

Health, Safety and Environment Management System

HSE-PRO-012 HSE Health Management Procedure

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1 Intent

James Cook University (JCU) recognises its obligation, as far as reasonably practicable, to provide a safe and healthy environment for all individuals who are influenced by our activities and is committed to:

- monitor the health of Workers and the conditions at the workplace to prevent illness or injury to Workers
- insure Workers under an accident insurance policy in the event of a work-related injury
- support and contribute to the provision of work rehabilitation of a suitable standard for all Workers whose ability to carry out their duties is affected by injury
- provide suitable duties, where possible, in order to maintain Workers to stay at work or make an early return to work after injury as experience shows that being back at work is an important part of recovering from an injury
- maintain Workers at work or assist their early return to their pre-injury position or to a position that suits their capacity and JCU requirements
- treat Workers with confidentiality, respect and equity

2 Scope

This procedure applies to:

All JCU staff who work under a contract or undertaking, taken to be employment and are determined to be Workers under *Workers Compensation and Rehabilitation Act 2003*.

This procedure does not apply to students, volunteers or other eligible persons as per the Act. Students and volunteers may be covered under an alternative insurance policy – for more information regarding JCU's Insurance Program please contact JCU's Insurance Office (insurance@jcu.edu.au).

3 Definitions

The Health Management Procedure definitions relate to the Queensland Workers Compensation and Rehabilitation Act and Regulations.

Terms	Definitions
Accident insurance	Is insurance by which an employer is indemnified against all amounts for which the employer may become legally liable, for injury sustained by a Worker employed by the employer for: <ol style="list-style-type: none"> a) Compensation; and b) Damages.
Compensation	Is compensation under the <i>Worker's' Compensation Act 2003</i> , that is, amounts for a Workers injury payable by an WorkCover QLD to a Worker, a dependent of a deceased Worker or anyone else, and includes compensation paid or payable under a former Act.
Injury	A personal injury, for example, a cut, fracture, sprain, strain, disease, aggravation of a pre-existing condition, industrial deafness, and psychiatric or psychological disorder.
Injury Prevention and Management Advisor (IPaMA)	The Injury Prevention and Management Advisor (IPaMA) is a person who is appropriately qualified to perform the functions of a Rehabilitation and Return to Work Coordinator under the Act and has the functions prescribed under a regulation. The IPaMA is the link between the Worker, treating Doctor, the employer, Supervisors, WorkCover and any other person involved in the health management and stay at work/return to work process.
Rehabilitation	Rehabilitation is a process designed to ensure the Worker's earliest possible return to work and maximise the Worker's independent functioning. Rehabilitation may include necessary and reasonable suitable duties plans, services provided by a registered persons, services approved by an insurer or the provision of necessary and reasonable aids or equipment.
Suitable duties	These are specially selected duties that are matched to the injured Workers capacity for work, taking into account pre-injury employment, relevant medical information, the rehabilitation and return to work plan, the employers health management policies and procedures, Worker's age, education, skills and work experience and if duties are available at a location other than the location where the Worker was injured, and whether it is reasonable to expect Worker to attend the other location.
Supervisor	Any person who is responsible for Workers, the allocation of tasks to Workers.
Worker	A Worker is 'a person who works under a contract and, in relation to the work, is an employee for the purpose of assessment for PAYG withholding under the <i>Taxation Administration Act 1953</i> (Commonwealth), schedule 1, part 2-5'. This applies to a person for whom PAYG tax instalments are required or would be required to be withheld by their employer.
Workers Compensation Regulator	The Workers' Compensation Regulatory Authority in Queensland. Q-COMP has many functions including the running of the medical assessment tribunals, providing administrative reviews of WorkCover QLD decisions, educating the scheme about rehabilitation and return to work and connecting injured Workers with services that will assist them in re-entering the workplace if they are not able to return to their pre-injury role.
WorkCover Queensland	The University's Accident Insurer is WorkCover Queensland. WorkCover will make decisions on your claim regarding your employer's liability and will coordinate your overall rehabilitation plan based on the available medical

	information. WorkCover works closely with your IPaMA to ensure the safest and best possible return to work outcome for you.
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4 Duty, Obligations and Responsibilities

