

Injury Management

The overall aim for workers' compensation is to enable the injured employee to safely return to work as soon as possible. The benefits of an early return to work for an injured employee include:

- Return to a normal routine
- Minimise loss of income
- Assist with recovery
- Prevention of psychological issues, and
- Maintained family and working relationships.

The Injury Management team will work with you, your treater(s) and your supervisor to develop a plan to safely support your return to work and rehabilitation while you recover from injury.

The Workers' Compensation Scheme is a State Government system overseen by the Victorian WorkCover Authority (VWA), WorkSafe Victoria. Workers' Compensation Claims are managed in accordance with the relevant legislation (*Accident Compensation Act 1985* or *Workplace Injury Rehabilitation and Compensation Act 2013*). As such, there are several legal obligations that both The University of Melbourne and injured employees are required to abide by.

The University of Melbourne is a self-insured licensee. To ensure quality management for employees' workers compensation claims, the University operates under the legislative guidance and framework set out by WorkSafe Victoria.

This guide aims to provide information on aspects that will enable you to understand your legal obligations and the legal obligations of The University of Melbourne. It also provides information regarding how The University of Melbourne manages its WorkCover claims as a self-insurer.

Initial Claim Process

Claim obligations

There are multiple parties (including employee, supervisor, employer, self-insurer, Injury Management team) who have legislated obligations/requirements for the lifespan of your claim. We have summarised these on our [Injury Management](#) page. Please ensure that you read, understand and adhere to these obligations.

Note: Non-compliance with the required obligations may impact the ongoing status of your claim, e.g. entitlements may be suspended or terminated.

Submitting a WorkCover Claim

For more information regarding your entitlement to claim workers' compensation and how to submit a claim refer to the [Workers' Compensation](#) page.

What happens after a claim is submitted?

For more information on this process refer to the [Workers' Compensation](#) page. You can also contact the Injury Management team if you have any further questions. injury-management@unimelb.edu.au

What do I need to do while my claim is pending?

If you are not working due to your injury/condition, you can apply for leave (paid or unpaid). If your claim is accepted and you have a valid Certificate of Capacity for the period of leave, any leave entitlements will be recredited to you in full and you will be paid any amount owing to you.

While your claim is pending, you can continue to send through any information relevant to your claim to the Injury Management team.

Certificates of Capacity (COC)

A COC is an approved workers' compensation document that describes your injury/capacity to work, and any limitations you have in relation to performing your pre-injury work duties.

Important information relating to COCs:

- The **initial certificate** can only be completed by a medical practitioner (eg general practitioner or specialist/surgeon) and is valid for a period of up to 14 calendar days.
- **Subsequent certificates** can be completed by a medical practitioner, physiotherapist, chiropractor or osteopath, and are valid for a period of up to 28 calendar days.
- The employee must complete and sign the worker's declaration on the COC for it to be deemed valid (unless it is the initial COC).
- You cannot claim weekly payments without a valid COC for the period.
- A COC cannot be backdated.
- You cannot work with an expired COC.

COCs are required for any time off work due to the injury/condition. It is in your best interest to obtain a certificate as soon as possible if you do require any time off work or are on reduced hours due to the injury/condition. Payroll can only be authorised to make weekly payments to you upon receipt of the certificate. Ensure the certificate is sent to the Injury Management Team and your supervisor as soon as possible. You are advised to retain a copy for your own records.

The University of Melbourne requires COCs to be updated and maintained for the lifespan of all claims. This assists with understanding ongoing treatment requirements and injury progression/recovery status.

Capacity Assessments

COCs must specify your capacity for work based on your latest work capacity assessment. Work capacity assessments should occur whenever a COC is due to be issued.

The types of capacity certified in a COC are below:

- **Capacity for pre-injury employment** – this means that you can undertake your normal duties but may need further treatment, which should be specified in your treatment plan.
- **Capacity for suitable employment** – this should detail what supports/restrictions/modifications you need in the workplace to safely support your recovery.

