



## PO130 V1.0 (ASG – AUS) Return to Work Program

### 1. INTRODUCTION

This Program sets out Ashley Services Group Limited requirement to establish a workplace Return-to-Work Program to assist injured employees to return to work following an injury that occurs during the course of the employee's employment with the Company.

Definitions of terms used in this policy are contained in section 16.

### 2. SCOPE AND PURPOSE

This Program applies to all full time, part time, permanent, term contract and casual employees of Ashley Services Group Limited (ACN 094 747 510) (the Company), which trades as various brands as well as its wholly owned subsidiary companies. A list of trading entities which encompass Ashley Services Group Limited are listed in section 17.

The Return to Work Program must be consistent with the Company Agent's injury management program which also outlines steps to be taken to assist injured employees to return to work.

This Program applies equally to physical and psychological injuries and illnesses arising out of or in the course of employment. The Company recognises the importance of supporting psychological recovery at work through appropriate duties, workplace adjustments and supportive management practices.

The Company is committed to the prevention of illness to its employees through the provision of a safe workplace and the management of workplace health and safety.

This Return to Work Program has been developed in consultation with the Company's management and its employees. The Company is required to provide access to this Return to Work Program to all employees and is committed to:

- Review of the Return to Work Program every 2 years as a minimum or as legislation or business changes occur.
- Reviewing the implementation of this program to ensure compliance and legislative requirements.
- Ensuring the consultation procedures are followed in the implementation and continuous review of the Return to Work Program.

This Return to Work Program has been developed in line with the Company's PO003v1.5 (ASG – Aus) Safety Program and the CH120V1.0(ASG-AUS) Audit and Risk Management Committee. As outlined in these policies, the Company recognises the importance of its people and will provide proactive injury management and rehabilitation for any employee who sustains a work related injury or illness, to have the opportunity to recover and return to work by:

- Implementing and maintaining consistent and effective Workplace Injury Management and Return to Work Procedures that are compliant with our legislative requirements.
- Ensuring that injury management commences as soon as possible after an employee is injured.
- Ensuring that returning to work as soon as possible is the normal expectation, with an Injury Management Plan and/or Return to Work Plan created where required.
- Promote a culture that promotes recovery at work by fostering positive attitudes towards employees recovering in the workplace following an injury, providing suitable alternative duties for an injured employee wherever practical to do so.
- Advise injured and/or ill employees about their role and obligations to participate in the rehabilitation and return to work process.

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- Consulting with injured employees and other stakeholders to ensure that the injury management and return to work program operates smoothly and effectively.
- Ensure positions relative to injury management, rehabilitation and return to work are adequately resourced.
- Appointing a workplace based return to work coordinator where required.
- Provide early access to occupational rehabilitation services where required; an employee may however choose their own rehabilitation provider.
- Consulting with employees and their representatives regarding the injury management process and return to work program.
- Ensure all injury management information is treated confidentially, in accordance with privacy provisions and SIRA guidelines.
- Continuously improve the Company’s health and safety management systems and return to work processes.
- Injuries and incidents will be investigated as per the Company’s policies and procedures and review their WHS policies and procedures to identify gaps and opportunities for improvement.

The management of the Company recognise that the health and safety of all employees is of the utmost importance and vital to the success of our employees and business. The Company aims to continuously improve health and safety in the workplace through consultation and promotes the continuous awareness of the importance of safe practices throughout the workplace. Through regular communication with our employees, the Company is committed to ensuring that safety is the number one priority above all else and remains 'front of mind' for all of our employees.

Through the co-operative effort between the Executive Leadership Team and employees, the Company is committed to:

- Ensuring a safe environment for employees and visitors in the workplace.
- Identify what risks are associated with the operation and activities our employees undertake.
- Continuously educate our employees on the importance of good health and safety practices.
- Ensure that all employees understand who the clear point of contact is when raising safety issues or concerns.

The Company understands the importance of having a positive and supportive culture for an employee to recover at work after an injury due to the following reasons:

- Remaining engaged with the workplace and has the therapeutic benefits that maintaining social connectivity is known to have.
- Extended periods away from the workplace and the work environment may increase the risk of negative impacts on mental health and poorer health outcomes.

It is a priority of the Company to ensure that any employee who has sustained an injury has access to immediate medical care. The Company aims to achieve this through initial discussions with the injured employees on the return to work process.

### 3. COMMENCEMENT OF PROGRAM

The commencement date of this Program is 27 March 2026 and replaces all other programs dealing with return to work (whether written or not).

### 4. OBLIGATIONS AND COMMITMENTS

The Company has developed this Return to Work Program in accordance with the NSW Legislative obligations and makes the following commitments to develop a positive culture that promotes recovery at work. The Company will communicate the presence and content of this Return to Work Program to all employees upon commencement of employment including directing employees to the Program via the Company’s Online intranet. Further consultation and communication will occur in the event that the Return to Work Program requires updating. Through implementing this Program, the Company will:

- Work to ensure the health, safety and welfare of all employees, visitors and contractors.