4.1 James Cook University

James Cook University:

- must, for each Worker, insure and remain insured against an injury sustained by the Worker for the employer's legal liability for compensation and damages
- must appoint a Rehabilitation and Return to Work Coordinator if the employer meets criteria prescribed under a regulation in the Workers Compensation Regulation 2003. The Rehabilitation and Return to Work Coordinator must be in Queensland and be employed by the employer under a contract (regardless of whether the contract is a contract of service)
- must have workplace rehabilitation policy and procedures and review the workplace rehabilitation policy and procedures every three (3) years
- has a mandatory duty to immediately report any injury sustained by a Worker, for which compensation may be payable, to the WorkCover QLD
- must take all reasonable steps to assist or provide the Worker with workplace rehabilitation of a suitable standard for the period for which the Worker is entitled to compensation
- must not dismiss a Worker within the 12 months after a Worker sustains an injury solely or mainly because the Worker is not fit for employment in a position because of the injury

If JCU considers it is not practicable to provide the Worker with workplace rehabilitation, they must provide WorkCover QLD with written evidence that the workplace rehabilitation is not practicable.

4.2 Worker

The Worker:

- must mitigate loss by satisfactorily participating in workplace rehabilitation as soon as practicably possible after an injury is sustained
- must avoid further injury or aggravation to current injury in work and non-work related activities
- must advise their Doctor of the availability of a workplace rehabilitation and suitable duties
- is responsible for attending medical appointments that are organised by WorkCover QLD, and attend medical and other treatment appointments, where possible outside normal work hours
- must participate in the development of a Suitable Duties Plan and provide Supervisor and/or HSE IPaMA with up to date medical certificates, and apply for leave, as appropriate, via My HR Online
- must stay in contact with their Supervisor and Injury Prevention and Management Advisor providing information regarding their rehabilitation progress and attend regular reviews as agreed

4.3 Injury Prevention and Management Advisor (HSE IPaMA)

The HSE IPaMA fulfils the role of a Rehabilitation and Return to Work Coordinator as per the Act and will:

- Communicate with the Worker as soon as possible following being notified of an injury to assess workplace rehabilitation needs and to notify relevant parties as required
- Coordinate the stay at work / return to work of an injured Worker by engaging with relevant stakeholders in the development of an appropriate workplace rehabilitation plan
- Educate Workers and management about workplace rehabilitation, assist injured Workers by consulting with them when developing their Suitable duties Plan and monitor the injured Worker's progress
- Notify WorkCover QLD of any injury where there may be compensation payable as soon as possible
- Assist the Worker with lodging an application for Workers' compensation with WorkCover QLD
- For the period for which the Worker is under workplace rehabilitation, maintain regular contact with the Worker and Supervisor to monitor the Workers progress and undertake ongoing review of workplace rehabilitation
- Keep accurate and objective case notes relevant to the Worker's rehabilitation and return to work ensuring confidentiality
- Ask the Worker to sign an authorisation form that gives them permission to contact the Workers treating Doctor or other health care professionals for guidance on workplace rehabilitation

4.4 Supervisor

The Supervisor must:

- Satisfactorily assist in the workplace rehabilitation process
- Notify the HSE IPaMA, as soon as practicably possible, of a Worker who has an injury
- Assist in development and implementation of an appropriate Suitable Duties Plan
- Assist in identifying suitable duties within the workplace
- Maintain contact with the Worker during the period of workplace rehabilitation
- Provide the Worker with support and monitor the performance of the suitable duties
- Notify the HSE IPaMA of any issues being experienced by the Worker as a result of suitable duties
- Maintain confidentiality of a Workers workplace rehabilitation
- Explain the purpose of suitable duties to fellow Workers and discuss how they can support a Workers return to work

4.5 WorkCover QLD Customer Advisor or Claim Manager

- The WorkCover QLD Customer Advisor or Claim Manager will guide workplace rehabilitation by communicating with all parties, focusing on what Workers

capabilities are, helping to identify tasks the Worker can do, monitoring the progress of the Worker and approving and reimbursing the costs of workplace rehabilitation

5 Workplace Rehabilitation

5.1 Suitable Duties

JCU has a responsibility to provide suitable duties, where reasonable, as part of workplace rehabilitation. Workplace rehabilitation is required if a Worker is unable to perform normal duties due to injury. The HSE IPaMA, in consultation with relevant stakeholders, will help develop a Suitable Duties Plan to enable the Worker to either stay at, or return to work. A Suitable Duties Plan takes into account the Worker's normal duties, current work capacity, medical advice and individual circumstances.

