Stephen Edwards CONSTRUCTIONS

Return to Work Program.

stephenedwards.com.au

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Leadership and Commitment

Stephen Edwards Constructions Pty Ltd (SEC) is committed to ensuring the occupational rehabilitation and compensation issues of its workers are managed swiftly and effectively to achieve prompt and long-term return to work. SEC is also committed to:

- Providing a safe and healthy working environment for all workers.
- Promoting a positive attitude toward workers compensation claims and recovery at work.
- Returning an injured worker to work as soon as practicable (subject to medical recommendations).
- Commencing the workplace rehabilitation process as soon as practicable for injured workers who have capacity for some type of employment.
- Providing early access to rehabilitation services for workers who require them.
- Maintaining the confidentiality of records in accordance with privacy provisions.
- Making all reasonable efforts to accommodate a request for permanently modified duties / employment for an injured worker with suitable employment that is, as far as reasonably practicable, the same as, or equivalent to, the pre-injury employment.
- Ensuring that any vocational retraining is reasonably likely to lead to suitable employment for the worker.

Obligations

SEC recognises its obligations to have a Return to Work (RTW) program, Recovery at Work (RaW) plan, policies and procedures under the following Acts:

- Work Health and Safety Act 2011
- Work Health and Safety Regulation 2017
- Workplace Injury Management and Workers Compensation Act 1998 Ac

Relating Policies and procedures

This RTW program should be read in connection with the following SEC policies and procedures:

- Work Health and Safety Policy
- Mental Health and Wellbeing Policy
- Rehabilitation Policy
- Consultation Policy
- Mental Health and Wellbeing Procedure
- Dispute Resolution Procedure

Communication and Training

This RTW program has been developed as a commitment that SEC will foster a positive culture and promote recovery at work through:

- Educating the workforce about the RTW Program and the process of early notification of all injuries.
- Educating workers, managers and supervisors about the health benefits of recovering at work.
- Educating the workforce of the mental health benefits of workers recovering through meaningful work.
- Consulting with workers, and any industrial union (where applicable), when developing and reviewing this RTW program.

Methods of Consultation

The methods of consultation include, however, are not limited to:

- Direct written or verbal dialogue between managers, workers and workers representatives (primary method).
- At company inductions and via the employee handbook.
- At fortnightly construction division meetings and site toolbox talks.
- Via monthly statistical reports.
- Via the Work Health and Safety Committee or Health and Safety Representatives.
- By other agreed arrangements at specific worksites.

Workplace Arrangements

The designated RTW Coordinator for SEC is**: Paul Homan 0424 236 060 phoman@stephenedwards.com.au**

The RTW Coordinator details along with EML's details, are displayed on the site noticeboard in the form of Appendix 2. The RTW Coordinator is SEC's QHSE Manager and has authority to negotiate, develop and implement the activities within this RTW Program. The RTW Coordinator has the support of Senior Management and will be provided with the resources needed to successfully manage RTW matters. The RTW Coordinators' qualifications are retained within SEC's database.

In the event that the RTW Coordinator is unavailable, the secondary RTW point of contact is:

Ryan Tompkins 0476 143 394 rtompkins@stephenedwards.com.au

The following accredited **rehabilitation provider** is available to assist with the rehabilitation of workers who suffer a workplace injury / illness.

Benchmark Rehab, Suite 208, 32 Delhi Road, Macquarie Park, 1300 262 750

Alternatively, the injured worker may nominate their preferred rehabilitation provider

The following **medical practice** is available to assist with the medical treatment of workers who suffer a workplace injury / illness.

InjuryCare, 42 Hill Street, Cabramatta, 1300 375 426

Alternatively, the injured worker may nominate their preferred medical practice.

RTW Coordinator Roles & Responsibilities

The RTW Coordinator for SEC has undergone relevant RTW Coordinators training and will be responsible for:

- Promoting the health benefits of good work to the workforce.
- Keeping injury and recover at work statistics.
- Contributing to the improvement of relevant policies and procedures.
- Notifying Employers Mutual Limited (EML) either online or by phone within 48 hours of becoming aware that a SEC worker has received a workplace injury, this will apply to all injuries.
- The prompt establishment of RTW arrangements with the worker by advising them of the steps in the RTW Program, the workers' rights, obligations and dispute processes.
- Coordinating the worker's recovery at work, including identifying suitable work opportunities.
- Developing, implementing and updating the RaW Plan in consultation with the injured worker, EML, the supervisor, the NTD, the rehabilitation provider and any other member of the support team. The RaW plan will be centred around the restrictions and advice in the NTD's Certificate of Capacity.
- Acting as the focal point for support and liaison between the injured worker, SEC, the insurer, treatment providers, and any other relevant parties and maintaining regular communication with the injured worker and other relevant parties throughout the term of the injury recovery process.
- Obtaining consent for exchange of information between the injured worker and support team regarding the workers injury and ensuring the injured worker is aware of the support they are entitled to from SEC.
- Management of confidential information or records associated with the injury by ensuring these documents are stored in a secure location where access is restricted to the RTW Coordinator and selected senior management staff (if applicable).
- Supporting the redeployment of workers (internally or externally) into suitable work, when they cannot return to their pre-injury duties
- Ensuring continuity of wages payments.

