

Return to Work Programs

The Bill provides for the establishment and implementation of return to work programs under comparable arrangements to the current Act.

Key Points

Bill ref: cl. 160-161

- An early return to work is the best possible outcome for injured workers and employers.
- Return to work programs assist injured workers to return to work in a timely, safe and durable way.
- Employers have obligations to establish return to work programs for partially incapacitated workers, or when required by the worker's treating medical practitioner.
- Injured workers also have obligations to participate and cooperate in return to work programs.
- There is no intention to depart from the current approach of specifying minimum standards for return to work programs. A one-size-fits-all prescriptive approach to return to work programs is not appropriate given the significant variation in the nature and extent of injuries and workplaces.
- Regulations may specify minimum standards or requirements for the establishment, content and implementation of return to work programs, or require return to work programs to be in an approved form or include prescribed provisions.
- An arbitrator may order an employer or worker to comply with their return to work program obligations, if required.

Questions & Answers

Q. Is it necessary to consult the injured worker in the establishment of a return to work program?

A. Yes. A return to work program must, as far as reasonably practicable, be established in consultation with the worker.