The HSE IPaMA together with the Worker and Supervisor will identify duties the Worker can perform within his or her capacity until the Worker can resume their normal role. If required, the Suitable Duties Plan will need to be approved by the treating Doctor to ensure the suitable duties are within the Workers capacity. The HSE IPaMA may contact, with the consent of the Worker, the treating Doctor directly to discuss the Suitable Duties Plan. The HSE IPaMA on behalf of JCU may engage external providers to assist identification and implementation of the Suitable Duties Plan.

It is important suitable duties are meaningful, optimise the Worker's rehabilitation and do not place the Worker at risk of further injury. The Suitable Duties Plan may involve changes to working hours, duties, tools and equipment etc. It is important the Suitable Duties Plan notes the following:

- The goal of the plan
- A list of duties and restrictions
- The hours / days to be worked
- Details of training required
- Anticipated time frame of the plan

Suitable duties don't always need to be in the pre-injury role. The Suitable Duties Plan should take into account:

- What other types of duties are available within the workplace
- What projects or tasks have the work unit wanted to do for some time but haven't had the resources to undertake
- Tasks that match the skills and physical capabilities of the Worker

The Suitable Duties Plan must be monitored and reviewed at appropriate intervals consistent with the Worker's recovery and WorkCover QLD must be provided with a copy.

To assist a Worker undertaking workplace rehabilitation it is important Fellow Workers are made aware of the Suitable Duties Plan. This allows co-Workers to understand there may be a change of the Worker's hours or duties and also encourages assistance if required.

5.2 Work Related Injury

5.2.1 Reporting

A Worker must report any incident, which results in a work related injury, to the relevant Supervisor as soon as practicably possible. Where possible the Worker should log the incident into RiskWare within 24 hours and the Supervisor should ensure the Worker has logged the incident in RiskWare within 24 hours of being notified. If the Worker is unable to log the incident into RiskWare the Supervisor may log the incident however the Worker will need to verify the incident details as being correct.

If assistance is required relevant stakeholders should contact the JCU Health, Safety and Environment Unit at safety@jcu.edu.au

5.2.2 Stay at Work / Return to Work

If a Worker sustains a work related injury and is unable to perform normal duties, requires time off work and/or requires medical treatment, he or she should follow the process outlined below:

- The Worker must report /injury to the Supervisor as soon as possible
- The Worker must log the incident in RiskWare soon as practicably possible
- The Worker is to obtain the work related injury management forms from JCU Safety website and take to medical appointment
- Worker must contact the HSE IPaMA as soon as possible
- If the Worker requires medical treatment (other than First Aid) or misses more than one shift of work after the day of injury a [Queensland \(QLD\) Workers' Compensation Medical Certificate](#) must be obtained from the treating Doctor
- A QLD Workers' Compensation Medical Certificate will be required if the Worker wishes to lodge a WorkCover claim for compensation i.e. lost time or medical expenses
- The Worker must advise treating Doctor of JCU's workplace rehabilitation and have the Doctor complete the Worker's Capability Form
- The Worker must pay for medical expenses, unless advised otherwise by the HSE IPaMA, and keep all expense receipts
- The Worker must provide a copy of the QLD Workers' Compensation Medical Certificate to the Supervisor, HSE IPaMA and WorkCover QLD
- Worker is to complete the Medical Authorisation Form
- The HSE IPaMA must contact Worker, Supervisor, treating Doctor and other stakeholders as required to coordinate workplace rehabilitation
- The HSE IPaMA, in consultation with the Worker, Supervisor, treating Doctor and other stakeholders, must develop a Suitable Duties Plan if required
- External providers may be required to assist in providing appropriate support strategies during workplace rehabilitation
- The Suitable Duties Plan will be regularly reviewed
- Workplace rehabilitation will cease once the Worker does not require further medical treatment and is able to return to normal duties

5.2.3 Work related workplace rehabilitation participation

The Worker will satisfactorily participate in workplace rehabilitation as per the Suitable Duties Plan. The Worker is to maintain open communication with the HSE IPaMA and their Supervisor and report any issues as soon as possible so that they can be addressed. Failure to participate in suitable duties may result in suspension of WorkCover benefits.

