

The Injury Management Programme (IMP)

Between Transdev Wellington (Transdev)

And

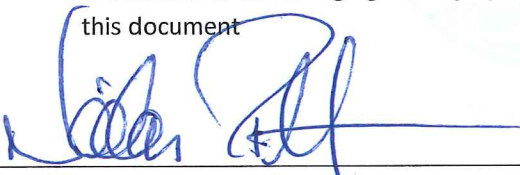
Rail and Maritime Transport Union (RMTU)

October 2016



1.0 Agreed Policy Statement


- 1.1 The Injury Management Programme (IMP) involves the combined efforts of Transdev Wellington (Transdev), its employees and their union representatives, the Rail and Maritime Transport Union (RMTU) and the ACC in reducing the human and economic costs of injury and illness for all concerned. This guide sets out the agreed objectives and processes for the management of the IMP throughout Transdev.
- 1.2 Clause 21.3 of the MECA confirms that the parties agree to jointly promote an Injury Management programme as laid out in this document.
- 1.3 Workplace based rehabilitation is an effective and proven way to help get people back to good health and work more quickly and achieve a more durable recovery following injury and/or illness. Undertaking medically appropriate tasks in a supportive, familiar environment is essential, and also reduces the secondary effects such as depression and loss of confidence which are known to prolong recovery time and sometimes prevent recovery altogether.
- 1.4 The IMP seeks to :
- ❖ Overcome barriers to reporting injury or work related illness
 - ❖ Ensure early referral to medical treatment
 - ❖ Ensure early intervention through on-site rehabilitation
 - ❖ Provide pre-claim advice and assistance
 - ❖ Link rehabilitation to injury prevention
 - ❖ Accept alternative duties
 - ❖ Provide supernumeraries when required
 - ❖ Ensure medically appropriate, return to work by negotiated agreement
 - ❖ Ensure employees who are injured at work are topped up and face no up-front treatment and rehabilitation costs.
- 1.5 The IMP has become an integral part of the workplace based on a cooperative approach between Transdev, its employees, union representatives and the RMTU. This cooperative approach, which is supported by the parties concerned, encourages an early safe return to work following incapacity (work or non-work related), or enables an employee to remain in the workplace while undergoing rehabilitation where safe to do so.
- 1.6 The signatures below show the commitment of Transdev and the RMTU to work together to assist employees to return to work following an injury or health issue. Both organisations are committed to ensuring that the IMP continues and is applied in a fair and equitable manner. Both parties are committed to achieving agreed injury and health management objectives including those detailed in this document



Niclas Flodin, Managing Director, Transdev Wellington Ltd

Date

29/11/16



Wayne Butson, General Secretary, RMTU

Date

29/11/16

2.0 Objectives

- 2.1 To assist employees in an early and safe return to work following an injury, medical or health issue (work and non-work related);
- 2.2 To assist in maintaining employees at work wherever possible. This programme is based on medical advice. This may include:
- The same job and same duties
 - Same job, modified duties, and/or modified hours of work
 - Another job;
- 2.3 To establish an organisational culture that reinforces active injury prevention. This involves the reporting and investigation of injuries, incidents and work related illness in the workplace to make sure the injury or illness does not happen again.
- 2.4 Overcoming the barriers to reporting will include developing a "no blame" culture for reporting; providing positive feedback when people do report; training in how to report and simplifying paperwork and reporting systems.
- 2.5 To establish in Transdev and the RMTU a culture which reinforces that return to work rehabilitation is the usual course of action. This will begin at the time the injury or ill health is reported by the employee to his/her supervisor and/or manager;
- 2.6 To assist the employee to maintain themselves at work or to integrate them successfully back into the workforce.

3.0 Programme Structure

The operation of the IMP and associated procedures and reporting will be reviewed by Transdev and the RMTU from time to time. This will include the responsibility of providing oversight to the management of the IMP including ensuring the objectives of the programme are being met and the tripartite nature of the programme is maintained.

4.0 Roles of Key People

The signatories to this agreement recognise that their organisation will be responsible for the following roles in the IMP.

- 4.1 Transdev Manager/Supervisor
- Ensure all event investigations which result in harm or potential harm are made available to HSRs upon completion;
 - Ensure the RMTU is informed of any injury events;
 - Ensure Reports are completed in a timely manner and relevant information is provided to the injured employee and their HSRs arising from any investigation
 - To educate employees with regards to rehabilitation, its purpose and method of operation within the workplace
 - To assist an employee obtain medical treatment

- Complete the Initial Needs Assessment in conjunction with the employee and their representative on the same day as incapacity or first day reported where possible
- Participate in the return to work process
- Assist with the identification of meaningful and safe alternative duties
- Advise fellow employees of the returning employee's capabilities and negotiate any workplace adjustments in advance of the return to work
- Provide support and encouragement
- Supervise return to work on a daily basis (or delegate this)
- Organise supernumeraries as required
- Organise and participate in rehabilitation meetings ensuring all parties are included
- Ensure all employees have the right to representation when the initial needs assessment is completed and throughout the rehabilitation process
- Work towards agreement
- Maintain regular contact with incapacitated employee

