

# REHABILITATION POLICY AND PROCEDURE



## CONTENTS

1	PURPOSE.....	1
2	SCOPE.....	1
3	POLICY STATEMENT .....	1
4	PROCEDURE .....	2
	Workplace rehabilitation for work-related injury/illness.....	2
	Workplace rehabilitation for non work-related injury/illness.....	3
	Grievance procedures.....	4
	Redeployment .....	4
	Termination of employment on the grounds of ill health .....	5
5	RESPONSIBILITIES .....	5
	Roles and responsibilities .....	5
	Compliance, monitoring and review.....	6
	Reporting.....	6
	Records management.....	6
6	DEFINITIONS .....	7
	Terms and definitions.....	7
7	RELATED LEGISLATION AND DOCUMENTS.....	7
8	FEEDBACK.....	8
9	APPROVAL AND REVIEW DETAILS.....	8

## 1 PURPOSE

- 1.1 This policy and procedure provides a framework for the provisions of workplace rehabilitation to ensure the health, safety and wellbeing of CQUniversity employees whose ability to carry out their duties is affected by any physical and/or psychological, work-related or non-work-related injury or illness.

## 2 SCOPE

- 2.1 This policy and procedure applies to CQUniversity employees.

## 3 POLICY STATEMENT

- 3.1 The University recognises that early intervention and early return to work programs offer substantial benefits to both injured/ill employees and the University. The goal of workplace rehabilitation is the earliest possible safe return to work for an injured/ill employee to their pre-injury/illness position. Where possible, workplace rehabilitation aims to maintain the injured/ill employee at work without time off.
- 3.2 Where time off work is required, the aim is to ensure a return to work occurs as soon as medically advisable. Within realistic time frames, workplace rehabilitation is actively facilitated to:
- maintain injured or ill employees at work
  - ensure the employee's earliest possible return to work
  - maximise the employee's independent functioning, and
  - achieve sustainable and durable return to work goals.

- 3.3 The University is committed to the following priorities with respect to final return to work outcomes.
- Priority 1: The employee returns to the same job.
- Priority 2: The employee returns to a modified version of the same job.
- Priority 3: The employee is redeployed to a different job preferably within the original department, or to another department.
- 3.4 In rare circumstances, the employee is unable to be redeployed within the University and as a last resort - employment is ceased on the grounds of ill health. If this occurs the University will provide assistance to explore other options for the employee.
- 3.5 The University is committed to providing effective rehabilitation programs with the following objectives:
- rehabilitation is normal practice and an expectation within this workplace
  - rehabilitation commences as soon as practicable after the injury/illness, in accordance with medical advice and approval from the employee's medical practitioner
  - ensure appropriate suitable duties are made available for injured/ill employees to facilitate their safe and early return to work - these duties must be consistent with current medical advice and will be time limited
  - ensure the confidentiality of the employee's medical and rehabilitation information is maintained
  - a team approach to rehabilitation is used, with cooperation, consultation and confidentiality being key requirements for all persons involved, and
  - injured/ill employees are not disadvantaged by participating in workplace rehabilitation.
- 3.6 The University provides relevant workers' compensation cover for employees in their respective State. Worker's compensation and workplace rehabilitation will be provided as per the respective State's legislation.

## 4 PROCEDURE

### Workplace rehabilitation for work-related injury/illness

#### Incident reporting

- 4.1 University employees must, in accordance with the [Incident and Hazard Reporting and Investigation Procedure](#), report any workplace incident and/or injury to their supervisor as soon as practicably possible.
- 4.2 Details regarding the incident and/or injury must be lodged via the [Report an Incident Form](#) within three working days after the event.

#### Workers compensation

- 4.3 University employees who sustain a work-related injury may lodge a workers compensation insurance claim to cover reasonable and necessary costs associated with their injury. Workers Compensation Insurance schemes differ in each Australian state/territory.
- 4.4 As the process associated with lodging, managing and determining a claim vary from state to state, the Safety and Wellbeing Team will be in contact to discuss how a claim can be lodged, following notification of an incident/injury occurring via the [Report an Incident Form](#).
- 4.5 Employees must obtain a worker's compensation medical certificate from their treating medical practitioner if they intend to claim for workers compensation.

#### Rehabilitation and return to work

- 4.6 The University will liaise with the relevant workers' compensation insurer regarding the development and maintenance of a rehabilitation and return to work plan in consultation with the treating medical practitioner. The plan, and any amendments, must be consistent with the employee's capacity, the current medical certificate/report and must take into consideration the needs of the business area.

