



# Procedure: Management of Non-Work Related Injury, Illness and Disability

## 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 [Policy: Work health and safety](#) and [Policy: Fitness for work](#).

The University is committed to assisting staff members achieve a safe return to work (RTW) after periods of illness or injury or after the onset of a chronic or degenerative illness, in a way that will facilitate their best possible recovery and maintain their participation in the workplace. Under the *Disability Discrimination Act 1992 (Cth)*, the University is responsible for providing workplace 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.

**Workplace Adjustment** - previously referred to as a 'reasonable adjustment', is a change to a work process, practice, procedure or environment that enables an employee with an injury, illness or disability (temporary or permanent) to safely perform the inherent requirements of their job. Under the Disability Discrimination Act 1992 (DDA), employers are obligated to make adjustments to support an individual's participation in the workplace, unless that adjustment would result in unjustifiable hardship. Unjustifiable hardship could be in the form of financial cost, an amendment to the physical building that is not possible due to council or other restrictions, or an adjustment that would disadvantage other employees.

**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.
2. This procedure does not replace or supersede the requirements of the Disability Policy and should be read in conjunction with that document. This procedure is not intended to give guidance on supporting a staff member who is living with a pre-existing disability unless they also identify with an additional illness or injury.

**Staff must not attend campus if unwell with a contagious illness. If they become unwell when on an ANU campus, they shall inform their supervisor and then go home with as little personal interaction with others as possible.**

### Overview

3. 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 workplace adjustments to support 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.
4. Where a staff member becomes unwell in the workplace, they should inform their supervisor and then go home with as little personal interaction with others as possible to limit any potential contagion, and seek medical advice as appropriate.
5. 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.
6. 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.
7. Non-work related injury or illness may involve complex physical, psychological and social factors that impact a staff member, both in the work and home environment. Therefore, an individual return to work plan (RTW) or workplace adjustment plan (WPA) is required in each individual case.

## Responsibilities

8. 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.
9. Supervisors and managers are responsible for:
  - keeping in regular 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.
10. An injured or ill staff member is responsible for:
  - reporting a pre-existing injury, illness or disability, on commencement of employment with the University, if this impacts on their ability to perform the inherent requirements of their role;
  - reporting a non-work related injury or illness to their supervisor as soon as possible;

- giving their supervisor an approved medical certificate or medical report 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 on a regular basis the expected date of their return to work throughout the return to work period, supported by a medical certificate;
- working with their supervisor and medical practitioner to develop a return to work plan; and
- once they have returned to work, advise their supervisor immediately if they consider the return to work plan needs further adjustments.

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

- contacting new staff members who have disclosed a pre-existing injury, illness or disability to discuss any workplace adjustments required as part of the on boarding process at the University;
- consulting with the staff member and their supervisor to develop a RTW plan and/or workplace adjustment 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/or workplace adjustment plan;
- 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**

12. 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. This will be done in accordance with the University's [Policy: Privacy](#).
13. Information provided to the WEG will remain confidential and be used exclusively to inform workplace adjustments and assist in the development of a RTW plan.
14. The development of a gradual RTW plan and related medical reports involves exposure to sensitive and personal information about the staff member.

15. Information to be provided to the supervisor will be for the purpose of attendance management, RTW planning and monitoring, and workplace adjustments required within the workplace.

## Workplace adjustments

16. A RTW or workplace adjustment plan is a personalised and tailored document to meet the individual requirements and circumstances of the staff member. A workplace adjustment plan may be temporary or long-term and therefore need to be reviewed regularly.

17. 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*

<p><b>Treating medical practitioner's advice regarding</b></p>	<ul style="list-style-type: none"> <li>• the variation in days per week, hours per day, and medical restrictions;</li> <li>• the timeframe for each phase of the return to work,</li> <li>• duties from the position description that can be performed;</li> <li>• medical/relevant specialist review dates; and</li> <li>• RTW review dates - to occur routinely during the RTW process and approximately one month post a full RTW.</li> </ul>
<p><b>Workplace adjustments to be implemented</b></p>	<ul style="list-style-type: none"> <li>• physical: such as modifying workstations or sites to improve accessibility or providing additional equipment or tools.</li> <li>• assistive technology support, such as speech recognition software;</li> </ul> <p>or information on using accessibility features of existing software;</p> <ul style="list-style-type: none"> <li>• work arrangements, such as adjustments to work location or hours, flexibility in hours or assistance with managing workload;</li> <li>• adjustments to a job; such as modifying duties,</li> </ul>

	<ul style="list-style-type: none"> <li>• work methods, additional training or modifying work patterns;</li> <li>• support for peers and colleagues, such as providing information, coaching or training on how adjustments can support staff members; and</li> <li>• implementation of Senior Management advice and expectations for the return to work process.</li> </ul>
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18. Table 2 outlines the workplace adjustment options for staff member who cannot RTW at full capacity due to an injury, illness or disability.

*Table 2 Workplace adjustment options*

<p><b>Return to work with adjustments to the physical workplace</b></p>	<ul style="list-style-type: none"> <li>• the staff member is required to provide supporting evidence of the need for a physical adjustment from an approved medical practitioner;</li> <li>• WEG will assist with a workplace assessment to identify, and recommend possible adjustments and provide education and support to the work area / Staff Member; and</li> <li>• the WEG may utilise the services of Job Access or an external provider to assist with the acquisition and implementation of an adjustment.</li> </ul>
<p><b>Return to work with adjustments to working capacity</b></p>	<ul style="list-style-type: none"> <li>• the staff member must provide supporting evidence from their medical practitioner of their working capacity; and</li> <li>• working collaboratively, the staff member, supervisor and if necessary, the WEG will develop a RTW or WPA plan.</li> </ul>

19. Where medical information confirms the staff member is not able to return to their substantive position within a reasonable timeframe, the University will begin action as outlined in the ANU Enterprise Agreement.
20. The ANU Enterprise Agreement has provisions for an ill health assessment, to be considered after reasonable early intervention and rehabilitation options have been exhausted.
21. In the event where a supervisor is concerned about the staff member's capacity to perform their duties due to an injury, illness or disability, they may request the WEG to arrange an ill health assessment.
22. The independent medical assessment report is a confidential report, and is received by:
  - Staff member via their treating medical practitioner or as per directed by the Independent Medical Examiner;
  - WEG;
  - Supervisor – unless there is information of a sensitive nature that should not be provided; and
  - College or Divisional Human Resource staff.

## Sources

<b>Legal and other requirements</b>
<i>Disability Discrimination Act 1992 (Cth)</i>

## Document information

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