



Flinders
UNIVERSITY

Recovery

**Return to
Work**

**Workers
Compensation**

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WHS Unit

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Information for staff

Accident Reporting: All States and Territories

If you have an accident or injury whilst working you should:

1. Get treatment from any of the following:

- Your local first aider;
- A medical centre;
- Your own doctor;
- Hospital

You have the right to choose where you go for medical treatment.

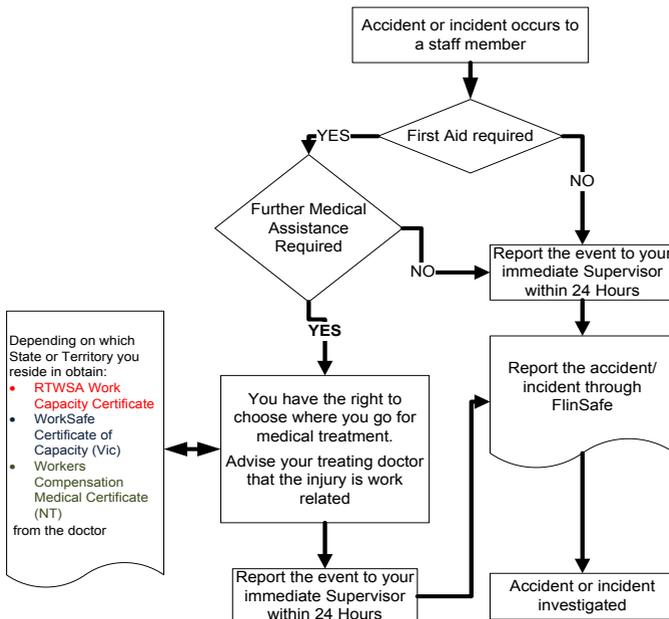
Advise the treating doctor that the injury is work related and obtain the appropriate Workers Compensation Medical Certificate (see figure below).

2. Report the accident/injury

You must report (orally or by email) the accident/injury to your supervisor within 24 hours of its occurrence, or if that is not practicable, as soon as possible. A family member or friend can notify your supervisor if you are unable to do so initially.

You must also report the accident/injury on the University's online FlinSafe system within 24 hours.

If you are unable to report the accident/injury due to the accident, arrangements must be made for your supervisor to report it through [FlinSafe](#).



Workers Compensation

Flinders University is a self-insured employer in South Australia, which means that the University manages its own workers compensation claims, in accordance with the South Australian [Return to Work Act 2014](#) and [Return to Work Regulations 2015](#).

In all other States and Territories, the University is a registered employer and workers compensation claims are managed in accordance with the relevant jurisdiction's workers compensation legislation.

Applying for Workers Compensation (South Australia)

You must see a doctor if you have sustained a work-related injury or illness and you are considering making a claim for workers compensation.

You should talk to your doctor about work tasks that you can still perform and obtain a Work Capacity Certificate.

You must then complete the [Return to WorkSA Claim Form](#), also available from the WHS Unit. Forward/bring the completed form, with the Work Capacity Certificate issued by your doctor, to the University Return to Work Coordinator in the WHS Unit.

Your claim cannot be determined if your Claim Form is not accompanied by the Work Capacity Certificate.

If time is lost from work, you must also submit a leave form, with the workers compensation box ticked, indicating hours lost. This form must be signed by your supervisor. This applies to both academic and professional staff. Leave forms are available from the University website. (<http://www.flinders.edu.au/hr/forms.cfm>)

What should you do with bills for medical treatment and other expenses?

You are legally responsible for all medical and associated costs until your claim has been accepted. Accounts should therefore be addressed to you, NOT the University.

If you have accounts and receipts at the time of lodging your Claim Form, you should attach them to the Form.

If your claim is accepted, all accounts for the following must be forwarded to the Return to Work Coordinator for processing and payment:

- medical expenses relating to that injury;
- approved treating practitioners (physiotherapist etc);
- related travel expenses; and
- pharmaceutical expenses related to the treatment programme.

What happens next?

The Return to Work Coordinator will forward the completed Claim Form and Work Capacity Certificate to the University Claims Manager within two business days of receipt. The Return to Work Coordinator will notify you, your supervisor and the Dean of your School/ Divisional Head that the claim has been lodged.

The Return to Work Coordinator

- will contact you and your supervisor
- may request additional information to assist in determining the rate of weekly payments
- will arrange services to help you to recover and return to work this may include visiting you if you are likely to be away from work for more than two weeks.

The University Claims Manager will make a determination on the claim and will advise you, and the Return to Work Coordinator will advise your supervisor and the Dean of your School/ Divisional Head, whether or not the claim has been accepted.

How long will it take to make a decision about your application?