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- Develop, implement and review this Return to Work Program in consultation with its employees and their representatives. (union representative or other nominated representative)
- Educate and provide access to this Return to Work Program and any related materials to all employees, including reference material relating to the health benefits associated with good work.
- Ensure all employees understand the requirement and the process for reporting a work-related injury or illness, including lodging within the National Incident Register data base (AWTrack)
- Provide all injured employees with adequate information in relation to rehabilitation and compensation.
- Notify the Regulator of all “serious incidents” immediately as required by the legislation.
- Notify the Agent/Insurer of all incidents and injuries within a 48-hour timeframe of the employer becoming aware of the injury by the Company’s Return to Work Coordinator.
- Provide suitable duties for all injured employees wherever practicable.
- Participate and cooperate in the establishment of a Recover at Work Plan for an injured employee.
- Respect the privacy and confidentiality of medical examinations by arranging a separate discussion between the parties by way of case conferences.
- Ensure all incidents and injuries are recorded in the register of injuries.
- Maintain the confidentiality of an employee’s information throughout the return to work process and/or any workplace rehabilitation in accordance with legal requirements.
- A summary of this Return to Work Program will be prominently displayed at the workplace in accordance with SIRA requirements.
- Assess where an employee cannot return to pre-injury duties what roles are available within the organisation, considering the employee’s capacity and not to put them at risk for further injury or illness.
- Provide injured employees with access to an external rehabilitation provider where required.
- Ensure appropriate assistance will be given to employees from non-English speaking backgrounds including the use of interpreters.

4.1 Summary of Rights and Obligations

Party	Key Rights	Key Obligations
<b>Employer Company) (The</b>	<ul style="list-style-type: none"> <li>• Request medical information relevant to capacity</li> <li>• Nominate suitable duties consistent with medical advice</li> <li>• Expect reasonable participation in recovery at work</li> </ul>	<ul style="list-style-type: none"> <li>• Provide a safe workplace</li> <li>• Maintain a compliant Return to Work Program</li> <li>• Notify insurer within 48 hours of becoming aware of an injury</li> <li>• Provide suitable duties where reasonably practicable</li> <li>• Consult with workers and treating practitioners</li> <li>• Support early and safe recovery at work</li> <li>• Maintain injury records and confidentiality</li> </ul>
<b>Injured Worker</b>	<ul style="list-style-type: none"> <li>• Choose their Nominated Treating Doctor</li> <li>• Access workers compensation benefits</li> <li>• Be consulted in return to work planning</li> <li>• Refuse duties inconsistent with medical restrictions</li> <li>• Access dispute resolution processes</li> </ul>	<ul style="list-style-type: none"> <li>• Report injuries as soon as possible</li> <li>• Participate in injury management planning</li> <li>• Make reasonable efforts to return to suitable work</li> <li>• Provide Certificates of Capacity</li> <li>• Comply with agreed Recover at Work Plans</li> <li>• Attend medical and rehabilitation appointments</li> </ul>

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Party	Key Rights	Key Obligations
<b>Return to Work Coordinator</b>	<ul style="list-style-type: none"> <li>• Request relevant information to coordinate recovery</li> <li>• Communicate with stakeholders involved in injury management</li> </ul>	<ul style="list-style-type: none"> <li>• Coordinate return to work and injury management processes</li> <li>• Develop and monitor Recover at Work Plans</li> <li>• Liaise with workers, managers, doctors and insurer</li> <li>• Identify suitable duties</li> <li>• Maintain confidential injury management records</li> </ul>
<b>Insurer / Claims Agent</b>	<ul style="list-style-type: none"> <li>• Request information relevant to claim determination</li> <li>• Arrange independent medical examinations where appropriate</li> </ul>	<ul style="list-style-type: none"> <li>• Develop Injury Management Plans for significant injuries</li> <li>• Commence provisional payments within legislative timeframes</li> <li>• Consult with employer, worker and treating doctor</li> <li>• Approve reasonably necessary treatment</li> <li>• Support timely and durable recovery at work</li> </ul>
<b>Managers &amp; Supervisors</b>	<ul style="list-style-type: none"> <li>• Seek guidance from RTW Coordinator and insurer</li> </ul>	<ul style="list-style-type: none"> <li>• Support implementation of suitable duties</li> <li>• Participate in recovery at work planning</li> <li>• Monitor worker progress and workplace safety</li> <li>• Ensure duties align with medical restrictions</li> </ul>
<b>Nominated Treating Doctor</b>	<ul style="list-style-type: none"> <li>• Recommend suitable duties consistent with capacity</li> </ul>	<ul style="list-style-type: none"> <li>• Provide Certificates of Capacity</li> <li>• Support safe and timely recovery at work</li> <li>• Participate in development of injury management plans</li> </ul>
<b>Rehabilitation Providers</b>	<ul style="list-style-type: none"> <li>• Access relevant workplace information</li> </ul>	<ul style="list-style-type: none"> <li>• Provide independent, evidence-based rehabilitation services</li> <li>• Assist with suitable duties planning</li> <li>• Identify barriers to recovery</li> <li>• Support safe, durable return to work outcomes</li> </ul>

All parties are expected to cooperate in good faith to achieve a safe, timely and durable recovery at work in accordance with NSW workers compensation legislation and SIRA guidelines.

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## 5. ROLES AND RESPONSIBILITIES

### 5.1 The Company's Responsibilities

- Preventing injury and illnesses by providing a safe and healthy working environment.
- Developing and maintaining a Return to Work Program, which includes:
  - ensuring that the Return to Work Program is compliant with relevant Guidelines where applicable and updated where required to reflect legislative and regulatory changes.
  - reviewing the Return to Work Program with employees and relevant employee representatives when significant changes occur to the operating model; and
  - reviewing and updating the Program at a minimum every two years.
- Displaying and informing employees about the Return to Work Program, their obligations and related procedures:
  - the Program is available in hard copy upon request from the Return to Work Coordinator or the People and Culture Team.
  - a soft copy of the Program is saved electronically and available from the Company's intranet page.
- Supporting the injured employee and ensuring that early return to work is a normal expectation.
- Providing suitable duties to the injured employee as soon as possible.
- Informing employees of their rights and responsibilities. This includes advising the injured employee:
  - of the procedures to be followed should injured employees wish to change their nominated treating doctor, and
  - that an employee who has current work capacity must make reasonable efforts to return to work in suitable employment or pre-injury employment.
- Coordinate the development of a safe and durable Recover at Work Plan including the provision of suitable duties in line with the certified functional capacity.
- Maintaining a register of injuries for all work-related injuries.
- Maintaining confidentiality of the injured employee's records.
- Work to resolve any disagreements about return to work and suitable duties.
- Appoint trained Return to Work Coordinators.

