

Process Overview - Fact Sheet - Management of Non Work Related Injuries or Health Conditions

If an injury or illness is or has the potential to impact on an employee's ability to fulfil their substantive role, then the following process should be followed:

Complete a risk assessment

The Non Work Related Injury or Health Condition (NWRIHC) Risk Assessment should be completed to objectively identify the list of concerns, provide supporting evidence and assign a risk rating using the NSW Health Risk Matrix.

The risk assessment process will identify relevant actions or controls based on the assessed risk rating.

Review with Treating Medical Practitioner

If identified by the risk assessment, a manager must seek medical information from the employee's Treating Medical Practitioner. Following receipt of a signed consent form from the worker, the manager will write to the Treating Medical Practitioner outlining the organisation's concerns and request an assessment and subsequent advice to assist with decision making regarding Recovery at Work. This advice will be sought in relation to the employee's current position description and job demands checklist.

Decision making on Recovery at Work

In the first instance, Justice Health must rely on the available evidence from the Treating Medical Practitioner. If the information is inconsistent, unclear, or there are concerns around the practicality of implementing the advice, then this should be discussed with the employee and clarification sought from the Treating Medical Practitioner.

Request to take leave or direction on Sick Leave

Following the risk assessment, the employee may request to take leave. Employees may utilise other leave types should they have exhausted all of their sick leave entitlement.

In some circumstances, it may be determined that the employee may be directed on sick leave while Justice Health seeks medical information from the employee's Treating Medical Practitioner or subsequently an Independent Medical Examination (IME).

The employee must be provided with a letter advising them of the direction on sick leave. In these cases, where sick leave is exhausted, the employee does not have excess leave, or does agree to use other available leave, they may be noted as Absent at Own Expense. In some particular circumstances, approval can be sought from the Tier 2 Senior Manager to provide the employee with a short period of Special Leave.

Decision making for an IME

If the Treating Medical Practitioner's advice is not available, inconsistent or inadequate, then Justice Health may consider referral to an IME at a cost carried by the cost centre. The process for referral and consultation with the employee is outlined further in the more detailed information available on the intranet or through the Human Resources team.

Analysis of the IME Report

The IME report should be reviewed with all parties to determine how to proceed. The employee should be provided with a copy of the IME report through their Treating Medical Practitioner. A meeting with the employee should occur to outline the outcome of the IME and the next steps. Considerations in the decision making process Justice Health needs to make reasonable adjustments as required to assist the employee to remain at work. The time frames and ability of the organisation to make reasonable adjustments will be determined by Site/Service Senior Management.