A decision will be made as soon as possible. Most claims are determined within 10 days of the completed Claim Form being received by the Claims Manager. You can reduce the decision making time by providing clear and accurate details on the Claim Form. If you need help completing the form with your consent, a representative such as your treating doctor, a friend or family member or the Return to Work Coordinator can help you to complete the information on the Form.

If your application is not complete, there may be a delay in the decision making process. For example, if the Work Capacity Certificate given by your doctor is unclear about your injury or illness or your work capacity, you may need to return to the doctor for more details.

Complex claims may take longer to decide. You will be kept informed of the progress with your application and notified as soon as a decision is made.

Interim Payments

If your claim cannot be determined within 10 business days of its receipt by the Claims Manager, you will be offered interim payments.

You may choose instead to use any entitlements to sick leave or annual leave, pending determination of the claim. If the claim is ultimately accepted, such leave will be reinstated.

The Claims Manager must explain to you that if the claim is rejected, the University is entitled to recover the amount of interim payments as a debt from you.

What should you do if your application is not accepted?

You will be given reasons in writing if your workers compensation claim application is not accepted. You will also be advised of your rights of review.

In the first instance you should discuss the matter with the University Claims Manager or the Return to Work Coordinator. If the Claims Manager/ Return to Work Coordinator are unable to resolve the matter they will refer the matter to the Director, Human Resources.

If the matter is not resolved satisfactorily in this manner, you may choose to lodge an appeal of the decision with the South Australian Employment Tribunal. You must do so within one month of receipt of the decision.

What are you entitled to if your application is accepted?

Income Maintenance

Where, as a result of the compensable injury or disease, you are unable to be at work (lost time) and your claim has been accepted you will be paid Income Maintenance based on your Average Weekly Earnings (AWE):

- 100% of AWE for the first 52 weeks, then 80% of AWE to 104 weeks

Income Maintenance payments cease at 104 weeks from the date on which

the incapacity for work first occurs (except for seriously injured). After the 104 weeks, you can receive income support following pre-approved surgery for a period of up to 13 weeks post-surgery.

The method of calculating income maintenance is stipulated in the legislation. Average Weekly Earnings (AWE) are based on your income over the last 12 months or a fraction thereof, less certain allowances.

Medical expenses

You are entitled to have all reasonable medical and similar expenses related to the injury paid. Except for some specific circumstances, entitlement to medical services ends 12 months after the end of Income Maintenance, or if no entitlement to Income Maintenance after 12 months (except seriously injured).

You can apply for pre-approval of expenses in “prescribed classes” (e.g. major surgery) rather than being required to claim compensation once costs have been incurred.

You can choose your own treating medical practitioner.

Return to Work Plan

The University is committed to ensuring that any staff injured at work are assisted to achieve a return to work to their pre-injury duties where this is physically and mentally possible.

The University’s Return to Work (RTW) Coordinator will develop an individual Recovery/ Return to Work (RTW) Plan in consultation with you, your supervisor and other relevant parties, including your treating doctor and other medical expert(s). The RTW Coordinator will give you and your supervisor a written copy of the Plan.

A RTW Plan is a legally binding plan established for a staff member who is receiving workers compensation and who may be away from work for longer than 4 weeks. The RTW Plan will identify goals, duties, hours and constraints and will comply with any restrictions outlined in the Work Capacity Certificates. In developing RTW Plans the following will be considered:

- the special needs of individual staff members e.g. staff whose first language is not English;
- modification of any factors that may have contributed to the injury;
- ways to minimize the workload impact on other staff;
- the range of activities the injured staff member is capable of performing;
- the abilities and expertise of the injured staff member; and
- the availability of suitable tasks.

The RTW Coordinator will coordinate return to work and plans which are established, and will regularly review and update your RTW Plan until the injury and/or workers compensation claim is resolved.

University duty to find work

The University has a duty to provide employment for which you are fit and so far as is reasonably practicable, which is the same as or equivalent to your pre-injury employment.

The University has no duty to provide work to a staff member with a work-related injury/illness

- if it is not reasonably practicable to do so; or
- if new or other employment options have been agreed between you and the University.

Your rights

You are entitled to expect

- early intervention by the University in providing recovery and return to work services;
- that the University will actively manage your injury or illness and claim and will provide services consistent with the requirements of the Return to Work Act; and
- that the University will participate and cooperate in assisting your recovery and return to work and reasonably support you in receiving any benefit available under the Return to Work Act (for staff based in South Australia) or the relevant interstate legislation for staff based at interstate University sites.

You may reasonably request the University to review the provision of recovery and return to work services where it appears that the University is not complying with the legislative requirements regarding your retention, employment or re-employment.

You are entitled to be supported by another person (eg a family member, friend, union representative etc) and to be represented by a union, advocate or lawyer at any meeting regarding your recovery/return to work or workers compensation.

