

Submission: Regulation of return to work assistance

Name of organisation or individual making this submission: NSW Branch Australasian Faculty of Occupational and Environmental Medicine

Name of contact person/authorised delegate: Judy Balint

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Focus question 1: What are appropriate 'classes' of new employment assistance?

no comment

Focus question 2: What circumstances, if any, should limit the types of costs that can be claimed under this benefit?

Provision of the assistance should relate directly to employment.

Focus question 3: Should there be a time limit on when a cost was incurred and, if so, what timeframes would be reasonable?

Implementation guidelines need to clearly define how many times the \$1000 can be paid to an injured worker in addition to timeframes.

Focus question 4: What type of employment arrangements (eg ongoing employment, casual, short term contract work, or self-employment) should be considered?

All types of employment arrangements should be included as increasing workers have portfolio jobs which include contract work and self employment .

Focus question 5: With reference to the information provided in Table 1 of the discussion paper, should limitations be considered in the classes of education and training?

Approved programs should be clearly related to up-skilling and directed at obtaining future employment in an available job market. We do not support the inclusion of leisure and well-being training nor pre-vocational training that is not recognised by industry or conducted by registered training organisations.

We see that payment for on the job training could be misused by a future employer and would only support such training in the context of disability support services.

Focus question 6: With reference to the information provided in Table 2 of the discussion paper, should limitations be considered in the classes of training provider?

Only registered training organisations should be able to provide the training.

Focus question 7: What circumstances, if any, should be considered in which an employer should not be liable to pay the cost of education and training assistance?

There should be a professional review of any proposed training program which takes into account the injured person's physical and mental capacity to participate and complete the training and undertake a job resulting from such training. Although participant interest is important there is little merit in approving training for a course that the person cannot complete or ultimately work in a role using the skills.

Focus question 8: What considerations might be necessary in relation to the interaction between two new return to work assistance benefits and the existing vocational rehabilitation (section 53) programs?

no comment

Focus question 9: What operational and administrative arrangements should be considered in relation to the two new return to work assistance benefits?

Insurers should provide clear processes for the application for training including the cost verification and should advise an injured worker of the process and cost. Timely decision making and communication with the employer are required. It should be made clear to a worker that they cannot incur costs without approval and the insurer should be required to make timely decision regarding approval.

Focus question 10: Do you have any innovative ideas that might be incorporated into the return to work assistance regulation or otherwise enhance the regulation?

Insurers should provide continuity of case managers. The current practice by some insurers of frequently changing case managers has an adverse impact on the outcome for both the employee and employer.

Focus question 11: Are there any other matters relevant to the return to work assistance regulation that have not been addressed elsewhere in the SIRA discussion paper or your submission?

There need to be guidelines for those failing to progress in their return to work program.