

ADVICE SHEET 6

WORKERS' COMPENSATION AND RETURN TO WORK

DO I NEED A WORKERS' COMPENSATION INSURANCE POLICY AND A RETURN TO WORK PROGRAM FOR WORKERS INJURED AT WORK?

If you employ workers, you must have a current workers' compensation insurance policy, an injury reporting system and an effective return to work program—these will help to ensure that your workers receive the appropriate treatment and benefits, including assistance in returning to their normal duties after a workplace injury or illness.

As an employer you have obligations for workers' compensation and return to work. You must:

- have a current workers' compensation insurance policy that covers all your workers
- submit your wages information and pay your premium by the due dates
- notify WorkCover Queensland of any workplace injuries within eight business days
- make suitable duties available to your injured workers
- work with WorkCover Queensland, the injured worker, their doctor and other health-care providers to develop an effective return to work program
- not dismiss an injured worker solely or mainly because of their injury within 12 months of the injury or illness occurring.

NB. Larger employers and employers in high risk industries who meet certain criteria must have an accredited workplace rehabilitation policy and procedures and appoint a rehabilitation and return to work coordinator. Refer to the employer section of the Q-COMP website for criteria www.qcomp.com.au or phone: 300 361 235

WHERE YOU TICKED IN THE RED ZONE...

...your workers are not covered for workers' compensation insurance, or you do not report injuries or have a workplace rehabilitation policy and procedures.

Ticks in the RED zone indicate that you need to take immediate action to obtain a workers' compensation insurance policy and to implement an injury reporting system, and an effective return to work program for your workers

What do I notify?

Notify serious injuries—i.e. a fatality or serious injury or illness—to WorkCover Queensland immediately on 1300 362 128.

Note: There is a separate process for notifying Workplace Health and Safety Queensland—see Advice Sheet 5 for further information about what to notify to Workplace Health and Safety Queensland.

Where do I obtain a workers' compensation insurance policy?

Please contact WorkCover Queensland on 1300 362 128 to set up an *Accident Insurance Policy* immediately over the phone.

How do I obtain a workers' compensation insurance policy?

To obtain a policy, you must provide the following information:

- your company directors', partners', sole traders' or trustees' names, addresses, contact telephone numbers and their dates of birth
- the expected date you will commence employing workers
- your Australian Business Number (ABN)
- your Australian Company Number (ACN)
- the estimated wages for your business for the year from the date you commence employing workers to 30 June
- any previous associated business details, either yours or the company's (e.g. previous policy numbers and policy names)
- type of business
- primary business activity.

WorkCover Queensland will ask you other questions about the location, contact and business details as they set up your policy.

Developing an effective return to work program

All employers have an obligation to assist their workers to return to work after a work related injury or illness. See the *Better Practice in Return to Work Guide* available from www.qcomp.com.au to improve your return to work program.

The steps below are designed to help you improve the way workplace injury and return to work is managed.

Develop a “return to work” friendly culture by:

- developing clear and easy to understand processes for return to work
- providing regular information to all workers about returning to work after an injury
- encouraging workers to report any injury immediately
- taking steps to prevent further injury or re-injury.

Show support to your workers following injury by:

- arranging transport to medical treatment
- visiting as soon as appropriate if the worker is in hospital
- calling to ask how the worker is recovering
- helping the worker to lodge a claim for workers' compensation and explaining processes and time frames
- letting your workers know they are valued and supported.

Assist in injury recovery by:

- making regular contact with the worker while they are off work
- asking the insurer to approve using a rehabilitation provider for complex or serious injuries
- maintaining contact with the insurer and treating doctor (if necessary)
- identifying any barriers to return to work and discussing these with the worker
- encouraging co-workers to keep in contact with the worker.