- 4.7 Medical information relating to the employee's injury will be required to enable the University to provide workplace rehabilitation. The intention of collecting medical information is to determine the impact of the injury on the employee's ability to undertake their role and to remain safe throughout their workplace rehabilitation. In some cases, employees may be asked to give authority to the Senior Rehabilitation and Wellbeing Adviser to discuss with or request additional medical information from their treating medical practitioner related to workplace rehabilitation.

#### **Payment of wages**

- 4.8 Payment of wages for accepted workers' compensation claims will be paid in accordance with the advice received from the relevant workers compensation insurer for that state/territory.
- 4.9 Employees may use sick or other accrued leave to cover any time off required while the claim is being determined. Upon acceptance of a claim, leave will be reimbursed as per the insurers advise.
- 4.10 In most cases, where a claim is accepted, the University will continue to pay the employee direct and seek reimbursement from the relevant insurer. In other cases, the University may request that the insurer pay the weekly compensation benefits directly to the employee.

#### **Funding for rehabilitation**

- 4.11 Costs for treatment/rehabilitation for accepted workers compensation claims will be paid by the insurer in accordance with the relevant workers compensation legislation for that state/territory.
- 4.12 In some cases, it may be desirable for the University to meet limited medical/rehabilitation expenses prior to the claim being accepted by the workers compensation insurer. This will be at the discretion of the supervisor/manager or the relevant head of business area.
- 4.13 Costs associated with the provision of equipment or training that may be considered desirable to assist with workplace rehabilitation and which is not covered by the relevant workers compensation insurer, may be funded by the divisional area, at the discretion of the supervisor/manager or the relevant head of business area.

### **Workplace rehabilitation for non work-related injury/illness**

#### **Rehabilitation and return to work**

- 4.14 In cases of non work-related injury or illness, workplace rehabilitation may be provided to employees at the discretion of the Safety and Wellbeing Team, and in co-operation with the injured/ill employee and their supervisor/manager. This particularly applies to employees who have been, or are likely to be:
- absent from work for an extended period of time
  - are unable to perform their inherent work tasks as a result of an injury/illness
  - are on reduced work hours because of their injury/illness
  - decide not to proceed with a workers compensation claim
  - workers compensation claim has been denied or finalised and the employee has not yet returned to pre-injury duties, or
  - possible cessation of superannuation temporary incapacity benefits.
- 4.15 In these cases, the Senior Rehabilitation and Wellbeing Adviser must be notified by either the supervisor/manager or employee.

#### **Medical information**

- 4.16 Medical information related to the employee's injury/illness will be required to enable the University to provide workplace rehabilitation for non work-related conditions. The intention of collecting medical information is to determine the impact of the injury on the employee's ability to undertake their role and to remain safe throughout their workplace rehabilitation. In some cases, employees may be asked to sign an

authority for the Senior Rehabilitation and Wellbeing Adviser to discuss with or request additional medical information from their treating medical practitioner related to workplace rehabilitation.

- 4.17 Where an employee elects not to provide a signed authority, they will be asked to consult with their treating medical practitioner for review and completion of relevant paperwork to assist with the workplace rehabilitation process. This medical consultation will be at the employee's expense.

### **Payment of wages**

- 4.18 The University will pay the injured/ill employee for actual hours worked. With approval of their supervisor/manager, the employee may use accrued sick, annual or long service leave to supplement the hours worked. Use of sick, annual or long service leave will be used in accordance with leave provisions as detailed in the [Central Queensland University Enterprise Agreement 2017](#).
- 4.19 Injured/ill employees may also be eligible for benefits through their superannuation fund.

### **Funding for rehabilitation**

- 4.20 Costs required for treatment/rehabilitation will be at the employees own expense.
- 4.21 In some cases, the employee may be asked to attend an independent medical assessment before and/or during the workplace rehabilitation. Costs associated with this assessment will be met by the employee's business area.

### **Participation in workplace rehabilitation**

- 4.22 Where an employee with a non-work related injury fails to participate in workplace rehabilitation, the University has the right to suspend or terminate the workplace rehabilitation until the employee is able to return to their normal duties. Examples of failure to participate includes the refusal to provide adequate medical information, not adhering to medical advice and/or their workplace rehabilitation plan/recommendations. If the workplace rehabilitation is suspended or terminated, the employee is to use accrued leave entitlement or benefits from their superannuation fund (if applicable) until they are able to resume normal work duties.
- 4.23 This may also be the case where there is no significant progress being made by the employee during the workplace rehabilitation process. Concerns will be discussed with the employee and the University may request further information from the treating medical practitioner to enable the University to re-evaluate the ability to provide ongoing workplace rehabilitation.
- 4.24 In some instances, prior to returning to pre-injury duties, the employee may be required to provide a full medical clearance certificate form their treating medical practitioner.