Weekly payments will continue to be made and calculated in accordance with legislative requirements and in consultation with EML.

Rights and Obligations

The RTW Coordinator will inform workers of their rights and obligations as follows.

Workers are obliged to:

- Notify their employer as soon as possible after a work-related injury occurs.
- Participate and cooperate in establishing a RaW Plan.
- Carry out the actions such a plan requires of them.
- Authorise their nominated treating doctor (NTD) to provide relevant information to their insurer or employer using the certificate of capacity, claim form or other form of authority.
- Make all reasonable efforts to recover at work.

Workers have the right to:

- Nominate their own treating doctor.
- Refuse or request a change in treating doctor.
- Employment that is both suitable and, so far as reasonably practicable, the same as or equivalent to their pre-injury employment.
- Be consulted and involved in identifying suitable work and developing their recover at work RaW Plan.
- Privacy and confidentiality.
- Access mechanisms for resolving complaints and disputes.

Workers protections:

- Protection against dismissal because of a work-related injury or illness within six months (or the length of any accident pay in the worker's award or agreement), after the worker first becomes unfit for employment.
- In the event the worker is dismissed because of a work-related injury at any stage in the claim, the worker may apply to SEC within two years to be reinstated.
- If SEC replaces the worker within two years of dismissing them, SEC will inform the replacement worker that the dismissed worker may be entitled to be reinstated to the role.

Additional Considerations and obligations of the support team:

- SEC's middle and senior management must promote a positive attitude towards the recovery at work process and assist in the support and recovery process where needed.
- Union representatives must promote a positive attitude towards the recovery at work process and assist in the support and recovery process where needed.
- Should the RTW Coordinator not satisfactorily follow their RTW roles and responsibilities they will be removed from the case and replaced by the secondary RTW point of contact.
- EML must follow the workers compensation guidelines.
- Failure of the worker to comply with a reasonable requirement of an IMP or RaW Plan may result in suspension of weekly benefits for injured workers, following written notification.
- Failure of an NTD to participate in the development of, or in the arrangements under an IMP or RAW Plan, will result in the request for the NTD to be changed and the development of a new plan.
- Failure by an worker to contact SEC and EML to discuss a change of treating doctor may result in medical costs not being paid.
- Failure of a rehabilitation provider to participate in the development of, or in the arrangements under an IMP or RAW Plan (if needed), will result in the request for the rehabilitation provider to be changed and the development of a new plan.
- Failure by SEC to comply with a requirement under an IMP or RaW Plan may result in a premium adjustment.

After an Incident

Trained first aid personnel and first aid equipment are provided on all SEC projects. The projects first aid and emergency arrangements are documented in the projects risk assessment and emergency response plan.

When an injury occurs:

- An injured worker must report the injury to their relevant Manager (typically Site Manager) as soon as possible after sustaining the injury.
- The relevant Manager (typically Site Manager) must report incidents / injuries to the Project Manager, who then must report the injury to the RTW Coordinator.
- In the event the injured worker is not a SEC employee, the Project Manager must contact the injured worker's management and inform them of the incident and their obligations associated with getting the injured worker back to work.
- The relevant Manager (typically Site Manager) will be responsible for ensuring the injured worker receives first aid and if required, referral for treatment by a doctor or medical practitioner as soon as possible.
- The Site Manager must complete an incident report through the online safety management platform (Hammertech) to register details of all work-related injuries or illnesses, whether or not they result in a workers compensation claim.
- Workers will be informed of about this notification process, report and register during inductions.

If there is a Notifiable Incident "serious injury or illness, a death or a dangerous incident", as defined by SafeWork NSW, then SafeWork NSW will be notified immediately on 13 10 50 by the RTW Coordinator or other management representative. (For definitions see SafeWork NSW website - www.safework.nsw.gov.au

- Any notification to SafeWork NSW will be recorded in the incident report using the notification reference number.
- If the injured worker is referred for treatment by a doctor or has been provided medical assistance, the Project Manager must follow up with the injured worker to determine the status of the workers injury or illness and the likelihood of time off or medical expenses being incurred.
- In the case of injured SEC worker, the RTW Coordinator will notify EML either online or by phone within 48 hours after becoming aware that a worker has received a workplace injury, this will apply to all injuries.
- SEC will also obtain the injured workers informed consent (see Appendix 1) to gather and exchange information regarding their injury and recovery at work with the injured worker's support team.
- SEC's RTW Coordinator, the injured worker and where practicable, the NTD will be contacted by EML within three (3) working days of being notified of a significant injury to establish a RaW Plan and / or IMP if relevant.

