

Employment Direction No. 29


Managing employees absent from the workplace

State Service Act 2000

EMPLOYMENT DIRECTION

Directive

Pursuant to Section 17 of the *State Service Act 2000*, I hereby direct that the arrangements and requirements set out in this Employment Direction apply.



Issued by authority of the Minister administering the *State Service Act*.

Date: // February 2014

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1. Purpose

- 1.1 The purpose of this Employment Direction (ED) is to emphasise the Government's commitment to supporting employees who are absent from work due to illness/injury, whether or not it is work related.
- 1.2 This ED is focused on employees who are likely to be absent from work for a significant period of time, commencing from an absence exceeding five working days.
- 1.3 The Government is committed to working with employees to support them during their absence from work and to enable the ill/injured employees back to the workplace as soon as they are ready. The ultimate aim is for employees to return to their pre-illness/injury duties and performance level.
- 1.4 This commitment is based on the following principles:
 - If the employee is ill/injured we care and we will support them.
 - We will work with the employee and medical practitioners/providers to help the employee manage and recover from their illness/injury and get them back to work as soon as they are ready.
 - We will keep in regular contact with the employee while they are not at work and we will establish support systems so they can keep in touch with us.
 - The employee will work with us and is committed to returning to work.
- 1.5 This ED is to be read and interpreted in conjunction with each agency's injury management program.

2. Application

- 2.1 This ED applies to all Tasmanian State Service agencies with employees who are employed in accordance with the *State Service Act 2000*.

3. Legislation/Award Basis and Related Documents

Section 17 of the *State Service Act*

Sections 2A, 142 and 143M of the *Workers Rehabilitation and Compensation Act 1988*

4. Date of Operation

- 4.1 This ED will take effect from the date of issue and will remain in force until varied or revoked.

5. Direction

5.1 Powers exercised by the Employer

Pursuant to Section 17 of the *State Service Act*, I hereby direct that a Head of Agency is to foster a supportive environment and look after the interests of an employee who is ill/injured, whether or not the employee's absence is work related, so that the employee is able to get back to the workplace as soon as they are able and at their pre-illness/injury performance level.

5.2 Objective

The objective of this ED is to return the ill/injured employee back to their pre-illness/injury position and performance level. If this is not possible, then the aim, in priority order, is to return the employee:

- I. to their usual position on modified duties
- II. to a similar or alternate position at the employee's classification, in their agency
- III. to a similar position/profession or similarly classified job related to their profession, skills and knowledge in another agency.

5.3 Roles and responsibilities

The agency is to:

- Foster an environment which provides the ill/injured employee with the support they need to get them back to the workplace in some capacity as soon as they are able.
- Set clear expectations that a manager is to manage their ill/injured employee and to ensure they:
 - acknowledge their role and responsibility in assisting the employee get back to work;
 - keep in regular contact during the period of absence; and
 - are flexible and accepting of modification/change of duties during the process of returning to work.
- Subject to any medical advice and consistent with the employee's wellbeing, a manager is to arrange regular contact with their employee who is absent from the workplace for any period exceeding five consecutive working days.
- Have in place strategies for the ill/injured employee which explores a range of options to enable them to get back to work. The strategies should clearly articulate:
 - the actions and responsibilities of the agency, the ill/injured employee, their manager and any medical practitioner or externally appointed provider.
 - An estimated timeframe that the employee will be fit for full duties.
- Be collaborative and work with and involve the manager, the ill/injured employee, the employee's medical practitioner and insurer (if relevant), in the management of the illness/injury.
- Provide suitable and meaningful duties to assist in the rehabilitation of the employee in consultation with the relevant parties.
- If necessary find other suitable employment within the agency, or across agencies, relevant to the employee's profession, skills and knowledge.
- Monitor the agency's performance in managing the employee's return to work.
- Ensure all requests from the employee and any supporting medical practitioner and other providers are responded to in a timely manner.

- Ensure that appropriate confidentiality is maintained at all times.
- Where it relates to a compensable injury or illness, the agency's injury management plan is to be implemented as required by the Workers Rehabilitation and Compensation Act.

The ill/injured employee is to work with their agency and any appointed provider, to assist in their early return to work. The employee is to:

- Report that they have an illness/injury as soon as practicable so that the agency can provide, where necessary, workplace support and illness/injury management.
- Be positive and committed to getting back to work.
- Work with their manager, medical practitioners, providers and insurers (if relevant) to develop strategies for getting back to work.
- Positively consider medically approved strategies to assist their return to work. This may involve variation in their duties.
- Keep in contact with their agency, either through their manager or another appointed agency contact, either directly or through a nominated person.
- Keep the agency informed of any changes in their illness/injury.
- Attend all medical appointments and rehabilitation meetings.

5.4 Practices, Procedures and Standards

Practices, Procedures and Standards to support managing absences from the workplace will be developed by the Department of Premier and Cabinet's State Service Management Office (SSMO) pursuant to Section 15(1)(b) of the State Service Act. Consultation will occur with relevant stakeholders in the development these Practices, Procedures and Standards.

6. Reporting and Monitoring

6.1 Agencies are to collect data and report on:

- The average number of days and occurrences of extended absence from work by type of absence, by paid head count, by work and non-work related illness/injury, where the extended absence is more than five days.
- The number (and percentage) of actively managed fulltime and graduated return to work programs (by work and non-work related illness/injury), including those continued, finalised and commenced in that year.

6.2 Reports are to be provided to the Director, SSMO as part of the annual agency survey information required by the Head of the State Service.

7. Review

7.1 This Direction will be reviewed by December 2015.

8. Attachments

Not applicable.