4.2 **Union / Employee Representative**

- Support the employee with claim lodgement and medical certification
- Support the employee in the return to work process
- Keep in touch with the injured employee if they are off work
- Promote the concept of rehabilitation and return to work with employees
- Assist in identifying meaningful and safe alternative duties
- Raise concerns in relation to individual cases with the Transdev manager/supervisor
- Attend meetings as a support person
- Work with Transdev, and/or ACC to assist with issues on individual cases
- Work towards agreement

4.3 **Incapacitated Employee**

- Immediately notify manager/supervisor of medical/health issue
- Where practicable complete event report with manager/supervisor Has representation throughout the rehabilitation process (e.g. union delegate, HSR or family member).
- Attend and participate in rehabilitation meetings
- Help identify meaningful and safe alternative duties
- Actively participate in the return to work process
- Undertake appropriate medical treatment to facilitate a safe return to work
- Take a proactive approach to recovery and on-going health and wellbeing
- Work towards agreement



5.0 The Process

- 5.1 The inclusive and consultative nature of the rehabilitation process is crucial in gaining acceptance of the programme in the workplace and in providing benefits for all involved.
- 5.2 Transdev will have robust procedures covering the processes required to ensure work and non-work related health is managed across the organisation in a fair and equitable manner.
- 5.3 Key components of these procedures are described below:

6.0 Alternative Duties

- 6.1 If an employee is unable to return to normal duties following injury or ill health, the parties will work with the incapacitated employee and employee representative on an appropriate return to work plan with safe meaningful alternative duties. These may include reduced working times on normal tasks or duties in other areas.
- 6.2 Any proposed alternative duties regime must be assessed to determine its physical, mental and emotional suitability for the individual involved. Duties must be within the medical restrictions.
- 6.3 There may be cases where alternative duties are not possible given medical restrictions and/or business needs.

7.0 Negotiation of the Return to Work Process

- 7.1 If a prospective alternative duties programme is found to be medically appropriate, a return to work (RTW) plan or health improvement (HI) plan shall be developed in negotiation with the incapacitated employee, supervisor of the alternative duties area and the union/employee representative. The RTW or HI plan shall be acceptable to all involved.
- 7.2 Where no agreement can be reached, rehabilitation and treatment will be in accordance with the Accident Compensation Act 2001 (ACC Act) (and all amendments).
- 7.3 The incapacitated employee's manager shall be actively involved in monitoring the rehabilitation progress and communicating this.

8.0 Earnings Make-up

- 8.1 Under clause 26.14 where an employee suffers a work injury or work related illness and is in receipt of weekly compensation, Transdev will supplement the weekly compensation up to the sick leave rate without debit to the sick leave entitlement. Where an employee suffers a non-work related injury and is on weekly compensation, Transdev will supplement the weekly compensation to the sick leave rate and debits on a proportionate basis the sick leave entitlement.

- 8.2 Under clause 26.16 Transdev may, at its own expense, require the injured employee to undergo a medical examination by a doctor nominated by the employer after consultation with the injured employee and their representative. Where practicable the employee will be offered a choice about which doctor they are assessed by.
- 8.3 Transdev agrees that employees who suffer a work injury or work-related illness will have access to approved treatment and assessments at no cost to themselves. Transdev will set up arrangements with selected treatment providers to ensure any costs and surcharges are paid directly by Transdev, and not the injured employee at the point of service.

9.0 Supernumerary Status

Where an incapacitated employee returns to work other than 100% fit, it may be necessary for them to return on a supernumerary basis. This means that if ten people are normally required to do the task, the incapacitated employee will return as an eleventh person. The need for supernumerary status will be discussed at the time of the rehabilitation meeting and will take into account medical and business considerations.

10.0 Medical Confidentiality

Medical and case management information will only be released to the parties to this programme with appropriate consent.

11.0 Mutual Agreement

Mutual agreement will be reached on a RTW/HI plan between the employee, their manager/supervisor, and union/employee representative. Where the person is under active case management by ACC, the return to work plan will also involve the ACC case manager.

12.0 Medical Clearance

Where an employee is in a safety critical role Transdev retains the right to request a medical clearance from a Transdev approved Registered Medical Officer (RMO) before the employee is deemed able to return to work. RMO costs will be at Transdev's expense.

13.0 Medical Retirement

Under the MECA it refers to termination for incapacity, however for the avoidance of doubt this allowance is payable to a person who has been medically retired.

14.0 Disputes Resolution

Disputes related to individual cases should be discussed at an arranged rehabilitation meeting with all the relevant parties present. These meetings will be without prejudice to the injured person's rights (including review and appeal) under the ACC Act 2001 or any other enactment.



14.0 Related Documents

This document is to be read in conjunction with the MECA. Under clause 27.3 provision is made for lump sum payments when a person is terminated due to incapacity. Under clause 27.4 provision is made for insurance cover for death and disablement.

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