

Return to Work Issues Dispute Resolution Policy

Purpose

To provide an agreed set of guidelines for a Return to Work Issues Resolution Process as per advice in sections 6.4 and 6.5 of the DEECD WorkSafe Policy Guide.

Aim

- To ensure all return to work issues raised by an injured employee are resolved according to agreed workplace resolution procedures or according to the Accident Compensation Act 1985 Ministerial Direction No 1 of 2010

Implementation

Injured employees have the right to lodge complaints about return to work processes such as employers delaying the process, employers failing to consult about suitable duties, employers failing to provide suitable duties etc.

If a return to work issue arises the principal is required to resolve the issue in accordance with an agreed workplace (school) 'return to work dispute resolution' procedure which is in accordance with the requirements of the *Accident Compensation Act 1985 Ministerial Direction Number 1 of 2010*.

The following process will be used to resolve any disputes regarding return to work issues:

- As soon as possible, but no later than 20 calendar days after a return to work issue has been reported, the employer, the Return to Work coordinator and injured employee must meet to try and resolve the issue.
- If the return to work issue has been raised by another party, that party must be invited to participate in the issues resolution process.
- An injured employee may be represented, assisted and supported during the issues resolution process.
- The issues resolution procedure should be conducted in a manner and language that is agreed to be appropriate by persons who can raise a return to work issue.

For the purpose of resolving the return to work issue as quickly and effectively as possible all parties involved must have regard for:

- a) return to work planning for the worker;
- b) the worker's progress in recovering from the injury;
- c) the employer's return to work obligations as set out in the Act; and
- d) the worker's return to work obligations as set out in the Act.

The Principal must provide in writing within 14 days details of the return to work issue, and matters relating to its progress, resolution or outcome to all parties involved in the dispute resolution.

Evaluation: This policy will be reviewed as part of the College's review cycle

Related policies: School Policy Advisory Guide – <http://www.education.vic.gov.au>

This policy was endorsed by the College Council in June, 2016