

Gladstone Regional Council

Corporate Standard

Title	FIT FOR WORK CORPORATE STANDARD
Corporate Standard No.	CS-2021-04
Business Unit/s	PEOPLE CULTURE AND SAFETY
Date of Approval by CEO	
Date of Effect	
Review Date	
Date Repealed	

1.0 PURPOSE:

The purpose of this Corporate Standard is to ensure that the health and safety of all persons in relation to understanding their obligation to attend the workplace, in a fit state to undertake their duties.

2.0 SCOPE:

This Corporate Standard applies to all workers of the business as defined under Section 7 of the *Work Health and Safety Act 2011*.

3.0 RELATED LEGISLATION:

- *Work Health and Safety Act 2011*
- *Work Health and Safety Regulation 2011*
- *Workers' Compensation and Rehabilitation Act 2003*
- *Workers' Compensation and Rehabilitation Regulation 2014*
- *Information Privacy Act 2009*
- *Anti-Discrimination Act 1991*
- *Human Rights Act 2019*

4.0 RELATED DOCUMENTS:

- Gladstone Regional Council Certified Agreement
- Work Health and Safety Policy
- Rehabilitation and Return to Work Policy and Corporate Standard
- Drug and Alcohol Management Corporate Standard
- Medical Assessments and Health Monitoring Corporate Standard
- Fatigue Management Procedure
- Immunisation Corporate Standard
- Redeployment Corporate Standard
- Employee Assistance Program Information.

5.0 DEFINITIONS:

To assist in the interpretation of this corporate standard the following definitions apply:

the Business means Gladstone Regional Council in its operational capacity.

Fit for Work - a person is deemed *fit for work* if they can safely and competently perform the inherent duties of their role, without unacceptable risks to themselves and others resulting from a physical or physiological injury, illness or impairment.

Independent Medical Assessment means a medical examination undertaken by an independent medical practitioner to assist with decisions about ongoing rehabilitation, return to work or ongoing work capacity.

Leader means the Executive Team, Managers, Team Leaders and other supervisory position that reports to a General Manager of the business.

Representative means a person who speaks on behalf of, or in favour of, someone or something (process/decision) who is not able or willing to do so for themselves. For example, a union or legal representative.

Signs of Unsafe or Impaired Behaviour for the purposes of this Corporate Standard includes but is not limited to:

- Drowsiness or sleepiness
- Alcohol and/or drug odours on the breath
- Slurred or incoherent speech
- Confusion
- Aggressive behaviour
- Unexplained mood changes
- Lack of manual dexterity
- Restricted or impaired movement
- Lack of coordination
- Work related accidents or injuries where a reasonable suspicion of substance abuse exists
- Excessive carelessness
- Behaves in a way inconsistent with an individual's typical behaviour
- Leaving work area for extended periods or unexplained reasons
- Considerable deterioration in job competency and/or performance
- Exhibiting significantly elevated levels of stress or unreasonable anxiety / concern
- Unable to complete assigned tasks safely and/or within a reasonable period of time.

Substantive Role means a worker's job position for which they have an entitlement or would normally occupy in the absence of any acting appointment.

Support Person means someone who the person requests to be present to provide emotional and moral support. A support person cannot disrupt or obstruct a process.

Worker means all workers of the business as defined under Section 7 of the *Work Health and Safety Act 2011*.

6.0 CORPORATE STANDARD STATEMENT:

6.1 FIT FOR WORK FRAMEWORK

The business is committed to providing a safe work environment to ensure the health, safety and wellbeing of all persons. This commitment will be supported by the business's Fit for Work framework which includes the following key elements and programs:

1. Medical Assessments and Health Monitoring
2. Immunisation Programs
3. Employee Counselling Services
4. Drug and Alcohol Testing
5. Fatigue Management
6. Rehabilitation and Return to Work Programs
7. Suitable Duties Programs
8. Redeployment
9. Other Health, Safety and Wellbeing initiatives.