### 5.2 Manager's Responsibilities

- Participate collaboratively in the return to work planning stage to facilitate in the establishment of a Recover at Work Plan for an injured employee and give effect to that Plan in the workplace.
- Consulting with injured employees and to assist in the recovery at work through the provision of suitable duties.
- Identifying suitable duties that comply with the relevant legislation which are aligned to the current restrictions, employee's skills and medical condition.
- Complying with the Company's obligations (as employer) in the Recover at Work Plan.
- Provide authorisation to the Return to Work Coordinator to negotiate, develop and implement Plans.
- Monitoring of the duties being undertaken by injured employees under the agreed Recover at Work Plan.

### 5.3 Return to Work Coordinators Responsibilities

- Having appropriate qualifications, experience and/or accreditation from the Regulator where required.
- Following authorisation from the Company management, identify and design suitable duties for the injured employee to assist the employer to meet their obligations in providing suitable employment.
- Identify barriers to the injured employee's return to work and develop strategies to address these.
- Identify and coordinate rehabilitation strategies that ensure the injured employee is able to safely perform their duties.
- Develop, coordinate and monitor workplace Recover at Work Plans for injured employees.
- Ensure that the injured employee's and their manager understand their rights, roles and responsibilities. The injured employee will be provided with a copy of the SIRA "*Injured at work – A recovery at work guide for employees*" upon notification of injury. The employee will also be directed to a copy of this Return to Work Program for review either electronically or in hard copy.
- Maintain (in accordance with privacy and confidentiality requirements) an electronic file for each injured employee that includes all relevant documents including medical certificates, Recover at Work Plans and other relevant correspondence.

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- Keep record and retain accurate and objective file notes of all communications, actions and decisions regarding an employee's return to work.
- The Return to Work Coordinator will make initial contact with the injured employee as soon as practicable, and within three (3) working days of the Company becoming aware of the injury, to provide support, explain the return to work process and discuss suitable duties where appropriate. Ongoing contact with any injured worker will be on a weekly basis, to ensure the injured worker maintains a positive connection to the workplace.

Details of the person responsible for the Return to Work for the Company is listed below:

<b>Name: Tyler Hill</b>	
Phone: 02 9672 7777	<b>Email:</b> Tyler.Hill@actionworkforce.com.au

Tyler Hill, Return to Work Coordinator for Client has completed the accredited Return to Work Coordinator training through SIRA which meets SIRA requirements, and has 5 years of industry related experience. Tyler Hill undertakes ongoing professional development and has a good understanding of NSW legislation and policies, the rights and obligations of injured workers, rehabilitation providers, treating medical professionals and insurance agents in respect of injury management and RTW plans. The RTW Coordinator has the authority and time to consult, liaise and make decisions with relevant parties.

#### 5.4 Insurer/Agent Responsibilities

- Advise the injured employee of their obligations and responsibilities.
- Inform the injured employee and the Company of the employee's entitlements.
- Contact the Company, the injured employee and (if appropriate) the Nominated Treating Doctor within three working days of being notified of a significant injury to ensure prompt action of a new claim.
- Work in collaboration with all stakeholders to assist an injured employee achieve the earliest possible recovery and durable return to work.
- Make claim decisions and approve medical treatment, where applicable.
- Commence provisional payments of weekly benefits and medical expenses or advise the injured employee why payments will not be made, within seven days of being notified of a significant injury.
- Develop an Injury Management Plan for all injured employee with a significant injury that outlines:
  - a return to work goal
  - treatment program actions
  - obligations of all stakeholders.
- Develop the Injury Management Plan in consultation with the injured employee, the Company and the nominated treating doctor, and provide ongoing availability/support.
- Supply a copy of the Injury Management Plan to all relevant stakeholders.
- Regularly review and update the Injury Management Plan in consultation with stakeholders.

#### 5.5 Employee's Responsibilities

- If injured:
  - Notify the Company of a workplace injury as soon as possible after the injury has occurred by completing the WHS Incident Notification Form or notifying the return to work coordinator or a member of the Work Health and Safety team.
  - Seek medical assistance as required and in a timely manner.
  - Nominate a treating doctor who is prepared to participate in the development and implementation of a Recover at Work Plan. Workers can nominate their own treating doctor.
  - Give consent for the Nominated Treating Doctor via the certificate of capacity to provide information for the purpose of injury management and return to work.
  - Actively participate in the return to work process and return to work as soon as possible, be involved in identifying suitable work and there RTW plan

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- Comply with the activities detailed in the Injury Management and Recover at Work Plans.
  - Notify the Company if an interpreter is necessary.
  - Advise the Nominated Treating Doctor of the availability of suitable duties in the workplace.
  - Provide continuing and up-to-date Certificates of Capacity whilst continuing to recover from a work related injury or illness.
  - Communicate regularly with the Company’s Claims Agent, direct Manager, and the Return to Work Coordinator about relevant issues and their progress, including suitable duties or alternate duties and a list of roles that may be a substitute to assist the return to work of a worker.
  - Comply with the restrictions specified by the Nominated Treating Doctor and as detailed in the Recover at Work Plan.
- Cooperate in any workplace changes designed to assist to return to work of fellow employees.

