



## FITNESS FOR WORK POLICY

---

The Company is committed to providing a safe work environment for all employees, contractors, and visitors. The Company requires employees to be fit to meet the inherent requirements of the position and to be able to perform work safely.

The Fitness for Work Policy is not incorporated into and does not form part of an employee's employment contract. Rather, it provides guidelines for employees and managers, and summaries of applicable legislation.

### FITNESS FOR WORK – PRE-EMPLOYMENT

Employees acknowledge that prior to accepting employment with the Company, they have been informed about the nature of their proposed employment and that they do not have a pre-existing injury or condition which would prevent them from fulfilling the inherent requirements of their position.

Employees acknowledge that it is their responsibility to disclose all pre-existing injuries and diseases suffered by the employee of which the employee is aware and which the employee could reasonably be expected to foresee could be affected by the nature of the employee's proposed employment.

It is the obligation of individual employees to disclose to the Company any injuries or conditions that arise following commencement of employment in the event such injury or condition may impact their ability to perform their role safely and/or prevent the employee from performing the inherent requirements of their role. This applies regardless of whether the injury or condition arose in the course of employment with the Company.

### TYPE OF TESTING

Job applicants/candidates/prospective employees who have been selected to work for roles at the Company acknowledge that prior to commencing employment with the Company, they may be required to participate in any or all of the following types of testing, as directed by the Company:

- A full medical assessment
- The Company's health questionnaire
- Psychometric testing
- Drug and/or alcohol testing

- Hearing testing

The purpose of this testing is to ascertain whether the employee is capable of fulfilling the inherent requirements of the job for which they are applying.

In the event pre-employment screening reveals that an applicant has a disability that may impact their ability to fulfil the inherent requirements of the role for which they are applying, the Company will consider whether there are any reasonable adjustments that could be made to enable the applicant to safely fulfil those requirements should they be employed.

## **FITNESS FOR WORK – DURING THE COURSE OF EMPLOYMENT**

The Company may during the course of employment direct an employee to attend an assessment, at the Company's expense, to ascertain the employee's fitness for work and whether the employee is able to perform the inherent requirements of their role. If an employee is required to undergo such assessment, they will be directed to provide a written consent for the practitioner performing the assessment to disclose the information regarding their fitness for work to the Company.

This may occur if an employee sustains a work-related injury, to assist in the return to work process, or may otherwise occur if the Company has concerns that the employee does not have capacity to fulfil the inherent requirements of their role safely.

These processes are outlined further below.

All personal health information provided to the Company will be kept confidential and will only be used for the purposes of this Policy and other related Company Policies. A refusal to submit to a fitness for work assessment may result in the employee being suspended from duty until such time as the Company can be satisfied it is safe for them to work.

## **WORKCOVER PROCEDURE**

The Company recognises that employees may be entitled to workers' compensation if they suffer an injury or illness arising out of or in the course of their employment with the Company.

Any claims for compensation will be forwarded to the Company's WorkCover Agent.

If an employee suffers an injury or illness at work, the following procedure must be followed:

- If an employee wishes to lodge a claim for compensation, claim forms can be obtained from the RTW Coordinator.



- In order for a claim to be accepted, a WorkCover Certificate of Capacity must be provided by a medical practitioner who saw the employee after the injury.
- The employee's claim form, Certificate of Capacity and Incident Report Form must be returned to the RTW Coordinator as soon as possible.
- Any medical expenses that relate to a WorkCover claim should also be provided to the RTW Coordinator.
- Employees requiring time off work must provide a certificate. No wages will be paid for lost time until the RTW Coordinator / Payroll has received approval from the WorkCover Agent.
- Once the claim has been accepted, relevant payments and reimbursements (including of medical expenses) will be made. It is therefore extremely important that all paperwork is completed immediately to ensure that employees are paid promptly.

## RETURN TO WORK PROCEDURE

The Company aims to facilitate wherever possible a return to work (**RTW**) following an employee's absence due to work-related injury, in accordance with workers' compensation legislation.

The priority of all RTW planning is early, safe return to suitable duties following a work-related injury or illness. The Company, in consultation with the injured employee, a nominated treating doctor, and the insurer, will work on individual RTW strategies and plans for each injured employee with the aim of getting the person back to work as soon as possible.

