SafeWork NSW on 13 10 50.

**Follow up after injury**

* In the case of an incident involving an injury or illness to a worker, the employer will notify HEM online, by phone, or fax w**ithin two (2) business days** of becoming aware of such circumstance – this mechanism will service as the Employer’s Register of Injuries.
* The RTW Coordinator / employer will establish that a proper claim on behalf of the injured worker, if required, has been lodged with HEM **within seven (7) days.**
* The injured worker must nominate a treating doctor willing to participate in the development of and arrangements made under the RTWP and / or IMP if relevant.
* HEM will contact the employer, injured worker and where practicable, the NTD **within three (3) working days** of being notified of a significant injury to establish a RTWP and / or IMP if relevant.
* Advice may be sought from the NTD on how the workplace can assist the injured worker and to determine what arrangements are necessary for successful return to work.
* The worker, employer, NTD and HEM must comply with the obligations imposed under any RTW Plan and / or IMP.

**Provision of Suitable Duties**

Identifying and providing suitable duties is an integral part of the RTW Program. The organisation is committed to providing suitable duties to any injured worker whenever possible. When and if the injured / ill worker is, according to medical judgement, fit to return to work on suitable duties, the RTW Coordinator will discuss with the NTD, HEM and / or rehabilitation provider whether suitable duties could reasonably be found at this workplace and, if not, what other options are available. Suitable duties may mean a change in job and / or hours and potentially involve vocational retraining and job placement. These options will be discussed with the injured / ill worker, their supervisor, industrial union (if applicable) and confirmed in writing after agreement is reached, through the development of a RTWP.

Where necessary the RTW outcomes will be considered using the following hierarchy

* Same employer / same job
* Same employer / different job
* Different employer / similar job
* Different employer / different job

**Consultation**

Consultation will occur initially at the time of injury and immediately thereafter then at regular intervals as specified in the RTWP or at such other times as may be relevant in individual circumstances between the organisation, the worker(s) and the relevant industrial union (if applicable) as to rights and obligations, arrangements for the RTW on suitable duties and on the general conduct of RTW activities, policy and procedures. Where the injured worker is of non English speaking background an interpreter will be provided as relevant.

**Disputes**

Disputes shall be resolved by consultation with the worker (and if applicable any industrial union representing them) in order to maintain the spirit of the RTW Program. Should a dispute not be resolved, contact will be made with HEM, SIRA or the Workers Compensation Commission (WCC) of NSW for assistance.

**Penalties**

* Failure to comply with a reasonable requirement of an IMP or RTWP may result in suspension of weekly benefits for injured workers, following written notification.
* Failure of an NTD to participate in the development of and / or in the arrangements under an IMP or RTWP will result in the request for the NTD to be changed and that treating doctor to develop a new plan.
* Failure by an injured worker to contact HEM to discuss a change of treating doctor may result in medical costs not being paid.
* Failure by the organisation to comply with a requirement under an IMP may result in a premium adjustment.

**This RTW Program will come into effect immediately. It may be reviewed and amended, subject to discussion and agreement by all parties otherwise it remains valid for 2 years.**

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| Employer’s Representative Signature |  | Date: | **/     /** |

For further information contact: SIRA on 13 10 50 or contact@sira.gov.nsw.au or Hotel Employers Mutual at info@hotelemployersmutual.com.au