**5.6 Nominated Treating Doctor Responsibilities**

- Arrange and monitor appropriate treatment.
- Complete a Certificate of Capacity for any injury or illness that is work related.
- Certify time off only if it is medically necessary.
- Provide information to the Company and the Claims Agent, in relation to injury management and recover at work planning for the injured employee.
- Review the injured employee’s progress of recovery regularly and liaise with the Company and the Claims Agent, with regards to suitable duties and the development of the recover at work and Injury Management Plan.

**5.7 Rehabilitation Provider Responsibilities**

- Deliver services to injured employees, the Company and the Claims Agent, in a cost effective, timely and proactive manner to achieve a safe and durable return to work. The company and the provider will consult and work together to ensure there is no restrictions on workplace arrangements.
- Promote an early and safe return to work by developing return to work strategies taking into consideration the injured employees’ capacity and the suitable duties available.
- Identify barriers to injured employees return to work and develop strategies to address these.
- Identify and coordinate rehabilitation strategies that ensure the injured employee can perform their duties.
- Provide regular consultation and communication with the Company, the Claims Agent Claims and the Nominated Treating Doctor to ensure progress towards the return to work goal.
- Consider the workplace industrial relations and People and Culture matters that may affect the injured employee’s return to work.

**5.8 Responsibilities of Unions Representing Workers**

Where employees are represented by a Union or other nominated worker representative, the Company will consult with those representatives in accordance with its work health and safety consultation obligations when developing, reviewing or modifying this Return to Work Program, including:

- Participate in the Return to Work Program consultation phase and will continue to do so with subsequent revisions. All feedback will be considered and incorporated into any updated version.
- Liaise with the workers they are representing, regarding the consultation process.
- Advise the Work Health and Safety team of any concerns raised by employees they are representing.
- Be provided reasonable opportunity to contribute to the development and review of return to work arrangements.

**6. WHEN AN INCIDENT OCCURS**

The Company will inform employees of how to notify the workplace of an incident or injury during the initial induction process. Any required changes to the notification procedure will be communicated via the Company’s communication platform and employees will also have access to the notification process via the intranet. The company recognises the obligations under the work health and safety act 2011NSW (the act) and the work health and safety regulation 2011 (the regulation) and each of the respective states Acts and regulations in which the company operates from.

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The procedure for the notification of work related injuries is as follows:

- The Company will ensure appropriate first aid and/or medical treatment is arranged as soon as possible.
- First aid details and or kits and stations are always explained during initial inductions, as well as details displayed on staff notice boards. All first aid kits are regularly monitored for stock levels.
- All work related injuries or illnesses **must** be reported by the injured employee (or another employee where this is not reasonably practicable, due to the extent of the injured employee's injuries), to the employee's supervisor/manager, **AND** the Return to Work Coordinator or any other member in the People and Culture team immediately. WHS team will determine causative factors, address corrective actions (CARS) and action within designated timeframes. CARS may include staff training and new or revise safe work method statement
- By completing the online Incident Notification Form. Both members of the WHS team and the injured employee's supervisor/manager will be notified. Where this isn't possible, the injured employee or another employee must contact both the injured employee's supervisor/manager, the Return to Work Coordinator **AND** a member of the Work Health and Safety team immediately to submit the online Incident Notification Form as soon as possible.
- When a supervisor/manager is notified, the supervisor/manager must immediately notify the Return to-Work Coordinator **AND** a member of the Work Health & Safety.
- Either the Return to-Work Coordinator **or** a member of Work Health & Safety will notify the Claims Agent within 48 hours of being notified and becoming aware of the injury.
- The employee's manager will receive an Incident notification form via email following completion of the WHS Incident Notification Form. Managers must complete the Incident/Injury Report Form and submit it to the Work Health and Safety team.
- A member of the Work Health and Safety Team will notify the claims Agent/insurer of the incident/injury.
- The Return to Work Coordinator will make initial contact with the injured employee as soon as practicable, and within three (3) working days of the Company becoming aware of the injury, to provide support, explain the return to work process and discuss suitable duties where appropriate.

The Company will ensure that employees who suffer a work related illness or injury, receive optimal management to protect their health and safety and to facilitate a timely, safe and sustainable return to work, as far as reasonably practicable. To achieve this, the Company will commence the Return to Work Program as soon as possible after the injury, in a manner consistent with medical judgement and in consultation with the injured employee.

## 6.1 Reporting Notifiable Incidents

Notifiable incidents (see Definitions below) need to be reported immediately. All other incidents must be reported as soon as practicable so that the Company can notify the Agent/Insurer of the incident within 48 hours of the employer becoming aware of the injury. All such events must be notified as per the Company's PO004v1.5 (ASG-Aus) Safety Program.

State	Regulatory Body	Contact Number
NSW	Safework NSW	13 10 50

## 6.2 Workers Compensation Payments

Workers Compensation payments may be made to an employee to compensate for loss of earnings because of a work related injury. To commence payments of compensation, the Company will ensure:

- All appropriate information regarding the employee's pre-injury earnings is provided to the claims manager at the insurer. Wages are calculated on an average of the 52 weeks worked prior to the injury. A wage report will be sent to the insurer for to determine Pre-Injury Average Weekly Earnings (PIAWE). The PIAWE will then be used to determine the applicable weekly compensation payment. The insurer will advise the injured worker of the PIAWE that has been calculated. If a worker has a dispute with their PIAWE they can raise this with the insurer. If the issue does not resolve, they can seek assistance from their respective union or lodge a complaint with the independent review office (IRO).