- **No capacity for employment** – this means that you cannot work and cannot return to work until you have one of the capacities as identified above.

There are several sections on a COC where the certifier can provide more information about supports/modifications needed and your recommended treatment plan. Please encourage your treater to provide as much detail as possible on the COC.

Return to full hours and pre-injury duties

When you can return to your full hours and pre-injury duties, you are required to obtain a COC that states that you are “fit for pre-injury employment”.

Working without a current COC

You cannot work if your most recent COC has expired. You need to ensure that there are no gaps between the date from one certificate to the next. If there are, you will not be paid weekly payments for any dates not covered by a certificate, nor will your manager or supervisor allow you to start work.

It is always in your best interest to ensure that you have a current certificate until you are cleared fit for pre-injury duties.

Return to Work Plan (RTWP)

This is a document that states suitable duties, hours of work, goals and expectations based on your work capacity. The plan is prepared with input from yourself, your treating medical practitioners, occupational rehabilitation provider (if applicable) and your supervisor.

A RTWP is legally required if an injured worker is absent or likely to be absent from work for more than 20 days. A RTWP may also be prepared if it is proposed that you need modified duties for a lengthy period. The Injury Management team will discuss the need for a RTWP with you.

Compensation Entitlements

You may be entitled to compensation in the form of weekly payments and/or medical and like services. This section provides further information on the different types of compensation.

Note: While your claim is pending, any compensation entitlements are not payable.

Weekly Benefits/Payments

The time that you are unable to work due to your condition is referred to as “time lost” and is reported to WorkSafe Victoria. Weekly benefits are payments to compensate you for loss of income resulting from time lost from work.

The Injury Management team will calculate your weekly benefit entitlements based on your pre-injury average weekly earnings (PIAWE). The University of Melbourne will pay you for your time off work for certified periods as advised by the Injury Management team.

Note: There are legislated timeframes for reductions in weekly payment entitlements.

Workers’ Compensation Make-Up Pay

As part of the Enterprise Agreement, The University of Melbourne offers workers’ compensation make-up pay for the first 52 weeks of incapacity for accepted claims. This is managed by Payroll and is separate to your claim.

Please refer to the Enterprise Agreement for more information relating to make-up pay.

Medical and Like Services

The University of Melbourne will pay for appropriate and reasonable medical and like services for accepted WorkCover claims.

What Medical and Like Services can you access?

You can access treatments if they:

- are related to your work-related injury/condition and will contribute to your recovery or rehabilitation
- are provided immediately after the incident that caused the injury/condition (eg general practitioner assessment, emergency services)
- do not require a medical referral
- are provided by a healthcare provider registered with WorkSafe
- are not considered experimental

Please note that it is an expectation of WorkSafe Victoria and the University that medical appointments are booked for times outside of working hours, with the exception of specialist appointments.

How much is covered?

The University is directed by WorkSafe Victoria’s fee schedule which dictates the maximum amount payable for the relevant service.

Payment of the reasonable costs of services does not necessarily mean payment of the full costs. In some cases, there may be a difference between what the provider charges and what WorkSafe states is payable. This difference in cost is at the expense of the claimant.

For information on WorkSafe fee schedules for treatment or services and to ensure you have prior approval (where required) contact the Injury Management team.

Treatment and services that require prior approval

Certain services require prior approval (eg surgery requests, equipment, household help) by the Injury Management team.

Concurrent treatments

The University can only fund one type of physical treatment (eg physiotherapy, osteopathic or chiropractic) at a time.

Ongoing reviews of Medical and Like Services

Where an employee is cleared for pre-injury employment, ongoing medical treatments may still be accessed if required. The University of Melbourne will consult with your treating health practitioner(s) to review your recovery progress and medical treatment entitlements regularly.

Payment of accounts

Payment of accounts can be done in two different ways:

1. You can pay for the service directly and seek reimbursement from the Injury Management team. You will need to provide a Tax Invoice and receipt to claim reimbursement.
2. Medical accounts can be sent from your treating practitioner directly to the Injury Management team for payment.

