Procedure: Management of non-work related injury and illness

Purpose

To specify the minimum requirements and responsibilities for the management of non-work related injuries and illnesses at the Australian National University (ANU). This procedure is linked to the University’s Work health and safety and Fitness for work policies.

The University is committed to assisting staff members achieve a safe return to work (RTW) after periods of illness or injury, in a way that will facilitate their best possible recovery. Under the Disability Discrimination Act 1992 (Cth), the University is responsible for providing reasonable adjustments to help the staff member perform the inherent requirements of their position. The management of injury or illness in the workplace is regarded as an important part of a supervisor's responsibilities.

Definitions

**Inherent requirements** are the core activities, tasks or skills that are essential to a workplace in general, and to a specific position.

**Physical workplace** is the physical location where work is approved to be undertaken including workstation, immediate work area and access into and out of the building in which the staff member works.

**Reasonable Adjustment** refers to the administrative, environmental, or procedural alterations required to enable a person with disability to work effectively and enjoy equal opportunity with others.

**Return to work plan** is a document that outlines the staff member's return to pre injury duties and is agreed to by both the staff member and their supervisor.

**Working Capacity** is the ability of the staff member to perform the inherent requirements of a work role, including hours they are able to work.
Procedure

Scope

1. This procedure applies to all staff members of the University.

Overview

2. There will be times when an ANU staff member is injured or becomes ill and the injury or illness is not work-related. Under the Disability Discrimination Act 1992, the University is responsible for providing reasonable adjustment to help the staff member perform the inherent requirements of their substantive position. This procedure guides managers, supervisors and staff through the return to work process and provides alternatives if the staff member cannot fully return to work.

3. There will also be circumstances when a new staff member commences in a work role at the University and has a pre-existing injury or illness. The actions required for these circumstances are also detailed within this procedure.

4. Case management of non-work related injury or illness at the ANU requires a risk based approach through the identification, assessment, management and early reporting of conditions impacting on staff. This assists the University to provide timely and effective assistance and support.

5. Non-work related injury or illness may involve complex physical, psychological and social factors that will impact on a staff member both in the work and home environment. Therefore a bespoke and tailored approach is required in each individual case.

Responsibilities

6. The University Executive, College Deans and Service Division Directors, or their nominees, are responsible for:

- identifying risk factors in the workplace that may impact on non-work related injury/illness;
- sustaining a culture that resources early, active intervention to support and encourage injured/ill staff to achieve a safe and durable return to work;
- supporting managers, supervisors and other staff to ensure effective responses to, and management of non-work related injury or illness;
- providing workplace flexibility to accommodate suitable duties or employment to support the workplace based rehabilitation of injured/ill staff with a non-work related condition;
• ensuring that information relating to staff on rehabilitation programs is treated confidentially in line with relevant legislation; and

• ensuring the non-prejudicial treatment of staff participating in workplace-based rehabilitation programs in line with legislative requirements.

7. Supervisors and managers are responsible for:

• keeping contact with their staff member to ensure they understand the nature of the non-work related illness or injury, the likely time frame off work and what to expect when the staff member returns to work;

• identifying the resources available through the University and the help that is available to the staff member on their return;

• taking all reasonable steps to return the staff member to their substantive position;

• ensuring the staff member is aware of the process and possible results of their return from non work-related injury or illness; and

• overseeing the staff member on their return and throughout the return to work period and providing necessary support.

8. An injured or ill staff member is responsible for:

• reporting a pre-existing injury and illness, on commencement of employment with the University, as per the directions provided for doing so during the onboarding process;

• reporting a non-work related injury or illness to their supervisor as soon as possible;

• giving their supervisor a medical certificate with details of the nature of the injury or illness, the recommended date of return to work, and recommended adjustments, if necessary, to aid the return to work;

• confirming with their supervisor the expected date of their return to work;

• working with their supervisor to develop a return to work plan; and

• once they have returned to work, tell their supervisor immediately if they consider the return to work plan needs further adjustments.