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- The insurer will advise the company of the applicable PIAWE and claim liability.
- The insure will advise when payments are to commence and will then be paid to the worker as part of there usual pay cycle.
- Once the earnings are confirmed by the claims manager, the payments of compensation are commenced, where appropriate within
  - legislative timeframes
  - as part of the employees' usual pay cycle
  - Advise the injured worker on how and when they will be paid
  - Advise the injured worker if they have any issues or queries who to contact

All other payments to be passed onto the employees, such as employee reimbursements will also by paid as part of the employees' usual pay cycle in the event the employee does not claim them directly via the insurer.

In the event that liability of a claim is disputed employees' compensation will not be paid. If authorised by the injured employee, the Company's payroll will continue to pay the employee any lost earnings using sick leave and accrued annual leave entitlements until these entitlements have been exhausted.

If an employee has any questions relating to the payment of entitlements the Company will assist where possible. It should be noted however that the insurer makes decisions relating to entitlements paid through an employee's compensation claim. Should an employee be unable to obtain the required information or assistance from the insurer relating to benefits then they should contact the Independent Review Office either via phone on 13 94 76 or via their website at <https://iro.nsw.gov.au/>.

### 6.3 Obtaining Informed Consent

When an injury is initially notified to the Company, the Return to Work Coordinator will request informed consent from the injured employee. This will allow for communication to occur immediately with treating parties, and to facilitate a collaborative approach to the recovery at work process. This will be established by completing the "Release of information consent form" where the employee will be informed of the benefits of information consent, and their associated rights.

Any exchange of information will be contained to what is relevant to the employee's injury/illness or may need to be considered in developing a Recover at Work Plan.

The Return to Work Coordinator will ensure the respect, confidentiality and protection of an employee's personal and health information and ensure a employee's consent is obtained before providing, obtaining or using information about an employee's injury and recovery.

An employee's personal and health information will only be dealt with in accordance with their consent. When requesting an employee's consent, the Return to Work Coordinator will advise the employee:

- Of their rights and obligations, including the right to withdraw or modify consent at any time throughout the claims process by providing such request in writing to the Return to Work Coordinator.
- Of the types of information that may be released, obtained or used and who is authorised to release, obtain or use the information.
- That providing consent is on voluntary basis.

When a request is made to the Company from a third party seeking release of information relating to an employee's injury or claim, the Return to Work Coordinator is to consider whether existing employee's consent is sufficient to enable release the information.

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The Return to Work Coordinator will keep the employee’s health information in a secure place and ask only the doctor, allied health provider or the employee about information relevant to the claimed injury or illness.

**6.4 Recovery at Work**

The Company will undertake return to work planning for all employees where they have sustained a significant injury, that being physical and/or psychological, where an employee has reduced capacity for more than 7 days as defined by the insurers Injury Management Plan. The Company will offer injured employees suitable work, where reasonably practicable, so they have the opportunity to recover at work.

The Company will ensure that:

- Where practicable suitable duties that are aligned to and commensurate with the employee’s skills and abilities are provided.
- Suitable duties are identified in consultation between the appropriate Manager, the Return to Work Coordinator and the injured employee.
- The injured employee does not perform duties outside those identified and agreed whilst they recover from a work related injury or illness.
- The injured employee is not subjected to harassment or is adversely affected in terms of workplace development or promotion because of a work-related injury or illness.
- If the employee requires further support, consideration will be given to engagement of an external rehabilitation provider to assist the Company in the process of:
  - providing appropriate suitable duties;
  - providing a graduated return to pre-injury duties; and
  - assessing the employee’s current and likely capacity to return to their pre-injury duties.

The Return to Work Coordinator will be responsible for advising the claims manager of the need to engage an external rehabilitation provider and will liaise with the claims manager as to the most appropriate rehabilitation provider for the individual case.

The claims manager from the insurer will instigate the development of an Injury Management Plan in line with claims management guidelines where there is an incapacity greater than 7 calendar days. The Company acknowledges the importance of participating in the development of Injury Management Plans through open communication and commits to working with all key stakeholder during its development.

The Return to Work Coordinator will be responsible for coordinating involvement of the Company in the development of the Injury Management Plan including advising what suitable duties have been identified and on offer. The Return to Work Coordinator is authorised to review and sign the Injury Management Plan on behalf of the Company and advise all key stakeholders of any changes to the Plan. The Return to Work Coordinator will be responsible for ensuring the Company adheres to the commitment and obligations outlined in the Injury Management Plan.

When identifying suitable duties, the Company will prioritise return to work in the following order:

- Pre injury duties
- Modified or adjusted pre injury duties
- Alternate duties with the same employer
- Duties with another where no suitable duties are available

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### 6.5 Recover at Work Plans

In most circumstances injured employees will be assessed by their Nominated Treating Doctor as being capable of remaining at work in 'suitable' or 'modified' duties whilst they recover from the work-related injury. In these circumstances the Return to Work Coordinator must ensure that a Recover at Work Plan is documented. The Recover at Work Plan will be developed in consultation with the injured employee their manager, applicable treatment providers and / or rehabilitation provider. For each period where the injured worker is partially incapacitated for work, a recovery at work plan will be developed. The goal of the return to work plan is to return the worker to pre injury duties. The return to work plan will detail the suitable duties period, the capacity to work, any restrictions, supervisory arrangements, support details of the WHS team, agreement from ten treating Doctor or rehab provider and relevant notes associated with the certificate of capacity.