6.2 RESPONSIBILITIES

6.2.1 Workers

- Maintain health and wellbeing to ensure that employment duties can be performed competently and safely
- Report any health and wellbeing impairments (work or non-work related) that may affect safe and competent performance of employment duties and provide a medical or other clearance if requested to do so
- Provide a medical clearance prior to returning to work following a non-work-related surgical intervention or a prolonged absence from work due to a non-work-related illness or injury which may affect a worker's capacity to undertake normal duties
- Participate in fit for work assessments, fit for work programs and other associated requirements of the business.

6.2.2 Leaders

- Ensure that workers are informed and aware of fit for work framework and specific fit for work requirements relating to worker roles
- Monitor workers fitness for work and seek advice and assistance as required
- Assist with developing and supervising suitable duties programs, rehabilitation & return to work arrangements, redeployment considerations and other associated matters
- Regularly communicate with ill, injured or impaired workers and other relevant staff to monitor and support fit for work processes and outcomes
- Maintain confidentiality in relation to fit for work actions.

6.2.3 People Culture and Safety Business Unit

- Provide advice and assistance on fit for work matters, including but not limited to, injury and illness rehabilitation, suitable duties programs, workers compensation and redeployment considerations, medical and health assessments and return to work arrangements
- Ensure the development and maintenance of job specific fit for work criteria for positions as required for the purposes of pre-employment and other medical and health assessments, ongoing fit for work assessments and health monitoring
- Maintain confidential and accurate records.

6.3 EMPLOYEE ASSISTANCE PROGRAM

Workers will have access to the Employee Assistance Program (EAP) and can elect to have a support person or representative throughout the fit for work process should they require support.

6.4 FIT FOR WORK ASSESSMENT AND MANAGEMENT PROCESS

As part of its duty of care, the business will, prior to and during employment, assess workers fit for work status.

There are two types of circumstances that may prompt a Fit for Work Assessment, as follows:

- A. Where a worker is reported or observed as showing Signs of Unsafe or Impaired Behaviour; or
- B. Where a worker has been absent from work due to illness or injury or surgery that may impact their ability to safely undertake their duties.
Examples:
 - *Example of injury that may affect ability to safely perform duties may include, but is not limited to, fractured bone/s, significant muscular injury, mobility restriction, eye injury, spinal injury/surgery, head injury/surgery, heart surgery.*
 - *Example of illness that may affect ability to safely perform duties may include, but is not limited to, stroke, heart conditions, degenerative neurological or brain disorders, major psychological disorders, uncontrolled diabetes or blood pressure, uncontrolled epilepsy.*

6.4.1 Signs of Unsafe or Impaired Behaviour

Where there is a report or observation that a worker may not be fit for work, the following process will be applied:

1. The worker's leader is to assess the situation including:
 - a. An assessment of the Signs of Unsafe or Impaired Behaviour (refer Attachment 2 for checklist); and
 - b. Have a discussion directly with the worker.
2. Where it is evident that a worker is showing Signs of Unsafe or Impaired Behaviour which may be as a result of:

- a. Drugs or Alcohol; or
- b. Fatigue

Leaders and workers must follow the process in the Drug and Alcohol Management Corporate Standard and/or the Fatigue Management Procedure.

3. Temporary Re-Assignment of Duties

Where factors other than fatigue, drugs or alcohol may be impacting on the worker's ability to be Fit for Work, they should be managed in the workplace by assigning alternative tasks for a short period to remove the assessed risk, or by putting appropriate risk controls in place. The worker should be monitored for the balance of the shift and adjustments made as required to ensure the safety of the worker and others.

4. Stood Down – Non-Work-Related Causes

If it is determined through risk assessment that it is unsafe for a worker to be on duty due to non-work-related causes and temporary re-assignment of duties cannot be achieved, the worker should be stood down. Leaders to arrange transport home. In cases of non-work-related fitness for work factors, the worker may access their sick leave or other approved leave types.

5. Where a worker and leader disagree on:

- (a) whether a worker is fit for work; and/or
- (b) if there are suitable alternative duties available for the worker to perform

the worker or leader may request a review by a People Services or WHS Business Partner.