Support for the Worker

When a worker is injured, SEC recognises that a speedy and successful return to work, is through understanding a worker's situation and providing consultation and support during the recovery term.

SEC will maintain positive and effective communication with workers and the RTW team in the following ways:

- By communicating with and supporting the injured worker at the time of injury and / or immediately thereafter, then at regular intervals as specified in the RaW Plan or at such other times as may be relevant to the individual circumstance.
- By assisting EML with the development and implementation of the IMP.
- Via consultation between SEC's RTW Coordinator, the worker, the NTD or other medical practitioners, the supervisor and other support workers (if applicable) as to rights and obligations, arrangements for the RaW Plan on suitable duties and on the general conduct of RTW activities, policies and procedures.
- By providing an interpreter when the injured worker is of a non-English speaking background.
- By managing the following steps with the involvement of SEC's Payroll Administrator:
    - Advising the insurer of the injured worker's pre-injury average weekly earnings (PIAWE).
    - Ensuring the weekly payments are prompt and correct.
    - Passing payments on to the worker as soon as practicable after receiving them for the insurer.

- By advising the worker of dispute resolution mechanisms.
- By advising the worker of the consent to release and exchange information process about a worker's recovery at work. This includes:
    - What kind of information will be exchanged.
    - Who is authorised to exchange this information.
    - How the worker will be informed of the benefits of information exchange and their associated rights, obligations and potential implications for recovery at work when consent is not given.

SEC understands that they must not refuse or delay passing on entitlements to a worker and that a penalty may be incurred if this requirement is breached.

Recovery at Work

SEC will offer suitable full-time or part-time employment for workers with the capacity to recover at work, as far as reasonably practicable. This work will be consistent with medical advice and appropriate for the worker's physical and psychological condition. It may include parts of the same job, the same job with different hours or modified duties, a different job at the same or a different workplace, training opportunities or a combination of these. SEC will provide suitable work, where reasonably practicable, even when a claim is in dispute.

When and if the worker is, according to medical judgement, fit to return to work on suitable duties, the RTW Coordinator will discuss with the worker, the NTD, EML and / or rehabilitation provider, whether suitable duties could reasonably be found at this workplace and, if not, what other options are available.

The RTW coordinator, in consultation with the relevant project and senior manager, will be responsible for identifying suitable work. This process will involve:

- Assessing the work environment and activities for suitability.
- Consulting with the worker on the suitable work identified.
- Confirm the suitable duties in writing once agreement is reached, through the development of a RaW Plan.

If there are difficulties identifying suitable duties in our workplace to accommodate the worker's capacity, EML will be contacted to arrange a workplace assessment by a workplace rehabilitation provider. The workplace assessment findings will be discussed with SEC, the workers NTD and the worker to help develop an appropriate RaW Plan. Should it be determined that no suitable work can be identified, the rehabilitation provider will take the lead in identifying opportunities for suitable work for the worker at an alternate workplace. This may include retraining to suit new job placements.

In the event there is dispute relating to the identified suitable work arrangements and the RaW Plan, SEC's dispute resolution procedure will be followed.

The RaW plan will be tailored to suit the specific worker and their capacity. The following will form part of the development of the RaW Plan:

- Including the worker in the development of the plan.
- What each plan should contain (worker and injury details, pre-injury duties and working hours, return to work goal, capacity restrictions [based on certificate of capacity], suitable duties and working hours)
- How the worker's appointments for treatment and rehabilitation will be managed.
- Who should have a copy of the plan (RTW Coordinator, worker, workers supervisor, NTD, EML and the rehabilitation provider [if required]).
- The timeframes for when the plan will be reviewed.
- How relevant parties of will be notified about changes to the plan.

Dispute Prevention and Resolution

By following this RTW program SEC will mitigate the chance of disputes arising. SEC will also maintain a positive, open- minded and accommodating approach to the injury management process.

Should a dispute arise, it will be resolved by consultation with the worker (and if applicable any union representing them), using SEC's dispute resolution procedure. SEC will also provide the worker with the following useful contacts. EML, being one of the contacts, will be available to provide the worker with the formal dispute mechanisms available through the workers compensation system.