The Recover at Work Plan will include:

- The days and hours that the employee will work during the period of the Plan.
- The restrictions that the employee and the Company must adhere to.
- The treatment required during the period of the Plan, including review of treatment timeframes, noting that where possible treatment should be undertaken outside of employment time.
- The employee’s period of recovery from their work-related injury or illness and should generally mirror periods as detailed on the Certificates of Capacity.
- The Recovery at Work Plan shall be monitored and changed if required.
- All stakeholders in the Recovery at Work Process will be notified if the Recovery at Work Plan is changed.

It is preferred that the Recover at Work Plan is signed by all parties involved in its development, that is: the injured employee; the supervisor; the Nominated Treating Doctor; and the Return to Work Coordinator.

The employee, Manager and Nominated Treating Doctor should be provided with a signed copy of the Recover at Work Plan. This will ensure that the Manager can easily recall the types of duties that the employee is able to perform, and it will enable the employee to refer to the Plan should they be asked to perform a task outside the agreed restrictions.

If an employee is unable to perform their usual duties, they may have an entitlement to make up pay for any duration of their partial incapacity. This entitlement may exist even if the employee is working their base hours.

### 7. SUITABLE DUTIES REVIEW

The Return to Work Coordinator will maintain regular and appropriate contact with the injured employee to confirm how the injured employee is coping with the suitable duties and if they are experiencing any problems related to:

- Their compensable condition i.e. is the condition getting worse rather than improving as expected?
- The provision of duties within the agreed restrictions i.e. is the employee being asked to perform tasks either not listed on the Recover at Work Plan or duties outside the agreed restrictions?
- Medical treatment. Is the medical treatment recommended assisting with an improvement in their symptoms? Have they attended all their scheduled appointments?
- Discuss any other issues that the employee or their line manager may wish to raise.
- If an employee disputes, disagrees, or has concerns regarding suitable work, they may raise this with the Return to Work Coordinator who will then liaise with the relevant key stakeholders, such as the Manager, claims agent and/or Nominated Treating Doctor.

#### 7.1 Where Suitable Duties are Not Offered

In certain situations, it may not be feasible for an injured employee to attend work and perform suitable duties. This may be due to the following:

- Duties cannot be identified at the workplace that adhere to the employee’s medical capacity.
- The Nominated Treating Doctor does not agree to any suitable duties identified by the Return to Work Coordinator.

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- Duties identified may potentially cause further aggravation to the injured employees injury or illness, or, may cause a different injury.

In circumstances where the Company cannot provide suitable duties, the Return to Work Coordinator will discuss the specific issues that preclude the injured employee being offered suitable duties with the relevant manager to determine if there are any strategies that may overcome the barrier to return to work.

The Return to Work Coordinator will consider whether there are suitable duties available for the employee at another workplace located within a reasonable distance from either the employee’s usual place of employment or their residence.

In situations where suitable duties are not available it may be agreed between the employee, the Company, Return to Work Coordinator and Nominated Treating Doctor that assistance should be provided in locating suitable employment with a different employer whether that be on a short term or permanent basis. In these situations, the services of a Rehabilitation Provider will be engaged.

In circumstances where the Company is unable to provide suitable duties the injured employee’s entitlement to weekly compensation will be calculated in accordance with the relevant legislation to the jurisdiction.

**8. ALTERNATIVE EMPLOYMENT**

For injured employees who are unable to return to work at their pre-injury workplace there are several vocational rehabilitation programs to assist injured employees to find alternative employment.

Alternative employment programs include:

- Work Trials - A short period of work experience with a host employer designed to assist employees to upgrade their physical capacity and/or learn new skills on the job.
- Formal retraining - When employees cannot return to their pre-injury duties and do not have sufficient skills to find new employment, they may be sponsored to undertake a short period of formal retraining.
- Aids/Equipment/Modifications - Workplace aids/equipment or modifications can be funded where these are necessary to overcome the injured employees’ restrictions and will allow the employee to safely perform new or pre-injury duties.
- Job Placement Program - These programs provide incentives for a new employer to engage an injured employee who is fit and ready to work in a limited capacity.

The Claims Agent, in consultation with the Company, the injured employee, and the Nominated Treating Doctor, will determine the appropriateness of these programs.

The injured employee will also be advised by the Return to Work Coordinator of their rights with regards to dismissal under the relevant employee compensation law. The SIRA “Injured at work – A recovery at work guide for workers” will be provided to the worker at the time of notification of injury which also highlights the restrictions regarding termination due to the injury.

Should the employee be dismissed after the first six months of being unfit for employment, the employee may apply for reinstatement within two years of the dismissal should they become medically certified to complete the role for which they are requesting reinstatement to.

The Company will inform any employee employed in a dismissed employee’s role that the dismissed employee may be entitled to be reinstated to the role within two years of being dismissed if medically cleared to return.

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## 9. USE OF A REHABILITATION PROVIDER

If the injured employee requires increased support, consideration will be given to engagement of a Rehabilitation Provider to assist the Company in the process of:

- Providing appropriate suitable duties.
- Providing a graduated return to pre-injury duties, and
- Assessing the employee's current and likely capacity to return to their pre-injury duties.

The Return to Work Coordinator will be responsible for advising the claims agent of the need to engage a Rehabilitation Provider and will liaise with the insurer as to the most appropriate rehabilitation provider. The injured employee will be actively consulted with during the determination as to the need to engage a Rehabilitation Provider.