6. If a worker has been stood down as being unfit for work they will not be permitted to return to work until they are able to demonstrate via a medical clearance or other relevant assessment that they are fit for work.
7. The business reserves the right to require a worker to undergo a functional capacity or independent medical assessment in accordance with the Medical Assessments and Health Monitoring Corporate Standard where there is a significant or ongoing concern on a worker's ability to maintain their fitness for work.
8. The business will manage the rehabilitation and return to work process in accordance with the Rehabilitation and Return to Work Corporate Standard.
9. Where it has been determined that a worker cannot return to normal duties and restricted duties are required, leaders are to liaise with Council's Rehabilitation, Health and Wellbeing Advisor to develop a suitable duties program in accordance with the Workplace Rehabilitation and Return to Work Corporate Standard.

6.4.2 Prolonged Absence from Work / Surgical Intervention

Where a worker has had a non-work-related surgical intervention or prolonged absence from work due to a non-work-related illness or injury which may affect a worker's capacity to undertake normal duties, the following process will be applied:

1. Worker is to report the temporary impairment to their leader.
2. Workers are to provide a medical clearance or other relevant assessment that demonstrates their fit for work status prior to returning to work.

Where the business is concerned about the safety of the worker and the potential for reoccurrence or aggravation of the injury, workers may be required to undergo a functional capacity or independent medical assessment/s in accordance with the Medical Assessments and Health Monitoring Corporate Standard.

3. The business will manage the rehabilitation and return to work process in accordance with the Rehabilitation and Return to Work Corporate Standard.
4. Where it has been determined that a worker cannot return to normal duties and restricted duties are required, leaders are to liaise with Council's Rehabilitation, Health and Wellbeing Advisor to develop a suitable duties program in accordance with the Workplace Rehabilitation and Return to Work Corporate Standard.

6.5 INFORMATION PRIVACY AND ACCESS

Any personal information collected by the business as part of the Fit for Work Assessment and management process will be managed in accordance with the requirements of the *Information Privacy Act 2009* and *Workers' Compensation and Rehabilitation Act 2003* which includes requirements that:

- a) Personal information is to be securely stored with access restricted to delegated officers only
- b) Personal Information contained in records must not be disclosed to third parties without the consent of the individual or where the business is required to do so by law
- c) Individuals may request access to their personal information held by the business.

7.0 ATTACHMENTS:

1. Fit for Work Assessment and Management Flowchart
2. Record of Assessment / Observations and Actions Form

8.0 REVIEW TRIGGER:

This corporate standard will be reviewed when any of the following occur:

