



ASPENDALE NORTH KINDERGARTEN INC.
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STAFF RETURN TO WORK POLICY

National Quality Standard – Quality Area 4

PURPOSE:

To outline the Aspendale North Kindergarten process and procedures for return to work.

POLICY STATEMENT

1. VALUES

Aspendale North Kindergarten is committed to:

- Providing support to the injured person during his/her recovery and return to work;
- Ensuring any Return to Work Plan requires staff to meet minimum regulatory requirements for the care and education of children (refer Children's Services Act 1996 and Children's Services Regulations 2009) as the preschool does not have alternative duties available;
- Supporting the use of occupational rehabilitation services where they are necessary to assist in preparing Employees for the earliest return to their full duties; and
- encouraging injured Employees to return to work as soon as possible, subject to medical opinion and preschool regulatory responsibilities.

Employee rights:

Employees retain the right to:

- Choice of treating doctor;
- Access the services of an interpreter, and
- Retain employment for 12 months after the injury that was responsible for their indisposition, unless they are permanently unfit to return to their job.

Our Workers' Compensation Policy is with:

- Xchanging
- 1800 802 200

Return to work procedures

1 Return to Work Coordinators

- The President/Vice President will be the Return to Work Coordinator for the purpose of this policy and set of procedures unless another person is nominated by the Committee.

First created: 2015

Current version: 2019

RETURN TO WORK POLICY

2 Return to Work Plan

- Where the absence of the Employee is or may exceed 20 days, the Return to Work Coordinator will prepare a draft Return to Work Plan. This will occur either when the Employee is absent for 14 days or as soon as the Return to Work Coordinator considers the absence may exceed 20 days, whichever is earlier. This return to work plan will take into account:
- The regulatory requirements contained in the Children's Services Act 1996 and Children's Services Regulations 2009.
- The pre-school's inability to offer alternative employment within the workplace.
- Medical advice on the Employee's capacity to work.
- Any implications or costs arising from the Return to Work Plan.
- The Return to Work Coordinator will consult, as appropriate with the Employee, the WorkCover insurer and the Employee's doctor.
- The Return to Work Plan and suitable employment offer will be submitted to the preschool's WorkCover insurer promptly where Employees are absent for 20 or more calendar days, or within 10 days of the Employee being off work for 20 calendar days or more.
- In determining the availability of a Return to Work Plan every endeavour will be made by the preschool to provide Employees with a safe and healthy work environment. Employees will endeavour in all instances to act responsibly and act in ways that do not endanger either themselves or any other persons in attendance at the workplace.
- The Committee will be informed of the Return to Work Plan at the next Committee meeting after the plan is finalised.
- In the event of dispute over any aspect of the Return to Work Plan, immediate action will be taken to resolve the situation through effective and constructive discussion with all parties to the Return to Work Plan. If resolution is not then possible, the services of the WorkCover Conciliation Service will be requested to provide assistance.
- The Return to Work Coordinator will monitor and review the Return to Work Plan of the Employee and adjust this plan to reflect changes in the Employee's condition and capacity for work.

3 Employees who sustain a work related injury must:

- Advise the Return to Work Coordinator of the likely duration of any absence.
- Make themselves available to develop a Return to Work Plan with the Return to Work Coordinator if any absence may exceed 20 calendar days.
- Consult as appropriate their treating doctor and/or specialist in the development of a Return to Work Plan.
- Assist in developing a Return to Work Plan that meets all regulatory requirements (refer *Children's Services Act 1996 and Children's Services Regulations 2009*).
- Inform the Return to Work Coordinator as soon as practicable, after commencement of the Return to Work Plan, of any changes to their medical condition and/or capacity to work.
- Access rehabilitation services or treatment approved by the preschool's insurer.

2. BACKGROUND AND RELEVANT LEGISLATION

Workplace Injury Rehabilitation and Compensation Act 2013

Key responsibilities and authorities

The **Employer** is responsible for:

- Starting to plan for the return to work as soon as they receive an employee's claim for weekly payments or a WorkSafe certificate of capacity (whichever happens first), or they are notified by their agent that they have received these documents.
- Consulting with the employee directly.
- With the consent of the employee, they consult with the employee's treating health practitioner and where one is involved, their occupational rehabilitation provider.

Note: How the employee and employer plans for the return to work will depend on the employee's injury or illness, their capacity for work and the workplace.

The **Employee** is responsible for:

- Assisting in the development of all return to work plans.
- Advising their doctor that their Employer has a return to work policy and it is likely that the doctor will be contacted by the Return to Work Coordinator to assist them in returning to the job.
- Participating in an approved rehabilitation program if required.
- Participating in suitable employment where such employment has been identified.
- Make reasonable efforts to return to work in suitable or pre-injury employment
- Make reasonable efforts to actively participate and cooperate in planning for your return to work
- Actively use an occupational rehabilitation service, if provided and cooperate with the provider of that service
- Actively participate and cooperate in assessments of your capacity for work, rehabilitation progress or future employment prospects
- Actively participate and cooperate with the WorkSafe Agent (Agent) in an interview to enhance your opportunities to return to work, if requested to do so.

3. RESOURCES AND SUPPORT

WorkSafe Authority website and information available on it.

<https://www.worksafe.vic.gov.au/>

First created: 2015

Current version: 2019

RETURN TO WORK POLICY

EVALUATION

Assess how well the policy has worked when the Committee has had to develop a Return to Work Plan.

AUTHORISATION

This policy was adopted by Approved Provider of Aspendale North Kindergarten in 2015 and reviewed in August 2019.

Current version: 2019