The Company preferred approved rehabilitation providers in NSW are outlined in the following table:

Provider	Website	Contact Details
Procure	<a href="https://procareinjurymanagement.com.au/">https://procareinjurymanagement.com.au/</a>	1300 000 724
Expert Rehab	<a href="https://www.expertrehab.com.au/">https://www.expertrehab.com.au/</a>	1300 696 941
Corporeal Health	<a href="https://www.corporealhealth.com.au/">https://www.corporealhealth.com.au/</a>	(08) 9622 5940

An injured employee has the opportunity to refuse or request a change in provider at any stage of their involvement. This is also true for any provider of services to the injured employee. The injured employee can communicate this verbally to the Return to Work Coordinator or insurer claims manager. A request however may be asked to be put in writing for record keeping purposes. This will be advised to the injured employee by the Return to Work Coordinator upon commencement of the rehabilitation or other provider's involvement.

The Company will cooperate with the rehabilitation provider by:

- Providing access to any relevant staff (including the injured employee), materials, and sites as required.
- Meeting with the rehabilitation provider as needed to discuss progress and relay the unique needs and arrangements of the workplace or site.

## 10. CONSULTATION

The Company representatives including the Return to Work Coordinator and the WHS Consultative Committee will consult with all employees via the Company's communication platforms during the development of this Return to Work Program. This will be conducted by providing a copy of the draft Program to all of the Company's NSW employees where feedback will be requested within a reasonable timeframe. The feedback will then be correlated, a final version developed and emailed back to employees via the Company's communication platforms.

It is the responsibility of WHS Consultative Committee to notify all the relevant parties of any changes to the Return to Work Program.

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All employees will be regularly informed of their rights and responsibilities and of company policies in relation to return to work through induction and training.

A hard copy of the Return-to-Work Program can be obtained from the Return to Work Coordinator. A copy of the Program is also available on the intranet on the Company's intranet page.

An interpreter will be provided to all employees from non-English speaking backgrounds and assistance will be provided to employees who have literacy and numeracy limitations.

## 11. DISPUTES

The Company will endeavour to prevent disputes through effective consultation and communication. However, where return to work disputes arise; the Company will endeavour to quickly resolve any disagreement to ensure continued effective injury management for the injured employee. This will involve discussions and negotiation amongst the key parties such as the Return-to-Work Coordinator, the injured employee, the NTD, the Claims Agent and the Manager, to ensure cooperation between all parties. An approved Workplace Rehabilitation Provider may be utilised to assist in resolving disagreements.

All disputes will be handled in line with the Company Dispute Resolution Register which can be found on the Company's intranet page.

Employees will be advised of the dispute resolution through:

- Induction programs for new employees and refresher training every two years.
- Electronic communication via emails and web site postings.
- Workers are encouraged to raise any questions or concerns at any point of the return to work process
- Workers have the right at any time to contact the insurer for information or their nominated representative
- Return to work Coordinator will provide verbal advice and also written advice and documents on dispute process if the injured worker requests.

All disputes will include any dismissal of injured workers within NSW law.

- The group will not terminate any worker within 6-months of first becoming medically unfit for employment due to workplace injury or illness, if a worker is dismissed after the 6-month period, the worker has a right to apply for reinstatement to their position, any incumbent to the position will be notified upon taking up the position that a worker has the right to request reinstatement. The injured worker may apply to the Industrial Relations Commission for a mediation.

If all reasonable attempts have failed resolve a dispute, then the matter may be referred to:

State	Agencies available for Contact
NSW	<p>A Return to Work Inspector 131050</p> <p>Independent Review Office (IRO) Phone 139476 or <a href="http://www.iro.nsw.gov.au">www.iro.nsw.gov.au</a></p> <p>SIRA Customer Service Centre Phone 131050 or visit <a href="http://www.sira.nsw.gov.au">www.sira.nsw.gov.au</a></p> <p>Personal Injury Commission (PIC) Phone 1 800 742679 or visit <a href="http://www.pi.nsw.gov.au">www.pi.nsw.gov.au</a></p>

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## 12. PRIVACY AND RECORD KEEPING

All return to work information concerning an injured employee is confidential. The confidentiality of an injured employees' medical records is to be observed in accordance with Section 243 of the 1998 Act, *Privacy Act 1988 (Cth)* for Australian Privacy Principles, Health Records and *Information Privacy Act 2002 (NSW)* and *Privacy and Personal Information Protection Act 1998 (NSW)*.

All employees' compensation and return to work records for specific employees are stored within the Health and Safety drive with access by authorised Health and Safety team members. The Executive Director, Return to Work Coordinator and Health and Safety Manager are responsible for authorising access.

Any employee with access to such information will be made aware that the information is confidential and should not be discussed with or shown to anyone who is not directly involved in the employees return to work.

## 13. REFERENCES AND RESOURCES

State Resources		
NSW	icare	<a href="https://www.icare.nsw.gov.au/">https://www.icare.nsw.gov.au/</a>
	State Insurance Regulatory Authority	<a href="https://www.sira.nsw.gov.au/">https://www.sira.nsw.gov.au/</a>
	Independent Review Officer (IRO)	<a href="http://www.iro.nsw.gov.au">www.iro.nsw.gov.au</a>

State	Relevant Act	Link
NSW	Workers Compensation Act 1987	<a href="http://www.austlii.edu.au/cgi-bin/viewdb/au/legis/nsw/consol_act/wca1987255/">http://www.austlii.edu.au/cgi-bin/viewdb/au/legis/nsw/consol_act/wca1987255/</a>
	Workplace Injury Management & Workers Compensation ACT 1998	<a href="http://www.austlii.edu.au/cgi-bin/viewdb/au/legis/nsw/consol_act/wimawca1998540/">http://www.austlii.edu.au/cgi-bin/viewdb/au/legis/nsw/consol_act/wimawca1998540/</a>

### Health Benefits of Good Work

- The Royal Australasian College of Practitioners Health Benefits of Good Work Consensus Statement can be found at:

[https://www.racp.edu.au/docs/default-source/advocacy-library/afoem-realising-the-health-benefits-of-work-consensus-statement.pdf?sfvrsn=baab321a\\_16](https://www.racp.edu.au/docs/default-source/advocacy-library/afoem-realising-the-health-benefits-of-work-consensus-statement.pdf?sfvrsn=baab321a_16).