If JCU is not able to provide suitable duties, WorkCover QLD will be notified. WorkCover QLD will identify if a host employer is appropriate and return the Worker to alternative work with another organisation until the Worker can participate in suitable duties at JCU.

5.2.4 Lodging an application for Workers' Compensation

The Worker must have sustained a work related injury to lodge an application for Workers' compensation with WorkCover QLD.

The Worker will ensure he or she has:

- Reported the injury to his or her Supervisor and logged it on RiskWare
- Contacted the HSE IPaMA
- Obtained a QLD Workers' Compensation Medical Certificate from his or her Doctor
- Obtained work related information online or from the HSE IPaMA
- Signed an Injured Worker Medical Authorisation Form
- Retained any receipts for expenses relating to the injury

HSE IPaMA is able to assist the Worker with the application; however the Worker can also lodge an application for workers' compensation by:

- contacting WorkCover Qld on 1300 362 128, or
- faxing a completed application form to WorkCover Qld on 1300 651 387, or
- posting a completed application form to GPO Box 2459, Brisbane Qld 4001, or
- by applying online at <https://www.worksafe.qld.gov.au/rehab-and-claims/injuries-at-work/making-a-claim>, or
- lodging an application direct to WorkCover QLD through their Doctor

A Worker must lodge an application for workers' compensation with WorkCover QLD within six (6) months from the date of injury. WorkCover QLD can take up to twenty (20) business days to determine claim liability. If claim liability is accepted, any subsequent invoices or medical certificates that are required to be sent to WorkCover QLD should be forwarded to rehab@jcu.edu.au.

WorkCover QLD will only reimburse the workers' entitlements and/or expenses for the twenty (20) business days prior to the lodging of the claim.

5.2.5 Time off due to work related injury

If a Worker requires time off from work following assessment by a treating Doctor it needs to be stated on the QLD Workers' Compensation Medical Certificate. The Worker must follow the steps outlined below:

- The Worker must lodge a leave request for the time off as per Human Resources Leave Procedure

- The Worker must select either personal leave, annual leave or personal leave without pay depending on the amount of accrued leave available
- JCU will reimburse the Worker's leave entitlements if WorkCover QLD determine the claim liability is accepted

5.2.6 Wages information

JCU will pay accrued leave entitlements to the Worker whilst WorkCover QLD determines the claim liability, that is, while WorkCover QLD will determine if an application for compensation is accepted or not. If the claim liability is accepted, JCU will reimburse the Worker's entitlements. JCU will ensure the Worker receives the equivalent of full wages for the duration of the claim.

5.2.7 Grievances

If a Worker is unhappy with a decision regarding workplace rehabilitation, the Worker may raise the matter with the Supervisor. If the matter is unresolved the Worker can ask the HSE IPaMA to review the decision. If the Worker remains unhappy with the decision following internal review, the Worker can request WorkCover QLD becomes involved to resolve the dispute.

If the Worker or JCU is unhappy with a decision made by WorkCover QLD, the decision can be reviewed with the Workers' Compensation Regulator (formerly Q-COMP), however strict time frames apply.

Related Information:	Appendix 1 - Health Management - Work Related Injury Flow Chart HSE-PRO-012a - Health Management - Work Capabilities Form HSE-PRO-012b - Health Management - Suitable Duties Plan HSE-PRO-012c - Health Management - Medical Authorisation Form QLD Worker's Compensation Claim Form
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5.3 Non-work Related Injury

5.3.1 Reporting

A Worker must report any non-work related injury to his or her Supervisor if the injury may potentially impact on the Worker being able to perform normal work duties and/or hours. The Worker must provide medical evidence from his or her Doctor in regard to the non-work related injury.

The Supervisor must contact the HSE IPaMA if the Worker requires workplace rehabilitation. HSE IPaMA will facilitate workplace rehabilitation and develop a stay at work/ return to work Suitable Duties Plan in consultation with the relevant stakeholders.

