Workers' Compensation and Rehabilitation Procedure

Section 1 - Purpose and Scope

(1) This Procedure defines how work rehabilitation[*] and suitable duties programs are developed, implemented and monitored at The University of Queensland (UQ) to ensure that UQ complies with its obligations as a self-insurer and employer under the Workers' Compensation and Rehabilitation Act 2003 (the Act).

(2) This Procedure should be read in conjunction with the Workers' Compensation and Rehabilitation Policy.

(3) This Procedure applies to all parties involved in the management of a UQ staff compensation claim, including:

a. UQ employees who have sustained a work-related injury or illness that has been assessed and accepted by UQ as a workers' compensation claim;
b. the supervisor or manager of a UQ employee making a workers' compensation claim;
c. UQ's Workplace Injury Management unit and employees within UQ's Health, Safety and Wellness Division; and
d. UQ's return to work coordinator and external health professionals involved in the rehabilitation process of UQ employees.

(4) This Procedure is not applicable to UQ contractors, students, volunteers or visitors.

> *UQ also facilitates work rehabilitation for staff with non compensable injuries, as would be managed by an appropriate UQ appointee (e.g. HR) in consultation with the treating practitioner.

Section 2 - Process and Key Controls

(5) UQ employees who are injured at work, or whilst traveling to or from work, may lodge a workers' compensation claim with UQ.

(6) The Workplace Injury Management unit (WIM) within the Health, Safety and Wellness Division assesses all claims and makes a determination in accordance with provisions of the Act.

(7) WIM manages accepted claims and liaises with the employee, supervisor and rehabilitation providers to ensure that the injured employee receives appropriate medical treatment, work rehabilitation, return to work support and any payments in accordance with provisions of the Act.

(8) WIM may cease a claim when:

a. the employee has made sufficient recovery and progress to be deemed fit to return to full duties and no longer requires treatment; or
b. it determines that the employee no longer suffers a work related injury or that they have reached maximum improvement.

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Section 3 - Key Requirements

Workers' Compensation Claims and Assessment

(9) UQ employees should report any injury or illness arising from workplace activities in accordance with the Health and Safety Incident and Hazard Reporting Procedure (UQSafe-Incident), and may also consider applying for a workers' compensation claim. If a UQ employee attends a doctor's appointment and is issued a workers' compensation medical certificate in relation to the injury, they should complete the Application for Workers' Compensation and Forms 1 to 4 (available under the Associated Information tab), attach the workers' compensation medical certificate and return to WIM promptly to enable a claims decision to be made early.

(10) WIM determines whether an Application for Workers' Compensation claim for an injury or illness meets the legislative requirements for the acceptance of a claim. UQ employees are required to participate and cooperate with WIM to assist with their decision making process for claims liability under the Act.

(11) WIM must consider provision of work rehabilitation and suitable duties for a UQ employee with an accepted statutory claim and for a UQ employee with a notice of claim for common law damages.

(12) WIM must ensure that an employee with a compensable injury or illness is provided with appropriate treatment by registered health practitioners and is provided with approved aids or equipment.

Work Rehabilitation

(13) Work rehabilitation aims to maintain the affected employee in their job without time off or, in cases where time off work is required, return the employee to work on suitable duties as early as possible.

(14) UQ will manage work rehabilitation cases through:

a. ongoing, close management of a claim within the provisions of the Act;
b. arranging early treatment from relevant registered health practitioners (e.g. physiotherapist, podiatrist and dentist) or provision of approved aids or equipment; and
c. providing a suitable duties program, where considered necessary, often consisting of a graded program of work duties and hours.

Suitable Duties

(15) WIM manages suitable duties programs for employees with a compensable injury or illness that affects their ability to perform their original duties. Suitable duties programs will be based upon each employee's requirements as approved by their treating doctor and align with UQ's hierarchy of return to work principles as outlined in the Workers' Compensation and Rehabilitation Policy. The employee's treating doctor must approve work rehabilitation activities and the suitable duties plan, with input from other treating health professionals as sought.

(16) In managing its suitable duties program responsibilities, WIM may:

a. engage the UQ return to work coordinator (RTWC) or an external rehabilitation professional to assess the injured employee's capacity to participate in a suitable duties program. The RTWC or rehabilitation professional will:
    i. develop, monitor and review the suitable duties program in consultation with the injured employee, the treating doctor, and the employee's manager or supervisor; and
    ii. ensure that the suitable duties program is consistent with current medical and functional information that relates to the compensable injury.

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b. consider temporary placement of the injured employee in an alternative business unit for the purpose of meeting suitable duties and return to work needs. The local business unit pays wages for the hours worked.

(17) When the suitable duties program involves a graduated schedule of hours, the local business unit pays the injured employee's wages for the hours worked, with supplementary payment from WIM.

(18) Formal review of the suitable duties program, its suitability for the injured employee's needs and reasonable progress may be conducted by an independent medical specialist under the Act.

