

# Building your return to work program

## Requirement six: Recovery at work



The purpose of this document is to support employers with completing the sixth of eight key components of their return to work program.

[View our 'Eight requirements for your return to work program' guide.](#)<sup>1</sup>

Every employer in NSW must have a return to work (RTW) program that outlines how they will help workers recover at work following a work-related injury or illness.

To meet your legal obligation, the State Insurance Regulatory Authority (SIRA) has advised that your RTW program must address eight key components. **Recovery at work**<sup>2</sup> is the sixth of SIRA's eight components for category 1 employers. Employers must offer workers suitable work, where reasonably practicable, so injured workers have the opportunity to recover at work. The employment may be either full time or part time and, where reasonably practicable, the same as or equivalent to the worker's pre-injury employment. This may be 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. This is also referred to as suitable, alternate, modified or light duties.



Definition: Category 1 employer

Category 1 employers have an average performance premium of over \$50,000 per year, are self-insured or are insured by a specialist insurer and have more than 20 employees.

As a category 1 employer, you must have a return to work coordinator whose role is to manage the return work process of an injured worker and have a tailored RTW program for your business.

### Over to you

Use this template to fulfil your Recover at work component for your RTW program. As each organisation is unique, your RTW program must be tailored to the needs of your organisation.

Complete our [series of RTW program templates](#) to ensure you effectively and proactively support an injured worker before an injury even occurs.

### Resources



View icare's full suite of RTW program templates: [icare.nsw.gov.au/rtw](https://www.icare.nsw.gov.au/rtw)

View SIRA's [guidelines for workplace return to work programs](#) (URL in footer)

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<sup>1</sup> [www.icare.nsw.gov.au/rtw](https://www.icare.nsw.gov.au/rtw)

<sup>2</sup> Category 1 is an employer with an average performance premium (APP) of more than \$50,000 and over 20 employees.

<sup>3</sup> **SIRA's guidelines for workplace return to work programs:** <https://www.sira.nsw.gov.au/resources-library/workers-compensation-resources/publications/help-with-getting-people-back-to-work/guidelines-for-workplace-return-to-work-programs>

# Requirement six: Recovery at work

Fill in the fields below

## 1. Read your obligations regarding suitable work.

See SIRA's guideline<sup>4</sup> (step 6 – Recovery at work).

## 2. Document your policies and procedures for providing suitable work, including:

- who is responsible for identifying suitable work, and how they will do so
- how the employer will consult with the worker
- in what circumstances the employer would engage a workplace rehabilitation provider
- the process for resolving disputes if parties disagree
- strategies to manage instances where no suitable work can be identified.

### Resources



Resource: [SIRA Suitable duties information](#)<sup>5</sup>

4 <https://www.sira.nsw.gov.au/resources-library/workers-compensation-resources/publications/help-with-getting-people-back-to-work/guidelines-for-workplace-return-to-work-programs>

5 <https://www.sira.nsw.gov.au/theres-been-an-injury/im-an-employer-helping-my-worker-recover/suitable-work>

### **3. Detail how, after an injury, you will review your WHS policies and procedures to identify gaps and opportunities for improvement.**

- including the worker in the development of the plan
- what each plan should contain
- managing the worker's appointments for treatment and rehabilitation
- who should have a copy of the plan
- monitoring and reviewing the plan
- notifying relevant parties of changes to the plan.

### **4. Some workers will not be able to return to their pre-injury workplace.**

Outline the support and steps you will offer, including retraining and job placement.

**5. Describe how you will inform workers of their rights regarding dismissal under workers compensation law.**



**Want more information on return to work?**

To help navigate the return to work process, we've created resources to assist employers with understanding their legal obligations and improve return to work outcomes for their injured workers.

Visit [www.icare.nsw.gov.au/rtw](http://www.icare.nsw.gov.au/rtw)

Print and sign name of employer

*Just Herick*

Date

Print and sign name of RTW Coordinator

*Just Herick*

Date