

CHAPTER 1

MANAGEMENT OF IMPAIRMENT OR ABSENCE AS A RESULT OF INJURY OR ILLNESS

INTRODUCTION

1.1 Defence has a 'duty of care' under the *Occupational Health and Safety (Commonwealth Employment) Act 1991* (OHS (CE) Act) to provide and maintain a safe and healthy working environment for its employees. Accordingly, Defence will take all reasonably practicable steps to protect its employees from work related injuries but recognises that, even with the implementation of risk prevention measures, some injuries and illnesses may still occur.

1.2 This policy outlines the broad roles and responsibilities of Defence (Australian Public Service (APS)) employees and their supervisors/managers where there is impairment or absence due to injury or illness and includes information on:

- a. notification of an impairment or absence from injury or illness;
- b. early intervention;
- c. fitness for duty and return to work;
- d. claiming compensation and participating in rehabilitation; and
- e. invalidity retirement.

Note

This policy is not intended to provide comprehensive information in relation to Defence policies such as leave, salary or performance management. Information relating to these areas can be located in the relevant current policy.

SCOPE AND POLICY PRINCIPLES

1.3 Defence is committed to ensuring, so far as is reasonably practicable, that all its employees are safe from preventable injury and risk to health while they are at work. Defence further commits that if its employees are injured or ill, whether from a work related injury or not, it will provide quality assistance to facilitate an early and safe return to work through early and appropriate intervention. Through guidance material, this policy provides a comprehensive system for the management of the impairment or absence of employees due to injury or illness, in a manner that promotes the health and wellbeing of those employees.

1.4 The key principles of this policy are compliant with the following authoritative sources:

- a. *Safety, Rehabilitation and Compensation Act 1988* (SRC Act);
- b. Rehabilitation guidelines issued by Comcare under section 41 of the *Safety, Rehabilitation and Compensation Act 1988*;
- c. *Workplace Relations Act 1996*;
- d. *Defence Workplace Relations Manual* (DWRM);
- e. *Defence Safety Manual*, volume 1 (SAFETYMAN);
- f. *Public Service Act 1999* and Public Service Regulations 1999, Regulation 3.1 and 3.2; and
- g. *Defence Employees Certified Agreement 2004–2006* (the DECA).

POLICY IMPLEMENTATION

- 1.5** Implementation of this policy may be indicated by any or all of the following:
- a. reduced impact of occupational injury, illness and disease;
 - b. an increase in the morale of injured and impaired employees leading to improved, healthier and supportive workplaces;
 - c. stakeholders demonstrating an improved understanding and application of their roles and responsibilities in the processes;
 - d. a decrease in the rate of absenteeism because of effective management of impairment or absence of employees due to injury or illness; and
 - e. a decrease in lost time due to injury or illness.

ROLES AND RESPONSIBILITIES

Group Heads

- 1.6** Where there is impairment or absence because of injury or illness, Group heads have a responsibility to:
- a. provide leadership and vision;
 - b. ensure this policy is implemented within their Group and promulgate, as necessary, separate policies and procedures to address the specific needs of their Group;
 - c. ensure Commanders/Executives, supervisors and employees have access to appropriate information and are appropriately trained in all aspects of the minimum requirements for managing employees;
 - d. ensure Commanders/Executives, supervisors and employees have access to appropriate information on all aspects of the procurement, installation and use of office and workplace equipment and measures needed to assist in the management of employees; and
 - e. report to the Senior Leadership Group.

Managers and supervisors

- 1.7** All Senior Executives, managers and supervisors of APS employees in Defence (including Australian Defence Force (ADF) members) are responsible for putting the following principles into practice in their workplace:
- a. be fully conversant with, and uphold the principles and provisions of the 2004–2006 DECA and other supporting policy;
 - b. ensure workplace systems are in place and operational to assist in the effective management of impairment and absence due to illness or injury including:
 - (1) implementing and monitoring separate policies and procedures to address the specific needs of their Group where required;
 - (2) consulting with Rehabilitation and Medical Case Managers and employees to facilitate effective management of impairment and absence due to injury or illness; and
 - (3) where possible, develop and maintain intervention processes that help reduce the risk and/or severity of impairment and absence due to injury or illness, including providing suitable duties for ill/injured employees where required.
 - c. explain where people's work contribution fits in and the standard of work expected;

- d. communicate clearly, ensuring the message is understood, listening and responding appropriately;
- e. acknowledge the contribution of employees and take an interest in people as individuals;
- f. provide a supportive and equitable working environment where staff development is accessible to all; and
- g. regularly review work progress and workload, making adjustments to priorities and tasks as necessary within the resources provided.

Case Managers

1.8 Case Managers are responsible for providing support and advice to supervisors and managers in facilitating the early return to work of injured and ill employees, as follows:

- a. **Rehabilitation Case Manager (RCM).** The RCM will assist Defence in meeting its injury management obligations and responsibilities under both the SRC Act and related employment legislation. Their broad roles and responsibilities include:
 - (1) initiating, coordinating and monitoring the return to work and rehabilitation of injured or ill employees in consultation with all stakeholders (eg employees, managers and supervisors, rehabilitation providers);
 - (2) providing advice, assistance and professional guidance to managers, employees and other stakeholders regarding absence management; and
 - (3) under delegation from the Secretary, making decisions in relation to rehabilitation under the SRC Act.
- b. **Medical Case Manager (MCM).** The MCM will assist Defence in meeting its medical management obligations and responsibilities under the *Public Service Act 1999*, Workplace Relations Act and the relevant subordinate Defence employment agreements. Their broad roles and responsibilities include:
 - (1) coordinating medical examinations with health providers; and
 - (2) providing advice, assistance and professional guidance to managers, employees and other stakeholders regarding absence management, specifically as it relates to medical issues.

Employees

1.9 **Employees** have a responsibility to:

- a. contribute to activities that advance the goals of the work area and organisation through a flexible approach to work performance;
- b. be conversant with and uphold the provisions of this policy; and
- c. adhere to and promote the APS Values, Code of Conduct and Defence Values, and demonstrate behaviours consistent with the code and values.

OTHER RELATED MATERIAL

Defence

DWRM

Commonwealth Agencies/Comcare strategic partnership (available at <http://www.comcare.gov.au>)

Defence OHS Strategic Plan 2004–2006 (available from the OHSC Branch Intranet web site see <http://ohsc.defence.gov.au/>)

Employer Statement of Commitment between Defence/Comcare (2004)

Other

OHS (CE) Act
Privacy Act 1988
Administrative Appeals Tribunal Act 1975
Disability Discrimination Act 1992
Freedom of Information Act 1982
Superannuation Act 1976 (CSS)
Superannuation Act 1990 (PSS)
State and Territory Medical Board Guidelines on Medical Certificates

Annexes:

- A. [Glossary of Terms and Definitions](#)
- B. [Process for managing employee impairment or absence due to injury or illness](#)
- C. [Claiming workers' compensation](#)