Send invoices & receipts to:

injury-management@unimelb.edu.au

The Injury Management team has **30** days from receipt of the account to process reimbursement/payment.

Occupational Rehabilitation Providers (ORPs)

ORPs are external providers that are engaged when required to assist an injured worker with their recovery from an injury and their return to pre-injury duties.

The University of Melbourne will provide you with three options for ORPs that you can choose from to be involved in your recovery journey. The ORP chosen will allocate you a consultant from their organisation. They are specialists in rehabilitation and usually have an allied health background such as a physiotherapist, occupational therapist or exercise physiologist.

Independent Medical Examinations (IMEs)

An IME is a medical assessment conducted by an independent medical specialist who has been approved by WorkSafe Victoria. They are engaged to provide *their* opinion about your injury/condition.

They do not direct treatment plans, but their recommendations may be considered. They also often provide advice regarding the suitability of work duties and return to work.

IMEs are requested by the Injury Management team to assist in liability determinations and ongoing management of claims. You may be asked to attend at least one IME while you have an active claim. If you are requested to attend an IME, you will be provided with further information about the process at the time of the request.

Important: Non-attendance at an IME appointment may impact your ongoing compensation entitlements.

For further information about WorkCover claims:

- Contact the Injury Management team at injury-management@unimelb.edu.au
- Visit The University of Melbourne's Injury Management web pages <https://safety.unimelb.edu.au/injury-management>
- Visit WorkSafe Victoria's website <https://www.worksafe.vic.gov.au/>

You can view the University's Enterprise Agreement here: <https://staff.unimelb.edu.au/human-resources/enterprise-agreement>

Important Return to Work Information

The University of Melbourne's return to work obligations under Victorian Workers' Compensation legislation

The University of Melbourne's return to work obligations	How The University of Melbourne will meet its obligations
Make return to work information available and consult about how the information is made available	<p>The University of Melbourne will make return to work information available to its workers about:</p> <ul style="list-style-type: none"> (a) the obligations of The University of Melbourne under the legislation and how the employer is meeting the obligations; (b) the rights and obligations of workers under the legislation and how workers can obtain further information about their rights and obligations; (c) the name and contact details of the Return to Work Coordinator, if applicable; and (d) the procedure for resolving return to work issues in the workplace - <p>by providing workers with this document after consulting with them about how the information will be provided to them.</p>
Provide employment	<p>To the extent that it is reasonable to do so, The University of Melbourne will provide suitable employment to an injured worker if they have a current work capacity and provide pre-injury employment to them if they no longer have an incapacity for work.</p> <p>To the extent that it is reasonable to do so, The University of Melbourne will provide pre-injury or suitable employment to an injured worker for a period of 52 weeks of the worker's incapacity. This will commence from the date a <i>Certificate of Capacity</i> or a <i>Worker's Injury Claim Form</i> in which weekly payments are claimed is received from the worker (whichever is the earliest).</p>
Plan return to work	<p>From the time that The University of Melbourne receives a <i>Worker's Injury Claim Form</i> in which weekly payments are claimed or the initial <i>Certificate of Capacity</i> from the worker or the authorised Agent notifies us of receipt of same (whichever is earlier), The University of Melbourne will, to the extent that it is reasonable to do so, commence return to work planning for that injured worker.</p> <p>As part of that planning, The University of Melbourne will:</p> <ul style="list-style-type: none"> • obtain relevant information about the injured worker's capacity for work; • consider reasonable workplace support, aids or modifications to assist the worker's return to work • assess and propose options for suitable employment or pre-injury employment; • engage in consultation about the return to work of the worker; and • provide the worker with clear, accurate and current details of their return to work arrangements; and • monitor the worker's progress <p>as often as is necessary to enable the worker to return to work in employment which is consistent with the worker's capacity for work.</p>
Consult about the return to work of a worker	<p>The University of Melbourne will, to the extent that it is reasonable to do so, consult with the worker, the worker's treating health practitioner (with the consent of the worker) and occupational rehabilitation provider (if one is involved) in relation to the injured worker's return to work.</p> <p>The University of Melbourne will consult with the parties listed above by:</p> <ul style="list-style-type: none"> • sharing information about the worker's return to work • providing a reasonable opportunity for them to consider and express their views about the worker's return to work, and • taking those views into account. <p>The University of Melbourne will consult directly with the worker about their return to work, but the worker may be assisted by a representative during any consultation (except for a legal practitioner). The worker may be represented, assisted and supported during the return to work process.</p>
Nominate and appoint a Return to Work Coordinator	<p>The University of Melbourne has nominated and appointed at all times a Return to Work Coordinator who has an appropriate level of seniority and is competent to assist The University of Melbourne meet our obligations under Victorian Workers' Compensation legislation.</p>
Cooperate with labour hire employers	<p>If The University of Melbourne hires labour hire workers and the worker suffers an incapacity for work resulting from or materially contributed to by an injury arising out of working with us, we will, to the extent that it is reasonable to do so, cooperate with the labour hire employer in respect of action taken by the labour hire employer to provide employment, plan a worker's return to work and consult about the return to work of a worker to facilitate the worker's return to work.</p>
Resolution of return to work issues	<p>The University of Melbourne will attempt to resolve return to work issues in accordance with:</p> <p>The relevant procedure specified in the Return to Work Direction (Ministerial Direction) <i>Issue Resolution Process</i>.</p>

