

# YOUR ROAD TO RETURNING TO WORK



Government  
of South Australia

Office for the Public Sector



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# Your Road to Returning to Work

When you submit a claim to receive financial support to cover income, medical treatment and support for your work injury, you will need to have your injury assessed by a doctor. Your doctor will provide you with a Work Capacity Certificate, which you need to submit with your claim.

During an initial consultation, your doctor will assess your injury to determine what injury you have suffered and decide what kind of treatment you require, including the frequency and duration of the treatment. They will also assess your ability to return to work.

## Your Healthcare and Treatment

If you are injured at work, your doctor may refer you to one of the following services for treatment, advice and support to manage your injury independently and return to work and life as soon as possible:

- Medical specialist
- Physiotherapist
- Psychologist
- Occupational therapist
- Speech pathologist
- Osteopath
- Chiropractor
- Exercise physiologist.

It is important to actively participate in your treatment planning to make sure that you get the best possible results. By providing feedback on how your treatment is going, you can also help your doctor work out the most appropriate treatment plan for your specific circumstances.

## Your return to work

If you are injured at work and need some assistance to return to work, your doctor will also make a recommendation on how you should return to work. For example, you may require some time away from work, or an initial return to light duties or reduced work hours. They may also recommend a workplace assessment to identify your return to work options.

## Who will be involved in my return to work?

### You

You are expected to actively participate in return to work planning and take all reasonable steps to get back to work as soon as possible.

### Your employer

Your employer is the agency you are employed with, as an entity of the Crown.

Your manager / supervisor has a significant role during all stages of the return to work process - providing information and assistance to you and taking part in relevant consultations with health and return to work specialists regarding your return to work. When you are able to return to work, your manager / supervisor will ensure that your work environment is set up appropriately, in line with medical recommendations.

Your employer may also have a return to work coordinator supporting you to remain at or return to work after your injury.

## Medical practitioner

Your treating medical practitioner(s) plays a major role in working with all parties involved in your recovery and return to work by providing advice about your progress and capacity for work.

Independent medical examinations are sometimes required if your recovery is not progressing as expected.

## Return to work consultant

The Return to Work Consultant has the responsibility of providing a comprehensive vocational return to work service by facilitating the recovery and return work process to ultimately assist you to achieve an early, safe and sustainable return to work.

## Claims case manager

The Claims Case Manager is responsible for the administration and management of your workers compensation claim, which entails assessing your claim and determining entitlements in accordance with the Return to Work Act 2014.

## Suitable employment

In some cases, it may not be possible for you to get back to your normal duties.

If your injury prevents you from returning to your pre-injury role, but you have some capacity to return to work, your doctor may advise that you can return to work and undertake suitable employment.

Your employer is required to make all reasonable efforts to identify suitable employment you can perform in the workplace, and provide the suitable employment described in your return to work plan.

When reviewing suitable employment options which may be available with your employer, consideration must be given to your:

- capacity to work and previous employment
- education, skills and work experience
- medical history
- return to work plan requirements
- any other relevant information.

If you believe your employer has failed to make reasonable efforts to identify and offer you suitable employment in your workplace you can:

- apply to your employer in writing seeking suitable employment - refer to section 18(3) of the Return to Work Act 2014; or if that fails
- apply to the South Australian Employment Tribunal for an order that your employer provide suitable employment.

## Recovery / return to work plans

If you are likely to be away from work for more than four weeks, your Claims Case Manager or Return to Work Consultant will work with you and your employer to develop a recovery / return to work plan.

Your recovery / return to work plan is an important tool designed to keep you and your support team on track with your recovery and return to work. It is an action plan that identifies exactly what assistance you might need, and everyone involved in your recovery and return to work is expected to comply with it.

It is important that you actively participate and cooperate in the development and implementation of a recovery/return to work plan that is most appropriate for your specific circumstances.

# Key rights and obligations under the Return to Work Act 2014

## Worker's rights and obligations

### Worker's Rights

Lodge a workers compensation claim for a work related injury/illness

Choose your treating medical practitioner(s)

Early intervention and where required, recovery and return to work assistance

Active claim management

Reasonable financial support during the recovery and return to work process, once your claim is accepted

Active involvement in decisions and actions relating to your recovery/return to work process

Have recovery / return to work plans developed and reviewed to ensure objectives are met, and be provided with copies of approved plans

Access your agency's complaint management process if you are concerned about breaches of the service standards

Independent representation / advice regarding your claim and return to work process

Have your personal information kept confidential

Request documentation held on your claim and /or return to work files

### Worker's Obligations

Notify your employer of a work-related injury as soon as possible (within 24 hours where possible)

Actively participate in all activities supporting your recovery and return to work

Participate and cooperate in developing a recovery / return to work plan

Comply with all obligations in your recovery / return to work plan

Provide Work Capacity Certificates with respect to your capacity for work and any other information about the claim when required

Return to suitable employment when able to do so

## Employer's rights and obligations

### Employer's Rights

Be actively involved in and kept informed about your return to work process, including development and review of recovery / return to work plans and to be provided with copies of these plans

Be provided with Work Capacity Certificates with respect to your capacity for work and other information about the claim

Determine reasonableness of costs associated with your recovery and return to work

### Employer's Obligations

Notify their injury management unit of your work injury to determine your eligibility for compensation under the Return to Work Act 2014

Ensure timely intervention and the provision of effective services to improve your recovery and return to work outcomes

Provide reasonable financial support during your recovery and return to work process

Provide suitable employment that you can perform safely as you recover from your injury

Support you to participate in activities designed to enable your recovery and return to work

Participate and cooperate in developing your recovery/return to work plans

Comply with their obligations in recovery/return to work plans

Treat you fairly and with integrity, respect and courtesy, and comply with stated timeframes

Provide avenues for feedback or making complaints, including the process for resolving any issues

Respect and maintain your confidentiality in accordance with legislation