Your responsibilities

You must

- notify the University of the injury/illness within 24 hours of its occurrence but if that is not possible, as soon as practicable after its occurrence;
- participate in all activities designed to enable you to recover and return to work as soon as is reasonably practicable;
- participate and cooperate in the

establishment of a recovery/return to work plan;

- comply with their obligations under a recovery/return to work plan;
- ensure that the University is provided with a current Work Capacity Certificate, in the designated form provided by recognised health practitioners, with respect to any incapacity for work for which weekly payments are being made to you so as to provide evidence to support the continuation of those payments;
- return to suitable employment when reasonably able to do so; and
- take reasonable steps to mitigate any possible loss on account of the work-related injury/illness.

Time off work for appointments

If your workers compensation claim has been accepted and you have returned to work you may still require ongoing treatment. You must negotiate times with your supervisor/manager, with appointments preferably around the usual start/finish time so they can be kept on the way to or from work. There is no legal entitlement for staff to take time off work for medical appointments but it may be reasonable that some of the time involved be work time.

If you have returned to work on reduced hours, it would be reasonable for appointments to be outside the reduced working hours. However, supervisors/managers will understand that you may not always have control of when appointments occur (eg for medical specialists).

Serious injury

If you sustain a serious work-related injury, you are entitled to income support until retirement age as follows:

- 100% of notional weekly earnings in the first year

- 80% of notional weekly earnings for subsequent years

How do I know if I am a seriously injured staff member?

From 1 July 2015, seriously injured workers are defined as having a work injury that has resulted in a permanent impairment and the degree of impairment has been assessed as 30% or more. If your injury is likely to be classified as serious, the Claims Manager will refer you for a whole person impairment assessment when there is evidence that your injury has stabilised. If the Claims Manager does not refer you and you think that you may require an assessment, you can request one.

Whole person impairment assessments are conducted by accredited impairment assessors once the injury has stabilised. While you are waiting for your injury to stabilise, you can apply to the University to make an interim decision to classify your injury as serious until such time as you are able to undergo a permanent impairment assessment.

Applying for Workers Compensation (in all other Australian States and Territories)

Flinders University is a registered employer in all other States and Territories. Staff in these States and Territories will have their claims managed by the relevant Claims Manager in accordance with the jurisdiction's workers compensation legislation. There is a wide variation between States and Territories in managing Workers Compensation.

To lodge a claim, you must consult a registered medical practitioner (doctor), advise the treating doctor that the injury is work related and obtain the required

workers compensation medical certificate, from the doctor.

You must then complete the relevant [Workers Compensation Form](#) (links available on Flinders University website). Forward the completed form with the appropriate medical certificate to the University Return to Work (RTW) Coordinator in the WHS Unit. **If the Claim Form is not accompanied by the appropriate Medical Certificate the Claim cannot be determined.**

What happens next?

The RTW Coordinator will forward the claim form to the Insurance Company Claims Manager in your State or Territory for determination of the Claim. The submission of the form will meet the requirements of the legislation according to the State or Territory requirements.

The RTW Coordinator will explain to you the payment of weekly wages and medical expenses as stipulated by the legal requirements relevant to your State or Territory. You will need to use your sick leave and/or annual leave until the claim is determined. Once the claim is accepted, your sick leave and annual leave entitlements will be restored.

The University will work within the legislative requirements of each State/ Territory in the provision of rehabilitation. The RTW Coordinator in South Australia will liaise with the person injured, their supervisor and the Claims Manager to plan a safe and efficient return to work when this is medically possible. The return to work may include alternative duties and/or modified duties and varied hours worked.

For further information contact

Associate Director, WHS	Tel: (08) 8201 3703
University Return to Work Coordinator	Tel: (08) 8201 3117
University Claims Manager	Tel: (08) 8210 2805

The following websites also provide relevant information:

Flinders University WHS website

<http://www.flinders.edu.au/whs/>

ReturnToWorkSA

<https://www.rtwsa.com/> (for staff located in South Australia)

NT WorkSafe

<http://www.worksafe.nt.gov.au/WorkersCompensation/Pages/default.aspx>

(for staff located in the Northern Territory)

WorkSafe Victoria

<http://www.worksafe.vic.gov.au/injury-and-claims> (for staff located in Victoria)

WorkCover Queensland

<http://www.workcoverqld.com.au/> (for staff located in Queensland)

WorkCover Authority NSW

<http://www.workcover.nsw.gov.au/workers-compensation-claims> (for staff located in NSW)

WorkCover WA

<http://www.workcover.wa.gov.au/> (for staff located in Western Australia)

WorkCover Tasmania

<http://www.workcover.tas.gov.au> (for staff located in Tasmania)

Information for supervisors and managers

In the event of a work-related injury or illness, the University views the staff member's recovery and return to work as the primary goal. The University requires early and timely intervention to occur to improve recovery and return to work outcomes for a staff member with a work-related injury or illness.