- **SIRA Customer Service Centre**
    - Phone 13 74 72 or visit www.sira.nsw.gov.au
- **Independent Review Officer (IRO)**
    - Phone 13 94 76 or visit www.iro.nsw.gov.au
- **Personal Injury Commission (PIC)**
    - Phone 1800 742 679 or visit www.pi.nsw.gov.au
- **Employers Mutual Limited (EML)**
    - Phone 02 8251 9000 or visit info@eml.com.au

The industry association (Master Builders Association) may also be contacted for expert advice relating to potential industrial relations issues.

Administration

SEC are aware the legal obligations when collecting, using, and disclosing an individual's personal and health information.

Caution will be exercised when dealing with an individual's health information, including any medical advice or opinions about the person. Such information will only be collected and retained when necessary and will only be disclosed after careful consideration of applicable privacy principles, including whether the individual has consented to the disclosure. The Permission Form provided in Appendix 1, will be used for authority for obtaining and releasing personal information.

Confidentiality will be maintained when obtaining workers information, records will be filed separately on SEC's server and access will be restricted.

AUTHORITY FOR OBTAINING / RELEASING PERSONAL INFORMATION

Worker Details

Claim Number	Insurer

Given name(s)	Surname

Employer Details

Organisation

Contact name of RTW Coordinator	Position

Phone	Email

Worker's Declaration

I have discussed this consent form with my employer. I understand that any information collected will be kept in a confidential case file, with access restricted to those who are directly responsible for coordinating and monitoring my recovery at work.

I understand that my employer will:

- Only collect personal and health information that is relevant and necessary to manage my recovery at work and facilitate the workers compensation claim;
- Only use and disclose information for the purpose for which it was collected;
- Keep any information collected separate from my other personnel records;
- Take reasonable steps to protect my information by ensuring it is stored securely, kept no longer than necessary and disposed of appropriately;
- Allow me to access my information without unreasonable delay, unless providing access would be unlawful or pose a serious threat to another person's life or health.

Considering the above, I authorise _____ and consent to my employer collecting, using and disclosing personal and health information relevant to managing my recovery at work and workers' compensation claim with my support team identified below:

ROLE	INSERT SPECIFIC NAMES
Nominated Treating Doctor	
Allied Health Treatment Practitioner	
Workplace Rehabilitation Provider	
Other representative {specify}	
Other representative {specify}	

I understand my consent is voluntary and I may change or withdraw this consent at any time by notifying my employer.

Worker

Signature: Date: (DD/MM/YYYY)

Employer Representative

Signature: Date: (DD/MM/YYYY)

Interpreter

Signature: Date: (DD/MM/YYYY)

Name:

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Appendix 1
Permission Form.

AUTHORITY FOR OBTAINING / RELEASING PERSONAL INFORMATION

Worker Details

Claim Number	Insurer

Given name(s)	Surname

Employer Details

Organisation

Contact name of RTW Coordinator	Position

Phone	Email

Worker's Declaration

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Nominated Treating Doctor	
Allied Health Treatment Practitioner	
Workplace Rehabilitation Provider	
Other representative {specify}	
Other representative {specify}	

I understand my consent is voluntary and I may change or withdraw this consent at any time by notifying my employer.

Worker

Signature: Date: (DD/MM/YYYY)

Employer Representative

Signature: Date: (DD/MM/YYYY)

Interpreter

Signature: Date: (DD/MM/YYYY)

Name:

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Appendix 2
SEC - RTW Workplace Arrangements.

SIRA

If you get injured at work

1 Tell your employer

Tell your employer as soon as you can. Your employer must notify the insurer within 48 hours. If your injury is serious, your employer must notify SafeWork NSW immediately on 13 10 50.

2 See your doctor

See your doctor and get a **certificate of capacity** for your employer to send to the insurer.

3 Recover at work

If you are able, stay at work or plan how to return to work to help you get better sooner. Your employer is required to provide suitable work to help you recover.

You can make a workers compensation claim which may cover medical expenses, and weekly payments if you need time off work. Talk to your employer's insurer for more information.

EmployersMutualNSWLimited:Policy:56786016	0282519000
Your employer's workers compensation insurer	Contact
StephenEdwardsConstructions:PaulHoman	0424236060
Your employer or return to work coordinator	Contact

All employers must ensure information regarding notifying injuries and making claims is available to workers at all times under NSW legislation.
Visit sira.nsw.gov.au/theres-been-an-injury for more information or email contact@sira.nsw,gov.au or call 13 SIRA (13 74 72).

State Insurance Regulatory Authority

NSW GOVERNMENT

SIRA09181

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Stephen Edwards
CONSTRUCTIONS

stephenedwards.com.au

Stephen Edwards Constructions Pty Ltd
140 Wicks Road
Macquarie Park NSW 2113
T 02 9891 3099
Est **1979**.