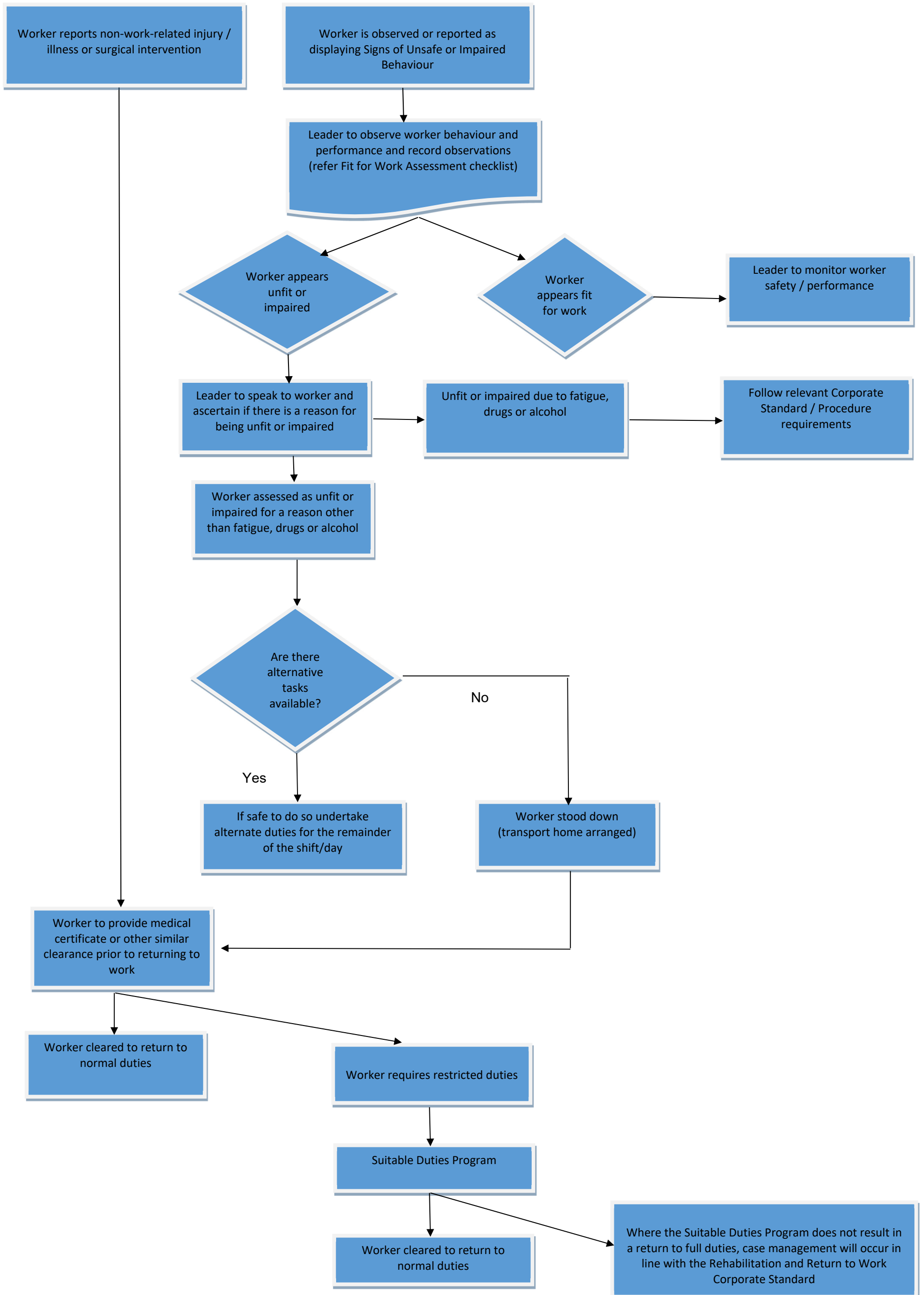
1. The related legislation or governing documents are amended or replaced; or
2. Other circumstances as determined by resolution of Council or the CEO; or
3. Three years from date of effect.

TABLE OF AMENDMENTS		
Document History	Date	Notes (including the prior CS No, precise of change/s, etc)
Originally Approved		
Amendment 1		
Amendment 2		
Amendment 3		

APPROVED:

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LEISA DOWLING
CHIEF EXECUTIVE OFFICER

ATTACHMENT 1 – FIT FOR WORK ASSESSMENT AND MANAGEMENT PROCESS FLOWCHART



Gladstone Regional Council

Corporate Standard

ATTACHMENT 2 – FIT FOR WORK ASSESSMENT CHECKLIST

Fit for Work

Record of Assessment / Observations and Actions

Name & Position of Person Completing this Form:	
Name & Position of Worker Observed / Assessed:	
Date and Time of Observation / Assessment:	
Location:	
Signs of Unsafe or Impaired Behaviour Observed: (tick boxes that apply)	<ul style="list-style-type: none"> <input type="checkbox"/> Drowsiness or sleepiness <input type="checkbox"/> Alcohol and/or drug odours on the breath <input type="checkbox"/> Slurred or incoherent speech <input type="checkbox"/> Confusion <input type="checkbox"/> Aggressive behaviour <input type="checkbox"/> Unexplained mood changes <input type="checkbox"/> Lack of manual dexterity <input type="checkbox"/> Restricted or impaired movement <input type="checkbox"/> Behaving in a way inconsistent with typical behaviour <input type="checkbox"/> Lack of coordination <input type="checkbox"/> Work related accidents or injuries where a reasonable suspicion of substance abuse exists <input type="checkbox"/> Excessive carelessness <input type="checkbox"/> Leaving work area for extended periods or unexplained reasons <input type="checkbox"/> Considerable deterioration in job competency and/or performance <input type="checkbox"/> Exhibiting significantly elevated levels of stress or unreasonable anxiety / concern <input type="checkbox"/> Unable to complete assigned tasks safely and/or within a reasonable period of time <input type="checkbox"/> Other
Assessment Outcome	
Other Relevant Information and Action Taken:	