Reporting the injury/illness

A staff member must report (orally or by email) a work-related injury or illness to you as soon as possible.

The staff member should also report the injury/illness on the University's online FlinSafe system within 24 hours of its occurrence. If the staff member is unable to report the accident/injury on FlinSafe due to the accident, they should arrange for you to do so.

Workers Compensation

If there is a possibility that the staff member may make a claim for workers compensation, it is important that they are assessed by a doctor as soon as possible.

If the staff member (in South Australia) needs to see a doctor in relation to their injury/illness, you should ensure that they advise the doctor that the University is self-insured for workers compensation and all correspondence about the work related injury should be sent to the University's WHS Unit. For staff located in states/territories other than South Australia, all initial correspondence must be sent to the University's WHS Unit, but invoices for any ongoing treatment or other costs should be forwarded to the relevant

interstate insurer.

Check if the staff member is issued with a Work Capacity Certificate

You should check that the staff member is issued with a Work Capacity Certificate (in South Australia) or relevant workers compensation certificate (other States and Territories).

If such a certificate has been issued, you or the staff member should contact the University Return to Work (RTW) Coordinator immediately. The RTW Coordinator will

- provide the staff member with a workers compensation claim form; and
- have an initial discussion with the staff member about their injury/illness and capacity to work.

Work Capacity Certificates must be forwarded to the WHS Unit, Human Resources Division.

Completion and lodgement of application for workers compensation

The staff member must complete all information in the relevant sections of the Claim form and forward it, with the Work Capacity Certificate/workers compensation certificate, to the University RTW Coordinator in the WHS Unit.

Maintaining regular contact with a staff member who has a work-related injury/illness

Managers and supervisors are responsible for keeping in regular contact with injured/ill staff members who are off work.

Recovery, Return to Work and suitable duties

As a manager or supervisor of a staff member with a work-related injury/illness, you must

- ensure that they are not put at risk of further injury or harm by enabling them to follow the advice in the Work Capacity Certificate/workers compensation certificate;
- be active in the development of the Return to Work Plan. Providing modified or alternative work as required and as reasonably practical and monitoring progress;
- meet regularly with the injured staff member to discuss progress; and
- provide regular feedback to the Return to Work Coordinator on progress and any problems.

Additional responsibilities for managers/supervisors

- supporting the injured staff member and other staff who may be affected;
- investigating the incident/accident which caused the injury/illness and implementing risk control measures as far as is reasonably practicable to prevent further injury/illness;
- maintaining confidentiality; and
- being a role model through a positive attitude to the injured staff member and the recovery and return to work process.

Time off work for appointments

A staff member with a work-related injury or illness whose workers compensation claim has been accepted and who has returned to work may require ongoing treatment. The issue of whether the staff member should take time off work to keep medical appointments needs to be considered according to the circumstances of each

case. There is no legal entitlement for staff to take time off work for medical appointments but it may be reasonable that some of the time involved be work time.

Times must be negotiated between the staff member and his/her supervisor/manager, with appointments preferably around the usual start/finish time so they can be kept on the way to or from work.

Where a staff member has returned to work on reduced hours, it would be reasonable for appointments to be outside the reduced working hours. However, supervisors/managers need to understand that staff may have no control when appointments occur (eg for medical specialists).

For further information contact

Associate Director, WHS	Tel: (08) 8201 3703
University Return to Work Coordinator	Tel: (08) 8201 3117
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Return to Work Service Standards

The primary aim of the University is to prevent injury or illness through the provision of a safe and healthy work environment. However, in the event of a work-related injury or illness, the University will

- view a staff member's recovery and return to work as the primary goal if a staff member is injured while at work;
- ensure that early and timely intervention occurs to improve recovery and return to work outcomes including after retraining (if required);
- with the active assistance and participation of the staff member, ensure that recovery and return to work processes focus on maintaining the relationship between the staff member and the University;
- ensure that it fulfils its recovery and return to work obligations because early and effective workplace-based coordination of a timely and safe return to work benefits an injured staff member's recovery;
- treat a staff member fairly and with integrity, respect and courtesy, and comply with stated timeframes;
- be clear about how it can assist a staff member to resolve any issues by providing accurate and complete information that is consistent and easy to understand (including options about any claim, entitlements, obligations and responsibilities);
- assist a staff member in making a claim and, if necessary, provide the staff member with information about where he or she can access advice, advocacy services and support;
- take all reasonable steps to provide services and information in a staff member's preferred language and format, including through the use of interpreters if required, and to demonstrate respect and sensitivity to a person's cultural beliefs and values;
- respect and maintain confidentiality and privacy in accordance with any legislative requirements;
- provide avenues for feedback or for making complaints, and to be clear about what can be expected as a response;
- recognise a right of a staff member to be supported by another person and to be represented by a union, advocate or lawyer.