Plan return to work for the injured worker by:

- discussing return to work with the worker as soon as possible—don't wait for the injury to fully heal
- explaining the return to work process and involving the worker in planning their own return to work
- reviewing the workers' compensation medical certificate for restrictions and return to work recommendations from the treating doctor
- asking the insurer to help you with return to work planning for complex or serious injuries

- developing a written suitable duties program (containing meaningful work duties) in consultation with the worker and their supervisor (see template at the end of this sheet) . A suitable duties program is a structured program involving selecting duties which the worker is able to do and gradually upgrading the hours worked and the type of duties performed as the worker recovers. The program must be consistent with the treating doctor's recommendations on the workers' compensation medical certificate.
- asking the worker to sign an authority form to contact their doctor if there is not enough information on the medical certificate to develop a suitable duties program
- sending a copy of the Suitable Duties Program to WorkCover.

Monitor and review return to work by:

- discussing the suitable duties program with the worker before they start
- making sure they understand that they must work solely within the requirements of their suitable duties program
- monitoring the worker's progress back at work and making sure they are supported by co-workers and supervisors
- seeking feedback from workers on the return to work program and implementing improvements in the process as a result of the feedback.

By putting these steps into practice you may be able to:

- help your workers deal with workplace injury and return to work
- retain your skilled workforce
- improve worker morale in your workplace
- control the costs of workplace injury by getting workers back to work in a safe and timely manner.

WHERE YOU TICKED IN THE ORANGE ZONE...

...you have a workers' compensation insurance policy, an injury reporting system and a return to work program

Ticks in the ORANGE zone indicate that you are on the right track, but you may need to update your workers' compensation coverage with WorkCover Queensland and review your injury reporting system and return to work program.

For assistance, contact WorkCover Queensland on 1300 362 128 and provide them with details about your current business activities, and your estimated wages for the current workers' compensation policy period.

For advice on how to improve your return to work program contact Q-COMP on 1300 361 235 or get a copy of the *Better Practice in Return to Work Guide* from the Q-COMP website: www.qcomp.com.au.

WHERE YOU TICKED IN THE GREEN ZONE...

...you have an appropriate workers' compensation insurance policy, an effective injury reporting system and accredited workplace rehabilitation policy and procedures.

Ticks in the GREEN zone indicate that you are meeting your obligations regarding workers' compensation insurance, injury reporting and have an effective return to work program. However, you should:

- monitor your workers' compensation insurance policy details and advise WorkCover Queensland of any significant changes to details regarding your business activities, or estimated wages
- monitor and review your incident reporting and return to work program on a regular basis to ensure they still provide effective assistance to any injured workers in returning them to their normal workplace duties.

EXAMPLE OF A SUITABLE DUTIES PROGRAM FORM

Injured worker details

PLAN DETAILS

Goal (long-term): _____

Objective of this plan: _____

Duration of this plan: From ____ / ____ / ____ to ____ / ____ / ____

Fit for suitable duties (restricted return to work)? From ____ / ____ / ____ to ____ / ____ / ____

Job description: _____

Worker: _____ Phone: _____

Supervisor: _____ Phone: _____

Treating medical practitioner: _____ Phone: _____

TASK DETAILS

| Week | Duties | Restrictions |
|--|----------------|----------------|
| Week 1—commencing hours: _____ days: _____ | _____ _____ | _____ _____ |
| Week 2—commencing hours: _____ days: _____ | _____ _____ | _____ _____ |
| Week 3—commencing hours: _____ days: _____ | _____ _____ | _____ _____ |

Treatment occurring during this plan
(e.g. physiotherapy):

Training required: Yes No

If 'Yes', given by: _____

on ____ / ____ / ____

Plan to be reviewed: ____ / ____ / ____

SIGNATURES

Name (treating medical practitioner):

I approve this plan.

Signature: _____

Date: ____ / ____ / ____

(Note: Only needed if insufficient info on medical certificate to develop suitable duties plan)

Name (supervisor): I approve this plan.

Signature: _____

Date: ____ / ____ / ____

Name (rehabilitation and return to work coordinator):

I approve this plan.

Signature: _____

Date: ____ / ____ / ____

(Note: Only needed if workplace is required by legislation to have a coordinator. Small businesses generally won't need one)

Name (worker): I approve this plan.

Signature: _____

Date: ____ / ____ / ____

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