Section 4 - Roles, Responsibilities and Accountabilities

UQ Employees

(19) UQ employees must comply with this Procedure when making a workers' compensation claim and participating in rehabilitation and suitable duties programs. UQ employees must also cooperate with WIM in its management of workers' compensation and rehabilitation at UQ, including but not limited to:

a. notifying WIM of any material changes of condition or treatment;
b. taking reasonable steps to ensure recovery from the compensable injury or illness;
c. advising their supervisor and WIM immediately if their condition worsens;
d. ceasing any task that may have adversely affected their condition and report this immediately to their supervisor or WIM; and
e. attending any medical examination arranged by UQ for the purpose of assessing or reviewing their condition.

Workplace Injury Management Unit (WIM)

(20) WIM manages UQ's workers' compensation and rehabilitation responsibilities, and its overarching role is to ensure that timely and accurate liability decisions are made and optimal work rehabilitation outcomes for all parties are reached.

(21) WIM is responsible for managing regulatory compliance, claims services and coordinating the development and maintenance of a rehabilitation and suitable duties program in consultation with the affected employee, employer, medical providers and allied health professionals under UQ's accredited return to work program.

(22) WIM will ensure that employees are advised of their rights of review. Where a workers' compensation claim is either not accepted or ceased, the employee will be provided with reasons for this decision in writing. A review of the decision can be requested from the workers' compensation regulator. If the employee is dissatisfied with the regulator's decision, further review can be requested to be heard and decided by the Industrial Relations Commission.

Return to Work Coordinator or External Rehabilitation Professional

(23) The Ergonomics and Rehabilitation Advisor within the Health, Safety and Wellness Division is appointed as UQ's return to work coordinator and provides guidance and support for suitable duties programs when required.

(24) WIM may engage an external rehabilitation professional to assess the injured worker's capacity to participate in a suitable duties program and if appropriate, develop and monitor the suitable duties program in consultation with the affected employee, supervisor and medical provider.

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Supervisors and Managers

(25) The injured employee's supervisor or manager must work collaboratively with WIM and the return to work coordinator to ensure that all feasible strategies are in place for the employee's suitable duties plan and return to work program, including monitoring their arrangements daily.

Section 5 - Monitoring, Review and Assurance

Periodic Reviews

(26) The Health, Safety and Wellness Division is responsible for reviewing this Procedure as required to ensure that it remains accurate and relevant to the needs of UQ.

(27) The WIM unit:

a. reviews the system of work rehabilitation and suitable duties in consultation with all relevant parties and ensures that return to work outcomes are considered within the review;
b. monitors claim liabilities, costs, durations and reasonableness of treatment provided, and where required, requests specialist opinion to determine treatment and claims strategy; and
c. conducts formal mid-plan and end-of-plan review of suitable duties in consultation with the treating doctor, return to work coordinator or rehabilitation professional and injured employee. Formal review may also occur when rehabilitation needs have changed sufficiently to justify a change in the plan or when rate of progress is less than documented within the plan.

(28) The return to work coordinator or external rehabilitation professional:

a. conducts scheduled regular review of work rehabilitation and suitable duties progress in consultation with WIM, the injured employee, supervisor or manager and treating doctor.

Complaints Management

(29) All complaints regarding WIM and/or the appointed rehabilitation and return to work coordinators are to be directed to the WIM Manager in the first instance:

a. Phone: (07) 3365 6022
b. Email: wimteam@uq.edu.au
c. Post: The Manager, Workplace Injury Management unit, Level 6, Building 69, University of Queensland, St Lucia QLD 4072.

(30) A response to the complaint will be made in the first instance within 14 days of receipt of the complaint. WIM will explain actions, processes and reasoning and will remedy any agreed inadequacies – however WIM may not be able to comment in depth on claims-related issues which are subject to review by the Workers' Compensation Regulatory Services and/or legal appeal. Similarly, it may not be appropriate to comment on UQ management policies and interaction outside the direct workers' compensation process.

(31) If unresolved, complaints can be escalated to the Director of the Health, Safety and Wellness Division who oversees the Workplace Injury Management unit:

a. Phone: (07) 3365 2365
b. Email: hsw@uq.edu.au
c. Post: The Director, Health, Safety and Wellness Division, Level 6, Building 69, University of Queensland, St Lucia

QLD 4072

(32) If unresolved, the complaint can be directed to the Workers' Compensation Regulatory Services:

a. Phone: 1300 362 128
b. Website: Workers' Compensation Regulatory Services | WorkSafe.qld.gov.au
c. Post: Workers' Compensation Regulatory Services, PO Box 10119, Brisbane Qld 4000

Section 6 - Recording and Reporting

(33) WIM oversees all of UQ's recording and reporting activities in relation to workers' compensation and rehabilitation, including:

a. regular reports to UQ Senior Management and the University Senior Executive Team regarding claims liability, management and rehabilitation processes; and
b. monthly reports to the Workers' Compensation Regulator regarding claims details and return to work outcomes.

(34) The return to work coordinator or external rehabilitation professional:

a. reports progress updates and suitable duties outcomes to WIM, the injured employee, their supervisor or manager, and the treating doctor; and
b. records work rehabilitation progress notes, work rehabilitation and suitable duties plans.

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