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- icare's support of information relating to the Health Benefits of Good Work can be found on icare's website at:  
<https://www.icare.nsw.gov.au/practitioners-and-providers/gps-and-treating-doctors/treatment-and-recovery/health-benefits-of-good-work#gref>.

#### 14. PERIODIC REVIEW

This Return to Work Program will be reviewed at minimum every 2 years with the next review to be completed in March 2028 if not before for the purposes of maintaining relevance and accuracy of its contents.

Any required variations following periodic review will be made by the Document Owner in accordance with section 15.

#### 15. VARIATIONS

This document may be varied, amended, replaced or terminated at any time at the absolute discretion of the Company.

#### 16. DEFINITIONS

In this Program:

**The Company** means Ashley Services Group Limited and each of its subsidiary companies, related entities and affiliates.

**Certificate of Capacity** is usually completed by the employee's Nominated Treating Doctor, the certificate of capacity is used in the NSW workers compensation system to describe the nature of the employee's injury/illness, their capacity for work and the treatment required for a safe a durable recovery.

**Claims Manager** manages an employee's claim for compensation for a work-related injury or illness. This includes determining if the claim is accepted and if there is a liability for support and benefits.

**Good Work** means engaging, fair, respectful and balances job demands, autonomy and job security. Good Work accepts the importance of culture and traditional beliefs. It is characterised by safe and health work practices, and it strikes a balance between the interests of individuals, employers and society. It requires effective change management, clear and realistic performance indicators, matches the work to the individual and uses transparent productivity metrics.

**Injury** means an injury to an employee in respect of which compensation is or may be payable under the relevant state-based legislation: **NSW** - Section 4 *Workers Compensation Act 1987*.

**Injury Management Plan** is a written plan developed by the Insurer in consultation with the worker and other stakeholders, to identify the actions of all parties in helping the employee recover from their injury and recover at/return to work.

**Nominated Treating Doctor** is defined in section 42 of the *Workplace Injury Management and Workers Compensation Act 1998* as the treating doctor nominated by an employee for the purposes of an injury management plan for the employee.

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**Notifiable Incident is:**

- the death of a person; or
- a serious injury or illness; or
- a dangerous incident.

**Recover at Work Plan** is an individualised written Plan, agreed through a consultation process with the injured employee, Manager, Claims Agent and Nominated Treating Doctor, which integrates the treatment, rehabilitation and retraining of an injured employee, for the purposes of achieving and timely, safe and durable return to work. The Plan states the suitable duties, restrictions, hours worked, supervision arrangements and responsibilities of all key parties including steps that will be taken to help the injured worker return to work.

**Rehabilitation Provider** offers specialised services to help injured employees to return to work. The costs of these services are paid against the injured employee's claim. Rehabilitation Providers:

- Can assess the needs of the injured employee and the workplace requirements to develop a rehabilitation plan of action, listing the services needed to return the injured employee to work.
- Employ different health professionals, such as occupational therapists, physiotherapists, psychologists and rehabilitation counsellors.
- Can be referred to, by the Company's workers' compensation insurer/claims agent or the treating doctor to help in complex cases.
- Can be nominated by the Company or injured employee in the return to work process.

**Return to Work Coordinator** carries out the day to day of managing injuries sustained by the injured employee and is the link between the injured employee, the workers compensation insurer/claims agent, the injured worker's nominated treating doctors and the Company.

**Suitable Duties** in relation to an injured worker means duties for which the injured worker is suited, having regard to the following:

- The nature of the injured worker's incapacity and details provided in medication information, including but not limited to, any certificate of capacity supplied by the injured employee.
- The injured employee's age, education, skills and work experience.
- Any plan or document prepared as part of the return to work planning process, including a Recover to Work Plan; and
- Any occupational rehabilitation services that are being, or have been, provided to or for the injured employee.

Suitable duties are intended to provide productive work for injured employees to assist them in returning to their pre-injury status.

**17. Ashley Services Limited Policies Include:**

- Action Workforce TJX Pty Ltd
- Action Workforce Pty Limited
- Action Workforce T2 Pty Ltd
- Action Arndell Park Pty Ltd
- Action Botany Pty Ltd
- Action Jame NSW Pty Limited
- Action James Parramatta Pty Limited
- Action Workforce ACT Pty Ltd
- Action Workforce COL1 Pty Ltd
- Action Workforce COT Pty Ltd

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- Action Workforce IMT Pty Ltf
- Action Workforce JDS Pty Ltd
- Action Workforce NSW Pty Ltd
- Action Workforce OST Pty Ltd
- Action Workforce OTH Pty LTd
- Action Workforce T1 Pty Ltd
- Action Workforce TJX Pty Ltd
- Action Workforce VPS Pty Ltf
- ADV2 Pty Limited
- CCLTS Group Pty Ltd
- Concept Electrical Resources Pty Ltd
- Concept Engineering (Aust) Pty Ltd
- Concept Retail Solutions Pty Ltd
- The Blackadder Recruitment Company Pty Limited
- The Instruction Company Pty Limited
- Track Safety Australia Pty Ltd
- Vocational Training Australia Pty Limited

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