9. The Work Environment Group (WEG) is responsible for:

• contacting new staff members who have disclosed a pre-existing injury/illness to discuss any reasonable adjustments required as part of the transition to employment at the University;

• consulting with the staff member and their supervisor to develop a RTW plan which is to be endorsed by the staff member’s treating medical practitioner;
• advising and aiding the supervisor and staff member in arranging and co-ordinating medical information and implementing recommendations;
• facilitating discussions with relevant stakeholders to design, implement and review a RTW plan; and
• providing support and information to the staff member and the supervisor to improve knowledge and practices in response to the injury or illness; and
• liaising with the staff member and supervisor to determine a preferred communication strategy during the return to work process.

Consent and privacy
10. In circumstances where it is necessary for the WEG to liaise with a staff member’s treating medical practitioner, consent must be obtained from the staff member.
11. Information provided to the WEG will remain confidential and be used exclusively to inform reasonable adjustments and assist in the development of a RTW plan.
12. The development of a gradual RTW plan and related medical reports involves exposure to sensitive and personal information about the staff member.
13. Information to be provided to the supervisor will be for the purpose of attendance management, RTW planning and monitoring, and reasonable adjustments required within the workplace.

Reasonable adjustments
14. A reasonable adjustment is to be personalised and tailored to meet the individual requirements and circumstances of the staff member. They may be temporary or long-term and therefore need to be reviewed regularly as part of a RTW plan.
15. The RTW plan, signed by both the supervisor and staff member, should clearly outline the following listed in table 1.

Table 1 RTW plan requirements

| Treating medical practitioner’s advice regarding | • the variation in days per week, hours per day, and medical restrictions; |
|                                               | • the timeframe for each phase of the return to work, |
|                                               | • duties from the position description that can be performed; |
|                                               | • medical/relevant specialist review dates; and |
- RTW review dates - to occur routinely during the RTW process and approximately one month post a full RTW.
Workplace adjustments to be implemented

- physical: such as modifying workstations or sites to improve accessibility or providing additional equipment or tools.
- technological assistance; such as speech recognition software;
- work arrangements, such as adjustments to work hours, flexibility in hours worked and assistance with managing workload;
- adjustments to a job; such as modifying duties, work methods, additional training or modifying work patterns;
- support for peers and colleagues, such as providing information, coaching or training on how adjustments can support staff members; and
- implementation of Senior Management advice and expectations for the return to work process.

16. Table 2 outlines the reasonable adjustment options for an injured or ill staff member who cannot RTW at full capacity

Table 2 reasonable adjustment options

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<th>Return to work with adjustments to the physical workplace</th>
<th>Return to work with adjustments to working capacity</th>
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<td>• the staff member is required to provide supporting evidence of the need for a physical adjustment;</td>
<td>• the staff member must provide supporting evidence from their medical practitioner of their working capacity; and</td>
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<td>• the WEG will assist with identifying, implementing aids and educating the work area / staff member; and</td>
<td>• working collaboratively, the staff member,</td>
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<td>• the WEG may utilise the services of Job Access or an external provider to assist with the acquisition and implementation of an adjustment.</td>
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17. Where medical information confirms the staff member is not able to return to their substantive position within a reasonable time frame, the University will begin action as outlined in the ANU Enterprise Agreement.

18. The ANU Enterprise Agreement has provisions for an ill health assessment, to be considered after reasonable early intervention and rehabilitation options have been exhausted.

19. In the event where a supervisor is concerned about the staff member’s capacity to perform their duties due to ill health, they may request the WEG arrange an ill health assessment.

20. The independent medical assessment report is a confidential report, and is received by:

- Staff member via their treating medical practitioner;
- WEG;
- Supervisor – unless there is information of a sensitive nature that should not be provided; and
- College or Divisional Human Resource staff.

Sources

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<th>Legal and other requirements</th>
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<td>Disability Discrimination Act 1992 (Cth)</td>
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