5.3.2 Stay at Work / Return to Work

If a Worker sustains a non-work related injury and is unable to perform his or her normal duties, i.e. requires time off work, medical treatment and/or restricted duties' the process outlined below will be followed:

- The Worker must notify their Supervisor of the non-work related injury
- The Worker will obtain a medical certificate from treating Doctor indicating his or her capacity for work and/or other considerations

- The Worker will have the treating Doctor complete a work capabilities form, to assist with the development of a Suitable Duties Plan
- The Worker will provide medical information to Supervisor and contact HSE IPaMA
- The HSE IPaMA will develop a Suitable Duties Plan in consultation with the Worker, Supervisor and treating Doctor
- Where possible, JCU will accommodate medical restrictions, which will be assessed on a case-by-case basis
- JCU may request the Worker to provide further medical information relevant to workplace rehabilitation from the treating Doctor
- The Suitable Duties Plan will be approved by the Supervisor and/or work unit
- The Supervisor will maintain contact with the Worker, and advise the HSE IPaMA of any issues during the workplace rehabilitation
- The Suitable Duties Plan will be regularly reviewed
- Workplace rehabilitation will cease in the event that JCU is unable to provide temporary suitable duties
- Workplace rehabilitation will cease once the Worker does not require further medical treatment and provides a clearance medical certificate stating he or she is able to return to performing normal duties.

5.3.3 Non-work related workplace rehabilitation participation

If a Worker with a non-work related injury fails to satisfactorily participate in workplace rehabilitation, JCU has the right to suspend workplace rehabilitation until the Worker is able to return to normal duties. Where there is no significant progress made by the Worker during the workplace rehabilitation, JCU may request further information from the treating Doctor or request that the Worker attend a medical review with a JCU appointed Doctor.

5.3.4 Expenses

The Worker is responsible for expenses relating to the treatment of an injury; however the work unit is responsible for any expenses relating to adjustments, where reasonable, to the work environment.

5.3.5 Time off due to non-work related injury

If a Worker requires more than three (3) consecutive working days off from work as a result of an injury, he or she will need to provide a medical certificate to the Supervisor. The Worker should notify the Supervisor, as soon as possible, and apply for the leave in My HR Online.

If a Worker requires partial time off work as a result of an injury the Worker will supply a medical certificate to access leave accruals. The Worker will advise the Supervisor of this request and a Suitable Duties Plan will be developed in consultation with the HSE IPaMA. The Worker will complete a partial time off work request in MyHR Online.

5.3.6 Wages Information

JCU will only pay wages to the Worker for the hours worked. If the Worker is unable to work normal hours due to a non-work related injury, the Worker is able to access accrued leave entitlements (annual / personal leave) for the hours not worked.

5.3.7 Temporary Incapacity / Permanent Disability (TDP – UniSuper)

A Worker who suffers a non-work related injury may be eligible to apply to his or her superannuation fund for a temporary incapacity benefit or total and permanent disability benefit. [JCU Human Resources Directorate](#) or UniSuper (www.unisuper.com.au) can be contacted for further information.

5.3.8 Grievance

If a Worker is unhappy with a decision regarding workplace rehabilitation, the Worker can raise the matter with the Supervisor and/or the HSE IPaMA for further review. The HSE IPaMA and the Supervisor, in consultation with the Worker, will review the decision taking into account the Workers' individual circumstances, medical evidence and JCU business requirements when making a final decision in regard to workplace rehabilitation. JCU will provide Workers with workplace rehabilitation as far as reasonably practicable.

Related Information:	Appendix 2 - Health Management - Non-Work Related Injury Flow Chart HSE-PRO-012a - Health Management - Work Capabilities Form HSE-PRO-012b - Health Management - Suitable Duties Plan HSE-PRO-012c - Health Management - Medical Authorisation Form
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6 Reasonable Adjustments

JCU has an obligation to make reasonable adjustments for a Worker with an incapacitation / permanent impairment (work-related or non-work related). Reasonable adjustments are services or facilities that may be provided by JCU to enable a Worker to fulfil the inherent requirements of his or her role. The obligation to provide reasonable adjustments does not, however, require JCU to modify the nature of a particular role (or its inherent requirements). Reasonable adjustments are all adjustments that do not impose an Unjustifiable Hardship on JCU.