### **Grievance procedures**

- 4.25 If an injured/ill employee is unhappy with a decision made at the workplace regarding their rehabilitation, they can raise the matter with the Senior Rehabilitation and Wellbeing Adviser and if necessary, the Safety and Wellbeing Manager.
- 4.26 For workers compensation claims, if the ill/injured employee or the employer is unhappy with the decision made by the relevant workers compensation insurer regarding the claim lodged, a review of the decision can be lodged with appropriate workers compensation Regulator in that state/territory. Strict time frames apply.
- 4.27 For non-workers compensation injury/illness the grievance procedure is outlined in the Enterprise Agreement.

### **Redeployment**

- 4.28 Where the ill/injured employee is unable to return to their substantive position as a result of the illness or injury, redeployment options will be considered where practicable in accordance with workers' compensation legislation (if applicable) and the Enterprise Agreement.

## Termination of employment on the grounds of ill health

- 4.29 When the ill/injured employee's capacity to perform their duties is in doubt, and the employee cannot be redeployed, termination on medical grounds may be pursued in accordance with workers compensation legislation (if applicable) and the Enterprise Agreement.

## 5 RESPONSIBILITIES

### Roles and responsibilities

#### Injured/ill employee

- 5.1 An injured/ill employee has the rights and responsibilities to:

##### Rights:

- apply for workers' compensation in accordance with the WorkCover Queensland's [Workers' Compensation and Return to Work](#) process
- choose their own treating medical practitioner
- authorise the Senior Rehabilitation and Wellbeing Adviser to contact the employee's treating medical practitioner and/or other health professionals for advice on suitable duties and other rehabilitation strategies
- confidential, safe keeping of workers' compensation and rehabilitation information relating to their injury/illness
- be provided with suitable duties, if practicable
- be consulted in the development of a suitable duties plan
- union representation if so desired
- access to an impartial grievance mechanism, via the University's Grievance Resolution Procedures detailed in the Enterprise Agreement, and
- ask the Workers' Compensation Regulator for a review of certain insurer's decisions with which they do not agree.

##### Responsibilities:

- notify their supervisor of the existence of any injury/illness which may cause long term absence or require adjustments to the workplace or work practices
- provide medical certification for absences/treatment, including a workers' compensation medical certificate if subject to a workers' compensation claim
- advise their treating medical practitioner of the availability of workplace rehabilitation
- have their treating medical practitioner complete the Work Capabilities Checklist (if required) or provide advice to the Senior Rehabilitation and Wellbeing Adviser to assist with their rehabilitation
- actively participate in workplace rehabilitation, and
- maintain relevant communication with the Senior Rehabilitation and Wellbeing Adviser and their supervisor/manager.

#### Supervisor/manager

- 5.2 The supervisor/manager will:

- discuss with the injured/ill employee whether assistance is required in the return to work process. If assistance is required, and with consent of the employee, the supervisor/manager will notify the Senior Rehabilitation and Wellbeing Adviser as soon as possible of the employee's injury/illness
- actively assist the Senior Rehabilitation and Wellbeing Adviser in identifying and coordinating suitable duties

- support reasonable adjustment within the workplace to enable successful implementation of the suitable duties plan
- monitor the injured/ill employee's progress in relation to suitable duties
- offer support and encouragement to the injured/ill employee during workplace rehabilitation, and
- maintain confidentiality regarding any personal medical information and liaise with the employee regarding how best to communicate relevant details regarding their workplace rehabilitation to team members. e.g. reduced hours or altered tasks.

### **Senior Rehabilitation and Wellbeing Adviser**

5.3 The Senior Rehabilitation and Wellbeing Adviser will:

- ensure an efficient system exists for early reporting of injuries to enable early contact and intervention with the injured/ill employee to clarify the nature and severity of the injury and rehabilitation required
- comply with the employer's duty to report the injury to the insurer and to ensure confidentiality of information received
- where a workers compensation claim has been lodged, liaise with the insurers about the injured/ill employee's progress and suitable duties plans, including actual hours worked
- develop, coordinate and monitor workplace rehabilitation strategies for injured/ill employees, including developing suitable duties/return to work plans in consultation with the injured/ill employee ensuring consistency with the current medical certificate/report from treating medical practitioners
- educate employees about workplace rehabilitation and what to expect when an injury occurs
- where possible, ensure rehabilitation for employees is coordinated with and understood by supervisors/managers and co-workers
- promote an internal culture of acceptance of workplace rehabilitation
- promote the University's workplace rehabilitation externally to treating medical practitioners so as to build a good working relationship and gain their trust and assistance, and
- provide injured/ill employees with the opportunity to give feedback on the rehabilitation system, to document this feedback and implement improvements where identified.

