



Employer's Guide

to Developing a Return to Work (RTW) Plan

Evidence suggests it is essential for the return to work process to commence promptly following workplace injury. The sooner open dialogue commences, the greater the likelihood of your worker successfully returning, where appropriate, to his/her normal job.

As an employer, the most important role you play in helping your worker return to work in a timely manner is to provide suitable duties. We know that with you supporting the worker's performance of suitable duties, recovery is hastened. Rehabilitation at the workplace with the intention of progressing to pre-injury duties can then occur as soon as it is safe to do so.

Developing the RTW Plan

A RTW Plan must be developed for all workers who are certified fit for suitable duties and have returned to work. However, even whilst the worker is certified unfit, it is recommended that suitable duties are considered in readiness for the worker's return. The RTW Plan can be developed by a trained return-to-work coordinator, or an accredited workplace rehabilitation provider in consultation with the worker and their nominated treating doctor (NTD).

The RTW Plan must be based on the current WorkCover Medical Certificate and capabilities outlined by the NTD.

When developing your injured worker's RTW Plan, consider the following:

- any special needs of the worker
- the personal circumstances of the worker which may impact on ability to perform suitable duties
- industrial issues within the worksite
- impact on the workload of other workers
- training required in suitable duties tasks.

You will find enclosed a CGU template of the Employer's RTW Plan. We have produced this pro-forma to assist you to develop the plan in consultation with your worker and his/her NTD.

You must provide CGU Workers Compensation with a copy of the most current RTW Plan

We also provide guidelines to assist you to develop the RTW Plan but if you require additional assistance, please contact your CGU Case Manager.

Some guidance to assist you develop the RTW Plan

1. Description of pre-injury duties

A list of the worker's pre-injury duties provides a clear picture of the goal of the RTW Plan. In selecting suitable duties, consider this list against the WorkCover Medical Certificate in the first instance, to determine what the worker is currently capable of performing.

List also the physical requirements for each duty or task, such as:

- weights to be lifted, pushed or transferred
- repetitions and durations for tasks
- postures adopted
- the environment and necessary personal protective equipment.

2. The worker's RTW goal

The goal of the return to work process in the first instance is for the worker to return to the duties he or she was performing prior to the workplace injury. The RTW goal should be determined in consultation with the worker and NTD to ensure all parties aim for the same goal.

If you require assistance with this consultation, please contact CGU

Once you, the worker and NTD agree on the goal, it is important to clarify the anticipated date by which it is expected the RTW goal will be achieved. If the worker or NTD are unable to comment on, or cannot commit to, a date when the worker can return to pre injury duties, please contact CGU to discuss.

The agreed RTW goal should be as specific as possible. For example, Mr Smith is to return to work on pre injury duties as a waiter in the XYZ Cafe.

3. Current medical certificate

It is important to ensure the worker is always covered by a current WorkCover Medical Certificate. The worker's RTW Plan must be developed, upgraded and reviewed in accordance with the review dates set on this certificate.

If the medical certificate is unclear, or the NTD's advice is not specific with regard to the worker's capabilities, we advise you to contact the NTD and seek clarification. In this situation, you might consider providing the doctor with your proposed RTW Plan outlining available suitable duties, for review and consideration.

Alternatively, a workplace representative could attend the next medical appointment with the worker to clarify which duties you can offer and discuss if the duties are appropriate.

The RTW Plan must include the worker's stated capabilities and working hours as per the current WorkCover Medical Certificate. The start and end date for the current certificate must also be clearly stated on the RTW Plan.

4. Suitable duties

As outlined in CGU's Injury Management Program, employers must comply with Section 49 of the 1998 Act, which requires that:

"An employer will provide suitable employment when an injured worker is able to return to work, either on a full time or part time basis."

Section 43A of the Workers Compensation Act (1987) defines suitable employment as:

"*Suitable duties* are employment in work for which the worker is suited, having regard to the following:

- the nature of the worker's incapacity and pre-injury employment
- the worker's age, education, skills and work experience
- the worker's place of residence
- the details given in the medical certificate supplied by the worker
- the provisions of any injury management plan for the worker
- the length of time the worker has been seeking suitable employment
- any other relevant circumstances
- they must not be demeaning in nature
- they must not be token in nature."



5. How you can identify suitable duties

We advise our employers to utilise the worker's WorkCover Medical Certificate as a starting point in developing a list of duties that might be suitable for your worker to perform.

Suitable duties may include:

- parts of the job the worker was doing before the injury
- the same job, but on reduced hours
- different duties all together or at a different site
- training opportunities
- a combination of some or all of the above.

To identify duties that may be suitable, consider the following questions:

- Can the pre injury duties be modified or redesigned?
- Can the work practices be changed?
- Can the worker work with a co-worker to complete a task?
- Can the worker perform all duties for reduced hours?
- Can the same job be performed in a different area/place?
- Can the worker supervise new staff?
- Can the worker learn new skills to complete other tasks?
- Are there any special projects with which the worker can assist?

Once you have identified suitable duties, list the duties on the RTW Plan detailing considerations based on medical capabilities and requirements as above.

All appropriate parties should be consulted in the development of, or changes to, suitable duties. Consultation on suitable duties should include, where applicable:

- the worker and his/her NTD
- the return to work co-ordinator (or employer's representative)
- the worker's line supervisors (usual and proposed)
- the Workplace Rehabilitation Provider (where involved)
- any industrial union representing the worker (current and potential).

6. Treatment arrangements

This is a list of the likely medical and treatment appointments the worker will attend during the period of this RTW Plan.

Detailing this information sets the worker's expectation of compliance with treatment, review of progress and scheduling for suitable duties and hours of work. Where possible the worker is to attend appointments outside of work hours or as negotiated with the supervisor.

7. Reviewing and monitoring the RTW Plan

The RTW Plan must indicate the person responsible for reviewing and monitoring the worker's return to work process.

We advise that:

- the worker is instructed to update the supervisor on a weekly basis as to progress, in line with the RTW Plan
- regular discussions occur with the worker about appropriate plan upgrades.

You should review the RTW Plan on a regular basis to ensure the worker progresses toward pre injury duties and does not remain on suitable duties for longer than necessary.

Plan upgrades should be in line with the worker's capabilities as indicated on the WorkCover Medical Certificate and could involve increased hours, the introduction of further suitable duties, as the worker's capacity increases.

At each review point, and in accordance with medical advice, consider if the RTW Plan can be upgraded.

If you and your worker agree the RTW Plan can be upgraded and the worker is capable of increasing hours and duties, we advise you discuss this with the NTD prior to the worker's next review. Upgrades to the RTW Plan should be discussed and agreed to by you, the worker and the NTD.

Agreement to the RTW Plan

All parties should state their agreement and understanding of the developed RTW Plan by signing and dating the plan. A copy of the RTW Plan must be provided to CGU and supplied to the worker, NTD, supervisor and treatment provider.

Further assistance

If you encounter difficulties identifying suitable duties for your worker, or your worker reports any problems attending to the RTW Plan, the services of a Workplace Rehabilitation Provider may be required.

Please contact your CGU Case Manager promptly to discuss your workplace's rehabilitation and return to work requirements.

If you are a small employer, you might like to visit our web site www.cgu.com.au to view CGU's Small Employer Toolkit. This resource provides all that you need to know about worker's compensation and the RTW process.

Some of the above information has been compiled from brochures available from the WorkCover NSW web site. You can access further information on www.workcover.nsw.gov.au