*NB: This section is compliant with Victorian legislation; for national employers this may need to be adapted referable to State-based workers' compensation legislation.*

The Company will:

- Make suitable duties available to injured employees who are certified fit for suitable duties and where it is reasonably practical to do so.
- Refer an injured employee to a rehabilitation provider if required.
- Notify the insurer if unable to provide suitable duties.
- Cooperate with the insurer in providing retraining to an injured employee who is unable to return to their pre-injury job.

As an injured employee you must:

- Cooperate with worksite changes designed to assist the RTW of you or fellow employees.



- Participate in the establishment of the Injury Management Plan and RTW Plan.
- Nominate a treating doctor who will agree to participate in the development of the RTW Plan.
- Authorise the treating doctor to provide relevant information to the insurer or the employer for the purposes of the Injury Management and RTW Plan.
- Make all reasonable efforts to RTW on pre-injury duties, as soon as possible, having regard to the injury.

Employees should ensure that they cooperate with the RTW process as insurance agents may suspend weekly benefits if an injured employee unreasonably refuses to cooperate with/participate in the RTW process.

As an injured employee your rights are:

- To be provided with RTW information and be consulted about how that information is to be made available.
- To the extent that is reasonable for the Company to do so, to be provided with suitable employment if you have a current work capacity or pre-injury employment if you no longer have an incapacity for work for a period in accordance with the legislation.
- To be consulted by the Company about planning your RTW.
- To be provided with details of your RTW arrangements.
- To the extent that it is reasonable for the Company to do so, to be consulted and provided with information about your RTW and provided with an opportunity to consider and express your views about your RTW.
- To be represented, assisted and supported (except by a legal practitioner) during any stage of the RTW process, including in the consultation process.

## FINDING SUITABLE DUTIES

Employees injured at work are, where it is reasonable to do so, brought back to work on suitable duties as part of their rehabilitation with the aim of returning them to pre-injury duties. The aim is to have a gradual RTW with regular upgrades towards the overall goal which is a return to preinjury duties. Suitable duties for partially incapacitated employees should be meaningful, productive and consistent with remaining capabilities.

The following will be considered when determining suitable duties:

- The nature of the employee's pre-injury duties.



- Details of physical restrictions given by the treating doctor (shown on the medical certificate).
- The employee's skills and experience.

Where suitable duties can be provided, they will be:

- Time limited.
- Reviewed on a regular basis.
- Upgraded, where possible, on a regular basis.

Each case will be treated on an individual basis to strive for the best outcome for the Company and the employee.

When the injured employee is not likely to resume pre-injury duties or cannot do so without alteration to the workplace or work practices, a nominated Rehabilitation Provider may be engaged to assist in the RTW process.

For information on our current Authorised Agent and Return to Work Coordinator, please contact your manager.

## NON WORK-RELATED INJURIES AND ILLNESSES

The Company requires employees to be fit to meet the inherent requirements of their position and to be able to perform work safely.

As an employer, the Company is mindful of its responsibilities under both Equal Opportunity and Occupational Health and Safety legislation. This includes ensuring that employers accommodate employees with illnesses and injuries by making reasonable adjustments, and to ensure that employees are able to perform work safely without exposing themselves or others to risks of further illness or injury.

Managers should be aware of early warning signs that may indicate an employee is experiencing issues with capacity to safely fulfil the requirements of their role, which may include the following:

- Absenteeism, lateness, excessive use of breaks.
- Accidents or near misses at work.
- Changes in behaviour or attitude (such as negativity, hostility, lack of cooperation).
- Unwillingness to upskill or resistant to changes in the workplace.
- Sleeping on the job.
- Suspected alcohol or drug use.

The Company aims to go beyond its minimum legal requirements by taking proactive steps to monitor whether an employee can safely perform their role.



Proactive steps include encouraging and training managers to have regular discussions with employees and to recognise any changes in employee conduct or behaviour which could indicate an issue.

Managers play a critical role in the functioning of their team. Successful monitoring of work capacity starts with regular manager-employee meetings and is further supported by Company-wide reviews on employee engagement.

Where managers are concerned about an employee's ability to perform their role safely, they should contact Human Resources.

## MEDICAL INFORMATION AND FITNESS FOR WORK ASSESSMENTS

If the Company has concerns about capacity for work and/or whether it is safe for them to work, the Company may direct an employee to attend upon the employee's treating doctor or other health practitioner for a fitness for work assessment.