### **Co-workers**

5.4 Co-workers will:

- offer support and encouragement to injured/ill employee, and
- be informed about their co-worker's workplace rehabilitation only as needed and as it relates to work.

### **Compliance, monitoring and review**

5.5 The Director People and Culture is responsible for implementing, monitoring, reviewing and ensuring compliance with this policy and procedure.

5.6 *The [Workers' Compensation and Rehabilitation Act 2003](#) (Qld) requires this procedure to be reviewed at least every three years.*

### **Reporting**

5.7 No additional reporting is required.

### **Records management**

5.8 Employees must manage records in accordance with the [Records Management Policy and Procedure](#). This includes retaining these records in a recognised University recordkeeping information system.

- 5.9 University records must be retained for the minimum periods specified in the relevant [Retention and Disposal Schedule](#). Before disposing of any records, approval must be sought from the Records and Privacy Team (email [records@cqu.edu.au](mailto:records@cqu.edu.au)).
- 5.10 The Senior Rehabilitation and Wellbeing Adviser will keep an electronic file on employees undergoing workplace rehabilitation. The Senior Rehabilitation and Wellbeing Adviser will also keep accurate and objective case notes as part of the electronic file. This electronic file will remain protected and available only to approved employees.

## 6 DEFINITIONS

- 6.1 Terms not defined in this document may be in the University [glossary](#).
- 6.2 Other definitions in relation to rehabilitation can be located in the respective legislative documentation (e.g. Acts, Regulations, etc.)

### Terms and definitions

**Head of business area** – the Dean of School, Director of a business area, or equivalent position. This does not include Directors of Research Institutes or Centres.

## 7 RELATED LEGISLATION AND DOCUMENTS

[Anti-Discrimination Act 1991](#) (Qld)

[Central Queensland University Enterprise Agreement 2017](#)

[Incident and Hazard Reporting and Investigation Procedure](#)

[Industrial Relations Act 1996](#) (NSW)

[Industrial Relations Act 2016](#) (Qld)

[Leave Procedure](#)

[Return to Work Act 2014](#) (SA)

[Return to Work Regulations 2015](#) (SA)

Work Capabilities Checklist (provided by Safety and Wellbeing Team if required)

[Work Health and Safety Act 2011](#) (Qld)

[Work Health and Safety Regulation 2011](#) (Qld)

[Workers Compensation Act 1987](#) (NSW)

[Workers Compensation Amendment Act 2015](#) (NSW)

[Workers' Compensation and Injury Management Act 1981](#) (WA)

[Workers' Compensation and Rehabilitation Act 2003](#) (Qld)

[Workers Compensation Regulation 2016](#) (NSW)

[Workers' Compensation \(Common Law Proceedings\) Act 2004](#) (WA)

[Workers' Compensation and Rehabilitation \(QOTE\) Notice 2021](#) (Qld)

[Workers' Compensation and Rehabilitation Act 1981](#) (WA)

[Workers' Compensation and Rehabilitation Regulation 2014](#) (Qld)

[Workers' Compensation and Return to Work](#) process

[Workplace Injury Management and Workers Compensation Act 1998](#) (NSW)

[Workplace Injury Rehabilitation and Compensation Act 2013](#) (Vic)

## 8 FEEDBACK

8.1 Feedback about this document can be emailed to [policy@cqu.edu.au](mailto:policy@cqu.edu.au).

## 9 APPROVAL AND REVIEW DETAILS

Approval and Review	Details
Approval Authority	Vice-Chancellor and President
Delegated Approval Authority	N/A
Advisory Committee	N/A
Required Consultation	Joint Consultative Committee
Administrator	Director People and Culture
Next Review Date	09/06/2025

Approval and Amendment History	Details
Original Approval Authority and Date	16/03/2016
Amendment Authority and Date	Vice-Chancellor and President 16/03/2018; Editorial amendment 09/12/2020; Vice-Chancellor and President 09/06/2022.
Notes	