Medical evidence will be required to assess the extent to which a Worker can perform his or her role and assess what reasonable adjustments may be required for a particular Worker.

7 Medical Assessments

At times JCU, in consultation with the Worker, may request further information from a treating Doctor or request the Worker attend a JCU appointed Doctor where clarification of a diagnosis / prognosis is necessary and/or further information is required for workplace rehabilitation purposes.

A Worker will be required to undertake a medical examination to assess his or her capacity to undertake the inherent requirements of the position i.e. fitness for duty when either:

- the absence extends for more than three (3) months; or
- the total absences within a twelve (12) month period, are in excess of three (3) months (whether based on a single illness or injury or separate illnesses or injuries) and paid personal/carer's leave accrual has been exhausted – this is in accordance with the current JCU Enterprise Agreement.

8 Termination of Employment on the Grounds of Ill Health

If a Worker is medically assessed to not have the capacity to perform the pre-injury inherent job requirements, and the Worker cannot be redeployed, termination on medical grounds may be pursued in accordance with relevant legislative requirements and the JCU Enterprise Agreement.

9 Confidentiality

Information obtained for the purpose of workplace rehabilitation will be treated with sensitivity and confidentiality by all stakeholders and in accordance with JCU's Information Privacy Policy and Right to Information Policy. If it is necessary to obtain or release information associated with a Worker's injury and workplace rehabilitation, the Worker's authority to obtain or release the information will be obtained.

Related Information:	HSE-PRO-012c - Health Management - Medical Authorisation Form
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10 Other Accident Insurance – Overseas / Interstate

10.1 Overseas Workers

If a Worker is engaged in another country for less than six (6) months duration, the Worker is covered under the JCU's accident insurance with WorkCover QLD.

If a Worker is engaged overseas for longer than six (6) months, the Division/College/Directorate must contact JCU's Insurance Office (insurance@jcu.edu.au) regarding alternative insurance, the cost of which will be incurred by the relevant Division/College/Directorate.

10.2 Interstate Workers

If a Worker usually works in a State other than Queensland, and the Workers employment is connected with that State, then JCU will insure the Worker under an accident insurance policy according to that State's legislative requirements.

11 Related Documents, Legislation and Other Resources

11.1 Related Documents and Other Resources

Policy	JCU Health, Safety and Environment Policy
Procedure	HR - Leave Procedure
Guidance	HSE-GUI-00x - Work Related Health Management Guideline
	HSE-GUI-00x - Non-work related Health Management Guideline
Other	JCU Enterprise Bargaining Agreement 2013 - 2016

11.2 Regulatory Authorities and Other Relevant Entities

Administration of accident insurance scheme is managed by the office of the Workers' Compensation Regulator and WorkCover Queensland.

11.3 Related Legislation, Codes of Practice and Standards

Legislation	Workers Compensation and Rehabilitation Act 2003 (Qld)
	Workers Compensation and Rehabilitation Regulation 2003 (Qld)
Standards	Nil
Codes of Practice	Nil

12 Administration

NOTE: Printed copies of this procedure are uncontrolled, and currency can only be assured at the time of printing.

12.1 Approval Details

Policy Sponsor	Deputy Vice Chancellor, Services and Resources
Version no.	1.0 (2017-1)
Date for next Major Review	20/12/2019

12.2 Revision History

NOTE: A minor amendment will not result in a change of the next major review date.

Approval date - the date the Policy Sponsor approved the establishment, minor or major amendment or disestablishment

Implementation Date - the date the procedure was published in the Policy Library and is the date the procedure takes effect

Version	Approval date	Implementation date	Details	Author
1.0 (2017-1)	13/01/2017	31/01/2017	Addition of Flowcharts (Appendix 1 and 2)	HSE
1.0 (16-1)	20/12/2016	23/12/2016	Procedure established	WHS Injury Prevention and Management Advisor

Keywords	Health management
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Consultation Committee	Health, Safety and Environment Advisory Committee (HSEAC)
Contact Unit	safety@jcu.edu.au