In the event that the employee's treating doctor or other health practitioner does provide medical evidence relating to capacity for work, the Company may direct the employee to attend upon the Company's doctor or other health practitioner, at the Company's expense and discretion, for a further assessment.

The purpose of any such assessment is to ascertain the employee's fitness for work and whether the employee is able to perform the inherent requirements of their role safely.

If an employee is required to undergo such assessment, the following general procedure may be followed as appropriate in the circumstances:

- The Manager shall notify Human Resources about the concerns about the employee's fitness for work and whether the employee is able to perform the inherent requirements of their role.
- Human Resources shall prepare a request for health information to be provided by the employee's treating doctor or other health practitioner.
- Human Resources together with the Manager shall approach the employee and arrange a meeting with the employee to discuss the request. The employee may be offered the opportunity to have a support person present during this meeting.
- During the meeting, the Manager shall outline the concerns about the employee's fitness for work and/or whether the employee is able to perform the inherent requirements of their role safely and confirm that the Company is seeking medical information from the employee's treating doctor or other health practitioner, as determined appropriately by the Company.



- The employee will be directed to provide consent for the treating doctor or other health practitioner to disclose information regarding their fitness for work to the Company.
- If the treating doctor or other health practitioner determines that the employee is unfit to continue working, then the employee will not be permitted to return to work until such time as the Company can be satisfied it is safe for them to work. In this circumstance, the employee may be required to take personal leave or unpaid leave, or other such arrangements as agreed between the Company and the employee.
- If the employee is fit to continue working, the employee will return to their job. All time lost in attending the doctor or other health practitioner will be paid for by the Company.
- If the treating doctor or other health practitioner determines that the employee is fit to continue working with restrictions, Human Resources together with the Manager will consider whether reasonable adjustments or modifications may be required to enable the employee to fulfil the inherent requirements of their role safely. If reasonable adjustments can be made to accommodate the employee's condition, Human Resources and the Manager may prepare a Return to Work Plan incorporating the reasonable adjustments to the role. The employee will be notified of the Return to Work Plan and their agreement sought to comply with the Return to Work Plan, prior to their return to work. Any adjustments to the inherent requirements of the job will be for a short-term basis only, with a view to supporting the employee back to full capacity.

## SPECIAL CONSIDERATIONS – PREGNANT EMPLOYEES

The Company has a duty to provide and maintain so far as is reasonably practicable a working environment that is safe and without risks to health of all employees, including those who are pregnant. The Company acknowledges a pregnant employees' needs may change during their pregnancy and is committed to taking these needs into account and responding accordingly to not only meet occupational health and safety obligations, but as a best practice employer.

If a pregnant employee continues to work within six weeks before the estimated date of birth, an employer may ask the employee to provide a medical certificate, stating:

- Whether the employee is fit for work.



- If they are fit for work, whether it is inadvisable for the employee to continue working in her present position during a stated period because of any of the risk factors specified below.

The risk factors include any illness or risks arising out of the employee's pregnancy, or hazards connected with the employee's position.

If the employee fails to provide the certificate within seven days, or if the certificate states that the employee is not fit for work, an employer may require an employee to start unpaid parental leave as soon as practicable.

### **TRANSFER TO A SAFE JOB OR 'NO SAFE JOB LEAVE' – PREGNANT EMPLOYEES**

A pregnant employee is entitled to be transferred to an appropriate safe job if she provides medical evidence that states she is fit for work, but it is inadvisable for her to continue working in her present position for a certain period (the risk period).

Permanent employees who are entitled to parental leave are transferred into a safe job and will be paid for their full rate of pay for the position they were in before the transfer. Unless otherwise agreed, the safe job must have the same ordinary hours of work.

Where the pregnant employee is unable to work their usual role and there are no appropriate safe jobs available, the employee is entitled to take no safe job leave for the relevant risk period. If the employee is entitled to parental leave, no safe job leave will be paid.

### **SPECIAL CONSIDERATIONS – AGEING WORKFORCE**

The Company supports its ageing workforce and values their knowledge, skills, and experience. The Company supports the integration of the ageing workforce in the following ways:

- Requests for flexible working arrangements.
- Assistance with the transition to retirement or phased retirement plans.
- Access to employee assistance program.