Worker's return to work rights and obligations

Injured worker rights are:

- To be provided with return to work information and be consulted about how that information is to be made available
- To the extent that it is reasonable for **The University of Melbourne** to do so, to be provided with suitable employment if they have a current work capacity or pre-injury employment if they no longer have an incapacity for work for a period of 52 weeks in accordance with the legislation.
- To be consulted by **The University of Melbourne** about planning their return to work.
- To be provided with clear, accurate and current details of their return to work arrangements as part of planning for their return to work.
- To the extent that it is reasonable for **The University of Melbourne** to do so, to be consulted and be provided with information about their return to work. The injured worker must be given a reasonable opportunity to consider and express their views about their return to work and have those views taken into account.
- To be represented, assisted and supported (except by a legal practitioner) during any stage of the return to work process, including in the consultation process.

Injured worker's obligations are:

- In co-operation with **The University of Melbourne**, to make reasonable efforts to actively participate and cooperate in planning for their return to work.
- In co-operation with **The University of Melbourne**, to make reasonable efforts to return to work in suitable or pre-injury employment at their place of employment or at another place of employment.
- To actively use an occupational rehabilitation service where provided and cooperate with the provider of that service.
- To actively participate and cooperate in assessments of their capacity for work, rehabilitation progress and/or future employment prospects at the request of **The University of Melbourne**.
- To actively participate and cooperate with the representative of The University of Melbourne in an interview to enhance their opportunities to return to work, as required.
- If an issue about their return to work arises, to attempt to resolve the issue in accordance with the procedure for resolving return to work issues (see above).

If you do not comply with one or more of the above obligations, your weekly payments may be suspended, terminated or ceased and determined in accordance with the legislation by The University of Melbourne.

Additional details regarding the rights and obligations of an injured worker are available in WorkSafe's *Return to Work Obligations – Information for workers* fact sheet available from worksafe.vic.gov.au or via the WorkSafe Advisory Service ph: (free-call) 1800 136 089 or (03) 9641 1555.

Where to get help

Our Return to Work Coordinator

Name: Injury Management Team **Phone:** 03 8344 0888

Email: injury-management@unimelb.edu.au **Postal Address:** Level 1, 11 Barry Street, CARLTON VIC 3053

WorkSafe

Phone: free call 1800 136 089 or (03) 9641 1555 **Web:** worksafe.vic.gov.au

Email: info@worksafe.vic.gov.au **Postal Address:** WorkSafe Victoria, 1 Malop Street, GEELONG VIC 3220