13 Schedules

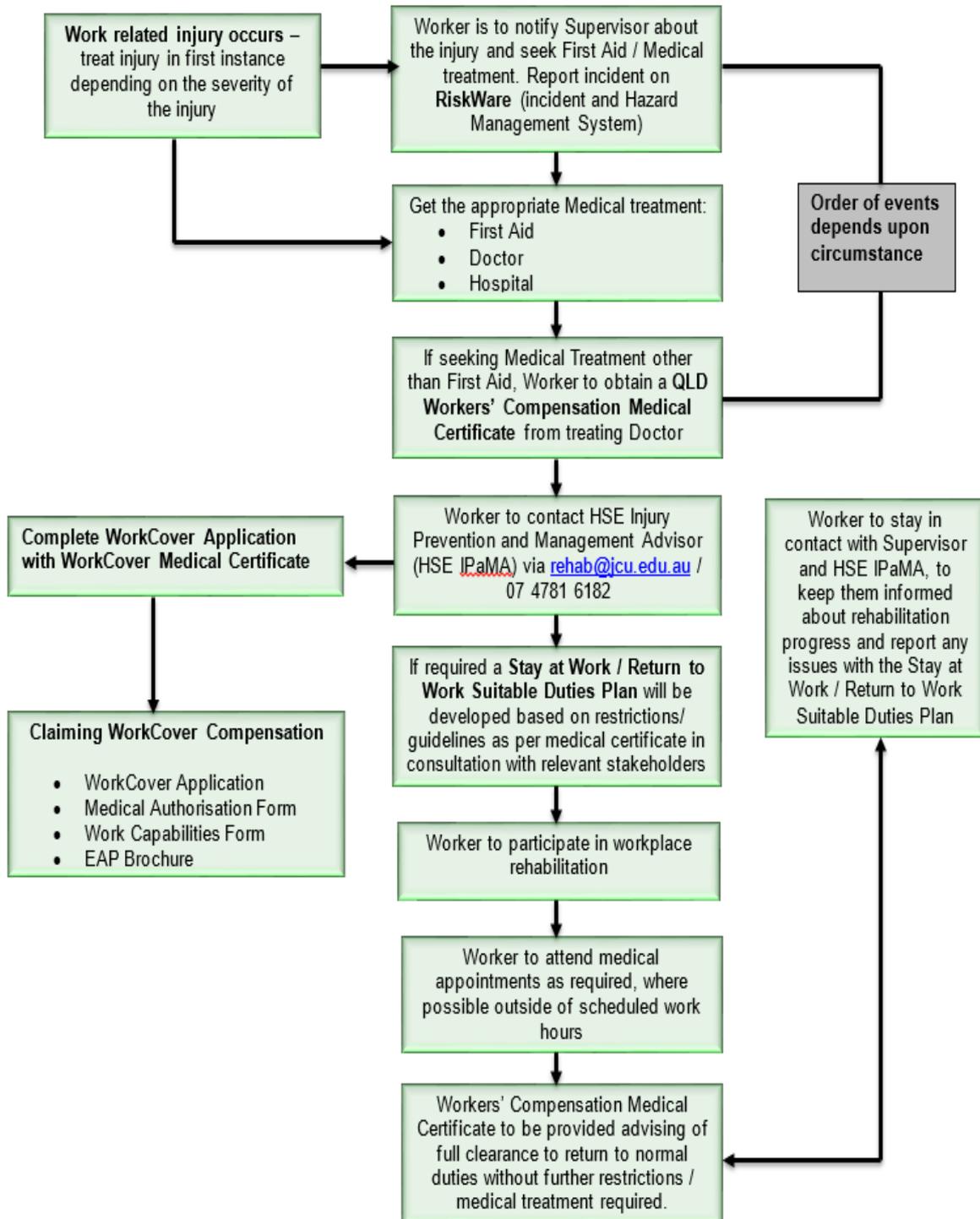
Not applicable

14 Appendices

Appendix 1 – HSE Health Management – Work Related Injury Flowchart

Appendix 2 – HSE Health Management – Non Work Related Injury Stay at work / Return to Work Flowchart

Appendix 1 - HSE Health Management – Work Related Injury Flowchart



Appendix 2 - HSE Health Management – Non Work Related Injury Stay at work / Return to Work Flowchart