Additionally, the Company has a duty to provide and maintain so far as is reasonably practicable a working environment that is safe and without risks to health of all employees, including its ageing workforce.

The Company acknowledges the ageing workforce may face unique challenges and may have changing needs and is committed to taking these challenges and needs into account and responding accordingly to not only meet occupational health and safety obligations, but as a best practice employer.





## SPECIAL CONSIDERATIONS – FATIGUE MANAGEMENT

The Company's operations are sometimes undertaken outside ordinary working hours, including extended hours, on-call arrangements and (occasionally) rotating shifts. If not managed appropriately, these working arrangements may contribute to fatigue, which can affect a person's health, increase the chances of workplace injuries occurring and reduces performance and productivity within the workplace.

Fatigue is more than feeling tired or drowsy. It is an acute or ongoing state of tiredness that leads to physical or mental exertion and prevents people from functioning within normal boundaries.

Fatigue can be caused by work-related factors, factors outside work and/or a combination of both and may accumulate over time.

The Company must provide a safe working environment for its employees and contractors, so far as is reasonably practicable, in relation to fatigue in the workplace.

Fatigue management is a responsibility that is shared by senior management and employees and contractors of the Company as it includes factors that take place inside and outside of work.

### FATIGUE RISK MANAGEMENT

Fatigue risk management is about managing sleep, the duration of sustained wakefulness and type of work performed. The level of control will reflect the level of fatigue risk.

Work related risk factors shall be addressed because they reduce physical performance, impact on psychological factors such as judgement, concentration, vision, and decision-making processes.

### SIGNS AND SYMPTOMS OF FATIGUE

Managers should be aware of signs when determining if an employee or contractor may be fatigued including: changes in behaviour, irritability, anger, reduced cooperation, slow response time, poor coordination, apathy, nodding off, distraction or mistakes/errors.

### RISK ASSESSMENT

The following measures go beyond the minimum legal requirements and can be used for effective management of fatigue in the workplace:

#### 1. Identify and Assess Factors Contributing to Fatigue



The following can be considered when identifying and assessing factors that may contribute to fatigue:

- Length of shift hours worked.
- Previous hours and days worked.
- The type of job task being performed and work being carried out.
- The time of the day when job tasks are performed and work is carried out.

This identification process can involve consultation with employees, inspecting work rosters, internal reviews, analysis of incident reports and workplace surveys.

## **2. Implement Appropriate Risk Control Measures**

Elimination of the factors that contribute to fatigue is the best solution. If this is not possible, then risk control measures (which are based on the hierarchy of hazard control) must be put into place to minimise fatigue.

The following factors can be taken into account for effective management of fatigue:

- The design of the roster (for example the number of successive night shifts, the start and finish time of shifts, shift hours worked & leisure time).
- The hours spent traveling to and from work.
- An adequate amount of work breaks.
- A review of all physical job tasks and manual handling tasks performed.

Personnel are encouraged to self-assess where they believe they may be impaired due to the effects of fatigue.

Managers should identify signs and risks associated with fatigue in workers. Best practice includes:

- Risk assessments are completed and authorised prior to a worker working beyond a 12-hour shift.
- Where required a risk assessment is completed and authorisation is sought and received before an employee or contractor 'works' beyond 14-hours.
- Records are kept that show the requirements of this procedure have been met.

## **3. Employee/contractor responsibilities**

Employee and contractors must:



- Report to work well rested and fit for duty.
- Manage the individual factors associated with fatigue.
- Recognise and report fatigue symptoms and risks to their Manager including any suspicion of risk to other employees from fatigue related matters.

## DRIVING

All employees and contractors should be aware of the effects of fatigue when driving to and from work and during the course of their work activities. When driving, employees and contractors should ensure that they:

- Take a sufficient number of and regular rest breaks (including bathroom breaks).
- Immediately stop driving when feeling tired.
- Plan the journey factoring in pre-journey work duties, the duration of the journey and post-journey commitments.

An employee or contractor/worker who identifies they are impaired by fatigue (to the extent that it has the potential to create a health and safety risk) as the result of a voluntary self-assessment must cease work immediately and contact their supervisor. A formal risk assessment will be conducted to identify appropriate controls.

An employee who is unfit for work as a result of fatigue impairment due to personal circumstances shall apply for appropriate leave. Leave will be in accordance with the relevant procedure or site industrial agreement.