

<b>Policy Name:</b>	<b>Workers Compensation</b>		
<b>Policy Number:</b>	<b>2.10</b>	<b>Date:</b>	<b>February 2023</b>

## **POLICY STATEMENT:**

All employees of JC Steele are covered by Workers Compensation insurance, as required by Australian law. This insurance is paid for entirely by JC Steele and provides benefits for employees who suffer personal injury due to accidents arising out of their employment with JC Steele. The reporting requirements and benefit levels are regulated by WorkSafe Victoria.

## **PROCEDURES:**

### **1. Mandatory Requirements**

Workers Compensation is provided in accordance with the JC Steele Workers Compensation Insurance Policy and statutory obligations. In general, these are:

- a. Workers Compensation covers all employees during the time they are on the job.
- b. There is no waiting period.
- c. An injury or illness is considered job-related when it arises during the course of employment. Any job or activity that is engaged in for work purposes and is a contributing factor in the injury most likely falls under Workers Compensation.
- d. The activity that caused the injury also must be one which is required by the employer.
- e. A person undertaking work in another state is covered by the workers compensation insurance policy pertaining to the state where they usually work.

### **2. Denial of Workers Compensation Benefits:**

Injuries not covered by Workers Compensation include those where the employee:

- a. Was intoxicated by, or under the influence of, alcohol or drugs.
- b. Was in the process of committing a felony (and has been convicted of such).
- c. Was participating in a social or recreational activity off-duty which was not directly related to his/her work.

- d. Caused the injury intentionally or completed suicide.
- e. Was “horsing around” or fighting on the job.

**The Workers Compensation insurance policy defines the benefits fully, and the above summary is not intended to replace the policy.**

### **3. Reporting Requirements**

- a. Any employee suffering a work-related injury or illness is responsible for immediately reporting that injury or illness, no matter how minor, to their immediate manager or to the Managing Director.
- b. You must report any workplace related injury or illness regardless of whether you decide to seek medical attention.
- c. Once the incident has been reported, an Incident Report form must be completed by the employee (where possible).
- d. If any injury requires emergency medical care, it will be provided immediately through either contact with Ambulance Victoria or JC Steele’s preferred medical clinic.
- e. If the illness or injury is relatively serious or where the employee requests so, JC Steele will attempt to reach the person designated by the employee as the emergency contact from information shown on their employment records. It is the employee’s responsibility to keep their emergency contact details up to date.
- f. Management will question the employee, as well as others who may have information concerning the cause and particulars surrounding the injury or illness, including if the employee was wearing the appropriate personal protective equipment and clothing, regarding the incident and any other relevant information. A full investigation may be carried out depending on the nature of the injury or illness.
- g. To make a Workers Compensation insurance claim, the employee must fill in a WorkSafe Worker’s Injury Claim Form, which is available from the Administration Manager or the WorkSafe Victoria website ([www.worksafe.vic.gov.au](http://www.worksafe.vic.gov.au)). The employee must complete a claim form if they need medical treatment or time off work due to their work related illness or injury. A Worker’s Injury Claim Form should be filled out regardless of the employees’ original assessment of the injury, in the event that injury or illness requires further treatment over time. The employee should provide the completed Worker’s Injury Claim Form to the Administration Manager for JC Steele to complete the Employer section on the form and then lodge it with the appropriate insurer.
- h. Medical bills relating to a work-related injury or illness should be submitted to the employee’s manager for approval, who will then forward it to the Administration Manager for payment. If the Workers Compensation claim is accepted, the employee will be reimbursed in the next pay cycle.

- i. In the event that the employee does not wish to make a Work Cover claim, management will determine approval for reimbursement of any medical or related costs incurred.

#### **4. Request for Leave**

- a. Any employee whose job-related injury or illness will prevent them from reporting to work within one week following the initial incident should contact their manager on a daily basis during the first week of the absence.
- b. Workers Compensation or Personal Leave may be granted for situations in which there is a medical practitioner's written statement that a leave of absence is required. If an employee can't do their normal job as a result of a workplace injury or illness, they will need to get a WorkSafe Certificate of Capacity from their doctor, which is similar to a medical certificate, and provide it to their manager or the Administration Manager.
- c. The medical practitioner's statement must provide adequate details, acceptable to JC Steele, regarding the nature of the injury or illness and the anticipated length of absence from work.
- d. JC Steele may, at its discretion, require another medical opinion by an appointed medical practitioner at the company's expense. JC Steele may also require the employee's own medical practitioner to provide additional information to guide the business on acceptable modified duties or complete a return to work program report, where requested.
- e. Absences due to work-related injury or illness will be charged to accrued Personal Leave first, then to accrued Annual Leave time for permanent employees, if the employee wishes. Where a Workers Compensation injury claim is accepted, any use of accrued leave benefits will be reinstated. Should an employee utilise all Personal Leave prior to a decision being made by the insurer, the employee may be eligible to utilise any accrued Annual Leave. Access to Annual Leave for this purpose will be at the discretion of the Managing Director.
- f. Employees who have not lodged a Workers Compensation claim but are unable to work due to a confirmed or non-disputed work-related injury or illness will be considered to be on a period of paid leave. This leave will not be deducted from any of their leave entitlements.

#### **5. Returning to Work**

- a. Prior to returning to work, the employee must obtain a Certificate of Capacity which states that the employee is fit to return to work. This certificate should clearly identify if the employee is fit to return to full hours and pre-injury/illness duties or if they can only return in a reduced capacity. If an employee is only able to return to work in a reduced capacity, the certificate must clearly outline all duties that may and may not be performed.

**This certificate can only be completed by the employee's treating medical professional.**

Where possible, JC Steele will provide a list of pre-injury duties to the employee's medical professional. It is expected that these duties are directly referred to in the Certificate of Capacity.

- b. Failure to obtain a Certificate of Capacity may delay company authorisation to return to work. If a Certificate of Capacity is not provided and delays an employees' return to work, the time not worked may be unpaid.
- c. At JC Steele's sole discretion, a second opinion may be required from an independent medical professional, at the company's expense, to ensure the employee is safe to return to work without risk.
- d. If an employee is able to return to work in a reduced capacity, JC Steele may consult with the employee's medical professional to develop a safe return to work plan.

## **6. Safety and Accident Prevention**

- a. All JC Steele safety and security policies are designed with the specific purpose of reducing, minimising and avoiding injury, suffering and time away from the job. It is a requirement that all employees comply with all OH&S policies to avoid injury, wherever possible.

## **7. Questionable Liabilities**

- a. If JC Steele does deny a Workers Compensation claim, the employee may contest the decision in accordance with the provisions of Workers Compensation laws.
- b. Managers and members of the management team are not obligated to make any commitments or statements pertaining to JC Steele's liability concerning an employee's injury or illness unless, required to do so by law.
- c. Employees desiring information about the company's position on any liability claim may be informed only that JC Steele is conducting an investigation.

## **8. Further Information**

Further advice can be obtained from WorkSafe Victoria:

### **WorkSafe Victoria**

W: [www.worksafe.vic.gov.au](http://www.worksafe.vic.gov.au)

P: 1800 136 089